SIGAR | SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

SIGAR Oral History Project (OHP)

Interview 31: Edited Transcript

Interview Date: 12/11/24

NAME/TITLE

INTERVIEWEE 31:
I'm [NAME] and I'm General Counsel for SIGAR.

JOB DESCRIPTION

INTERVIEWER:
And what's the job?

INTERVIEWEE 31:
Basically, that's the top legal officer. So, I provide legal advice to the IG. He's my client, along with the rest of the employees of the organization, of course. But my client is actually the inspector general himself.

INTERVIEWER:
And what are some of the other duties that come under your office – from FOIA, to other types of legal issues that come up?

INTERVIEWEE 31:
It's everything from household issues, the normal things that a general counsel would do – from leases of this office, for example, to anything involving personnel, legal issues involving employees, legal issues involving our relationship with the various agencies that we oversee, interpretations of our authorizing statute, other laws. You name it, practically anything.

But we also review all the audits, so we've been asked to interpret Afghan tax law, for example, which we do that also. And, you know, basically, anything related to law that comes up is within our bailiwick. But the IG* also counts on us for-- counts on me in particular – for legal advice, since I've known him for a long time. And just plain policy advice as well.
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

//

CAREER HISTORY

INTERVIEWER:
How did you come to work at this agency? Can you give us a sense of the sweep of your career, the trajectory from when you first started studying topics in school, and where you worked before coming to this agency, and then through your time joining the agency?

INTERVIEWEE 31:
Sure. And I'll have to start at the beginning. It goes back to when I was actually 19 years old and had my first day of federal service, in 1965, which was when I was drafted – on December 20th, 1965. So that's of significance because I wound up spending four years in the Army.

And part of that, a year of that, was as an advisor in Vietnam – because the Army was good enough to give me a commission, and I was assigned to Vietnam for all of 1968, where I worked with development agencies like USAID, the State Department, and so forth. As well as the Army, obviously. I was in the Army.

So that's where I got an interest in all this stuff.
//
INTERVIEWER:
When you were 22 and you were in Vietnam, what was the appeal of the work for you?

INTERVIEWEE 31:
I actually liked working overseas. I found the work very interesting because the idea was to help develop what was essentially a new government, really, when you get down to it. I worked at the provincial level, of course, so that's a different sort of thing.

I was an Infantry officer, so I enjoyed the mix of the work, both the political side and the military side. So it worked out well. And then I think I was probably most impressed by the people I worked with, which is sort of serendipitous, because I was impressed in a positive way. So I thought I might be interested in doing that sort of work in the future. So that's kind of a funny way I wound up there. I began to think along those lines.
//
And after I got out of the service is when I went to college, with the object-- by that time, I knew I wanted to go to law school and be a lawyer. So I went to college and law school, and then got out of there.

I began my career as a litigator for the United States, actually in railroad bankruptcies, Penn Central [Railroad] bankruptcy, and so forth.
//
I was with a unique organization, a government corporation called the United States Railway Association. And we had two missions there. One was-- at the time, there had been a major crisis in the northeast, with seven of the largest railroads having gone bankrupt, the Penn Central being the largest, the Reading, and so forth, all went bankrupt in 19-- around 1970.

And the Congress decided to take all the assets of those bankrupt railroads, created USRA, the company organization I worked for, to figure out which part of those assets were useful, create a whole new railroad, which became a company called Conrail. And at the same time, then the bankrupt railroads then sued us, sued the United States, for compensation for having taken all their assets.

So we also defended the United States in that litigation. And that went on for several years, as you might imagine. It was-- at the time, when we wound up settling with the Penn Central, it was the largest settlement for money ever. Now, it probably by today's standards would seem small. But back then, $3.3 billion was a lot of money.
//
After my time at the association, I moved to the Interstate Commerce Commission, where I was a political appointee in the Reagan administration. I was counsel to a commissioner that Reagan appointed there. So I worked there for five years.

And then realized it was time to move on. It was probably past time to move on. // I moved on from there to Capitol Hill, where I first did oversight and investigations work for the House Energy and Commerce Committee.
//
The House Energy and Commerce Committee, at that time, had a vacancy and they needed a railroad counsel. So I'd, at that point, had about nine years experience in railroad matters.

So I wound up getting the job. And that's how I wound up with Chairman John Dingell* on the House Energy and Commerce Committee doing railroad matters, which then brought me into a broader scope of jurisdiction, including environmental stuff, and a whole raft of other things, for which we conducted oversight investigations as well as doing legislation. So-- and I wound up as staff director and chief counsel of a subcommittee on Energy and Commerce, which back in those days was almost like a major committee, because the jurisdiction was so broad.
[* U.S. Rep. John Dingell (D-MI)]

INTERVIEWER:
Did you stay as a part of that committee for the entirety of your time in Congress, or did you go elsewhere?

INTERVIEWEE 31:
No, I stayed there for four years. And then I went into the private sector, where I worked for the American Insurance Association, representing large property casualty insurance companies, most notably on environmental-related things. They were at the time suffering from Superfund* liability, hazardous waste liability.
[*Superfund = [U.S.] Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980]

And I had become an expert on that, while I was on the Hill. And that's why they wanted me over there. And I wound up expanding that into asbestos liability and a variety of other things. But the

result was I learned a great deal about property and casualty insurance and how it works, as well as how many of the insureds, the insured companies worked, because I had to get into that a lot.

So I learned a lot about insurance underwriting and so forth. From there, I moved to the RAND Corporation – which, as you may be aware, is a large think tank. And I worked for RAND for about a year and a half, before I was hired away by one [NAME:] John Sopko,* who was with a RAND spin-off called Analytics Services Incorporated. So that's where [NAME:] John and I first worked together. So we worked there several years. And—**

[* former Special Inspector General for Afghanistan Reconstruction, 2012-2025]
[** acronym: ANSER]

INTERVIEWER:
Had he known about your work on the Energy and Commerce Committee?

INTERVIEWEE 31:
You know, we had not met prior to that. You know, you meet a whole lot of people on the Hill that you work with and, you know. And so, we don't remember having met before that, but we probably did kind of cross paths in a way. He was on the Senate side, while I was on the House side.

We wound up being introduced to each other formally by somebody from the railroad business who knew both of us. So that's how we wound up getting together and how I wound up at ANSER. From ANSER, in the meantime, over those years, the majority in the House of Representatives changed with, remember, the election of Newt Gingrich.
//
The first time in 50 years that it had switched to Republican control. So with that revolution, Dingell lost his chairmanship, of course. Became the minority on Energy and Commerce. In the 2006 election, the Democrats regained the majority, and Dingell became chairman of the committee again. And, of course, looked to expand his staff.

So both [NAME:] John and I wound up going to Energy and Commerce together. We had both decided to make the move separately. But we wound up there together again, working on the Oversight and Investigations Subcommittee for Dingell, so with [NAME:] John as chief counsel and me as his deputy.

So, as you can imagine, one thing led to another and then [NAME:] John [Sopko] left after two years to join a large law firm. I moved on. Dingell lost his chairmanship again, because of chairman limits and all that kind of thing. I moved over to the House Oversight, Government Oversight Committee, as chief counsel for investigations. And two years after that, I think it was the end of 2011, I moved back to Analytics Services, the think tank, when the majority changed hands again.

SIGAR HIRING/SIGAR MANDATE: 2012

And while I was at Analytics Services, [NAME:] John called me and said, "You know, I'm being considered for this new position of the special inspector general for Afghanistan reconstruction. Would you be interested in going over there?"

I said, "Sure. Let me know if you get appointed." So actually, when he was notified by the White House he was getting the nomination, I think the first thing he did was call me, after his wife. And said, "Would you like to be general counsel?" I said, "Sure," which was kind of funny, because actually I remember it vividly because I was eating some Chinese takeout at my desk at Analytics Services, and I'd just opened a fortune cookie.

And, believe it or not, what the fortune said was, "You will attend a party where strange customs prevail." And no sooner had I read that and the phone rang and it was [NAME:] John Sopko inviting me to be general counsel to SIGAR. So I thought, "There's something in these fortune cookies." So anyway, that's how we wound up working together for the third time, so.

INTERVIEWER:
Before we go on, what was the professional appeal between you and [NAME:] John Sopko that made you want to go and work together?

INTERVIEWEE 31:
We had fun together. And I think that part of it was that we both have an intense interest in oversight to make government work the right way. I think what we have in common is that we both hate to see government waste. We hate-- we both have this total aversion – I think it's a maniacal thing – about waste, fraud, and abuse of the whole government process, and want to see it work right.

So that's what we're interested in doing. I think our personalities mesh quite well for some reason. I don't know why, but they do. Because I don't think I'm like him in many ways. But on the other hand, we both try to see the humorous side of things. So it works out well.

INTERVIEWER:
You had made a career change to go into the private sector, but it didn't take. You didn't stay there.

INTERVIEWEE 31:
No.

INTERVIEWER:
What drew you out of the private sector to go back into government service?

INTERVIEWEE 31:
To be totally candid about it, it was political. The association hired a senior vice president who was a fanatical right-winger, and Republican. And I came from the Democratic side. And she wanted me out of there. So that was that.

INTERVIEWER:
But you also mentioned you'd been a Reagan administration appointee.

INTERVIEWEE 31:
Yes. I was a Democrat in the Reagan administration.

INTERVIEWER:
Different times.

INTERVIEWEE 31:
Yes. Yes.

INTERVIEWER:
So when [NAME:] John [Sopko] offered and you accepted, tell me what it was like to start out with him at an agency that had existed before you two joined it. You were joining it kind of in progress. What was that like?

INTERVIEWEE 31:
I think-- I can't speak for [NAME:] John, but I had some exposure to SIGAR already, and it was not a positive thing. I knew it was in total turmoil. When I was on the House Oversight Committee, I had lots of visits from the Special Inspector General for Iraq Reconstruction, [NAME:] Stuart Bowen, and his deputy.

And so I had an idea of what was going on there. And [NAME:] Bowen struck me as very competent and knowing what he was doing. Early in 2009, I actually took a trip with a small congressional delegation that stopped in Afghanistan, and we met with the fellow who headed the Kabul office of SIGAR.

Totally incompetent. He was unprepared. He knew nothing about what he was doing. He knew nothing about Afghanistan. As far as we could tell, he did absolutely nothing all day. And so that, when I took that back to Washington, I thought, "What is going on here?"

And then I saw a number of complaints about the Special Inspector General [for Afghanistan Reconstruction]-- the then-Special Inspector General himself, General Fields,* who was also viewed as wildly incompetent. And so that-- my impression was that the place was suffering from a vacuum of leadership. I mean, they had-- they were supposed to be doing lots of things, and they weren't doing anything.
[* Major General Arnold Fields, USMC (Ret.), former Special Inspector General for Afghanistan Reconstruction, 2008-2011]

So that's what it boiled down to. So, when I took a look at that and I thought, you know, "There's a vacuum here, and it needs some people who know what they're doing in oversight. And I think [NAME:] John Sopko* and I know what to do." And then in that call that [NAME:] John made to me

and offered me [the] general counsel position, asked me if I'd like that, he said, "I'm thinking about hiring [NAME:] Gene Aloise for our deputy general counsel." [sic]**
[* former Special Inspector General for Afghanistan Reconstruction, 2012-2025]
[** sic = "for our Deputy Special Inspector General = Gene Aloise, former Deputy Special Inspector General for Afghanistan Reconstruction 2012-2025; Acting Special Inspector General for Afghanistan Reconstruction 2025-]

And I knew [NAME:] Gene. I didn't know him well, but I knew who he was and everything. And I thought, "That's perfect, because we've got somebody who knows something about auditing. You know, like, 35 years of experience at GAO, and lots of Hill experience and so forth and testifying and all that." I thought, "That'll be perfect. Between the three of us, we'll be able to actually turn this place around." And I think that's exactly what happened.

INTERVIEWER:
And GAO is the Government Accountability Office. // Can you tell me a little bit about the enabling legislation that created SIGAR and gave it authorities? // What did the enabling legislation state? And what authorities did it give to this agency?

INTERVIEWEE 31:
The significance of that legislation was that it created a wholly independent special inspector general. And the key to that is that SIGAR is not housed within one particular agency. We are not under the control of, let's say, the Secretary of Defense, or the Secretary of State, or the Administrator of USAID, or any other agency.

We exist as a sort of a separate agency by itself, which is very unique. But that gives us the freedom to do things that other IGs don't have. And I can go into chapter and verse about other IGs and why they're not independent, but they aren't. So we're not afraid of anything.

The second thing, the advantage that we had, was – statutorily, we're not afraid of anything. But the first IG, frankly, was a retired general. He was extraordinarily friendly to the Department of Defense. They liked that guy. They're the ones who suggested his name. And guess what? He got appointed by the president.

And basically, he was not interested in rocking any boats, thank you very much. [LAUGHS] So [NAME:] John Sopko and I approached this from a totally different way, and [NAME:] Gene Aloise as well. First of all, [NAME] Sopko and I both have experience with-- our careers are based on temporary organizations.

I mean, that's what working on the Hill is. Every two years, your job is at risk, O.K.? And just as I summarized, I've gone through plenty of places. The first place I worked, for example, no longer exists. It went out of business. The ICC, where I went after that, no longer exists. It went out-- it's one of the remarkable things, a huge government agency that went out of business.

And then on Capitol Hill, you have the same thing over and over again. So we're not afraid of that. We've made a career in that. We don't care what anybody thinks. We're going to do our jobs. And the beauty of SIGAR was that statutorily it gave us that independence also.

And the only person who can remove the IG is the president of the United States. And that's it. To us, and somebody who's dedicated to oversight and doing vigorous oversight, that's probably the best feature of the entire statute right there. The second important feature of the statute is that it gives us all the authorities of the Inspector General Act.

But it also specifies-- it requires the agencies to cooperate with us. And without that, we wouldn't be able to do very much. So that's a really, really important provision. Those are the two biggest things about it, is the independence and the requirement the agency must cooperate with us.

The third thing, and this is essential, I shouldn't leave it out, is that our jurisdiction is not based on, oh, whatever the Defense Department does or whatever the State Department does. It is hinged on money appropriated or otherwise made available for the reconstruction of Afghanistan.

So, we are not contingent to any particular agency. Could be anybody in the United States, or even an international organization – which receives U.S. money for reconstruction in Afghanistan – is within our jurisdiction, which is as broad as you can possibly get. As to following the money anyway.
//
INTERVIEWER:
How optimistic were you about the impact that this kind of oversight agency, with this special inspector general model – specialized and focused, broad in authority, independent in management – could have on the U.S. efforts, missions, programs, and goals in Afghanistan?

INTERVIEWEE 31:
I'm always optimistic, so. [LAUGHS] I'm a hopeless optimistic. That's why you engage in oversight, because you're optimistic that you can something done. The beauty of the SIGAR statute is we thought it gave us some basis for that optimism. And I think we really have done a lot, mostly because one of the things that both [NAME:] John [Sopko] and I agree on is the absolute importance of publicity, because that's the only thing.

We don't have any enforcement powers at all when it comes to agency activities. We can't make them do anything. We can make suggestions, and that's it. But what we can do is embarrass them into it. And publicity is the thing they hate most. I mean, they like it if it's positive, but they really don't like it when it's negative.

And you'd be surprised at how things can turn in your favor when you start publishing this stuff, and you're candid about it. At the outset, we got a great deal of resistance. I mean, people were outraged. I remember a general called up [NAME:] John [Sopko] and ranted at him over the phone, early on about one of our audit reports.

INTERVIEWER:
With you in the room?

INTERVIEWEE 31:
I wasn't in the room. No, I can't remember now. I either wasn't in the room or whatever, but my office, where it is, I can hear when people start yelling over the phone even. It comes through the ceiling. So I can actually hear these things going on.

And this [LAUGHS] was one of those times. And I think I came into his office about halfway through the conversation. So I could hear this guy's voice over the phone. I couldn't hear clearly everything, but he was clearly yelling. I mean, he was just outraged.
//
But [NAME:] John [Sopko] ignored him. And we just continued doing what we were doing.

INTERVIEWER:
Was the gist of the negative reaction something about the quality of the work, or something about the right of the agency to do and publicize the work?

INTERVIEWEE 31:
The outrage was, as I recall, over the fact that we were publishing it. They wanted-- they claimed that they would be perfectly happy to take our reports, but why did we have to publish this stuff? "And why do you have to be so outrageous in your titles in the report?" So, one of the things, for example, when I first came in here is that we had report titles that ran along the lines of—

INTERVIEWER:
“Needs improvement?”

INTERVIEWEE 31:
I can think of a spec-- yeah. I think of a specific one was something along the lines of, "Construction in Kandahar could be better," or something like that. "Needs improvement" kind of thing. Well, in fact, the building was falling down.

So I changed the title to, "Building is falling down." The guy was totally outraged. [LAUGHS] And this was the kind of thing where we had photographs of cracks in the wall. Not just cracks, we're talking about things where you take your whole head and stick it through the wall and look through it for the camera. I mean, it was just outrageous.

INTERVIEWER:
That kind of direct language may be in conflict with certain traditional Washington ways of doing governmental business.

INTERVIEWEE 31:
Absolutely. Absolutely, because we kept getting resistance on those for years. And that was the reason, was because we'd lay it out in the title of the report what was going on.

//
INTERVIEWER:
When you first arrived at the agency, what were some of the legal issues that immediately presented themselves that were going to be part of your general duties for the agency?

INTERVIEWEE 31:
Legal issues?

INTERVIEWER:
Sort of right out of the gate, what did you start engaging with?

INTERVIEWEE 31:
Yeah. Right out of the gate, it was less legal issues, and it was more, "What do we need to do to make SIGAR actually succeed and work?"

INTERVIEWER:
SIGAR reconstruction?

INTERVIEWEE 31:
Yeah. It was sort of a SIGAR reconstruction. So between [NAME:] John, [NAME:] Gene and I, it was, "How do we get rid of the dead wood?" We realized almost immediately we've got people here who just shouldn't be here. And then secondly, we've got to produce more stuff. I mean, they were just not doing much work.

And third, we've got to figure out what it is that we ought to be doing, that they should be focusing on, and getting done, and how soon they ought to get it done, and what people we need to do that, and so forth. Part of that, from my point of view, was since I-- [NAME:] John asked me to review all the audits and so forth.

It was traditionally, you have to have a lawyer review them anyway under the Yellow Book, you know, the requirement that we have to meet certain, you know, regulatory requirements. So-- but he wanted me to read all the stuff anyway to see if it made sense, which is a whole different thing. It's not a legal question.

And, so that's what we did. And that's why I noticed things, like the building's falling down, but we're not saying the building's falling down. In that same case, by the way, I discovered that the United States had actually noticed-- I think it was the Corps of Engineers who was doing the work-- who had contracted for the work in Afghanistan – had realized that the building was not built as required.

So they wound up complaining to the contractor, and wound up settling with the contractor. Well, the settlement was kind of interesting. The contractor got all the rest of its money under the contract, had to do no repair work, and that was called a settlement and they wandered off.

So, that's where we realized, "Wait a minute. There is something totally wrong here." So that kind of thing is what we had to jump on. And the audit report never mentioned this. The audit report claimed that the advantage of the settlement was that the Afghans promised that they would no longer drive on the lawn, which is what the contractor claimed was the reason why the building was falling down, was because they were-- erosion from driving on the lawn, which is total nonsense. I mean, it was ridiculous. Why anybody would believe that is a complete mystery to me.

So, we actually-- so we did remarkable things like-- unique things for SIGAR, as we actually got the Investigations Directorate to go in there and investigate what's going on with this settlement.

And then we discovered that the guy who was representing the Corps of Engineers in the settlement talks with the contractors had gone off on vacation to Bangkok with the contractors. You know, things like that. So suddenly, everything became clear.

One thing leads to another. So that's when we realized this whole thing was rotten to the core and we had to force some changes here.

To be totally candid about it, some of those changes were-- some of that rot was inside. It was in this organization.

So we wound up getting rid of the head of investigations, for example, who was one of these guys with his feet up on the desk, literally every day, doing nothing. We had to get rid of a number of senior auditors, for the same reason. They had no idea what they were doing.

And they were-- at least one of them was obstinate about it, too. He thought he had a right to do nothing all day, thank you. So it was sort of like you can't make this stuff up. [LAUGHS] So it was just incredible. So that was before I ever got to legal issues.

When the first legal issues came, though, it was always the same theme. And it has been the whole time I've been here, and that is: agency cooperation.

And the agencies do not like to answer to anyone. They especially don't like to answer to an independent IG because the independent IG – namely us – is going to publish what they find. And they really resent that. The Defense Department has always been antagonistic toward us. USAID, less so, out of the three main agencies that we worked with.

The State Department, I'll give them this, they're consistent. They don't like anybody overseeing what they do, including Congress. And they have always, always been a problem. They want to withhold information. They want to withhold information from Congress.

They want to withhold information from us. It's always that. And they don't think they ought to be second-guessed, and so forth. So that has been the continuing theme from a legal point of view, is how do you get this stuff out of the agencies? How do you get information from them? And how do you deal with a problem when they insist that it can't be published, and so forth, and so on?

They over-classify, or they try to stamp pseudo-classifications on it, such as "For Official Use Only" or "Sensitive, But Unclassified" and think that somehow insulates them from disclosure. That would be wrong.

CONDUCTING OVERSIGHT IN A WAR ZONE: AFGHANISTAN
CRITICISM FOR PUBLISHING/PUBLICIZING SIGAR OVERSIGHT WORK AND FINDINGS?

INTERVIEWER:
I'm interested in the criticism about publishing the findings of this kind of oversight work. You don't have to look hard to find people who raise objections to that. // When an oversight agency conducts this kind of oversight work, what are the arguments for or against publishing the findings?

INTERVIEWEE 31:
Yeah. The arguments against publishing are generally along the lines of, "It will hurt-- it's not in our national interest or national security interest to publish this stuff." That "the enemy, whoever that is, will make use of it for their own reasons."

"Bad publicity hurts the operation overall, even though, yeah, we might've made some mistakes, but it gets blown out of proportion by the press. And therefore, it's going to injure the overall operation."

Those kinds of things. Or, "You're being unfair because, gee, we did 10 really good things, and now you're going to focus on the two things that were big mistakes, or didn't work. And that's unfair because it tarnishes the entire department, the whole agency, and everybody involved in it."

"And by the way, you're going to kill morale of the individuals working on this stuff. You may also harm security."

Now, our view is a couple things. One is that we never publish classified information. It's illegal. We don't publish it. But unclassified information is a different subject.

However, even among unclassified information, if we think there's a reasonable risk, that it's reasonable to say that somebody may be put at risk by publishing this stuff, we don't do that. And I can give you as an example we did an investigation and an audit. It started with an audit and wound up as a criminal investigation, of IED denial systems, culvert denial systems.

The idea was an-- there were a lot of explosive devices being planted underneath roads, under the culverts that run underneath the roads. And what the Army had done was contracted with people to install steel grates over each of those culverts so that you couldn't stick explosives in there.

Well, what we discovered was that the grates were not being installed. The contractor would take credit for it, and various military officers would sign off on having inspected them and seen them in place. And then we'd go, send auditors out there, and discover they had never been installed.

So the contractor was falsely collecting compensation for those. And the officer who's supposed to be overseeing them was falsely certifying that they were installed. Well, we did not publish the location of those grates, or even the general area where they were, because we realized, even though it wasn't classified, yeah, that could leave an opening for somebody to plant explosives in those particular culverts.

So we didn't do that. There were several other things that came up with similar things. In a couple of instances, the State Department, for example, asked us not to publish the names of people work-- that involved with certain contractors where we did financial audits, because those people's lives had been threatened in Afghanistan.

So, no. So we redacted those names. They weren't important to the audit anyway. But certainly, we don't want anybody exposed to harm because of a financial audit. So we always withheld that kind of information. But the other stuff, the stuff that's merely embarrassing, no, we're going to publish it.

And it's important to publish that stuff for several reasons. And I think the most important one is I think the general public needs to know that somebody's watching over their money. You need to have faith that somebody is taking a look at government spending and is trying to prevent waste, fraud, and abuse. And I think that's good for our country.

//

SIGAR OVERSIGHT TOOLS VS. CONGRESSIONAL OVERSIGHT TOOLS

INTERVIEWER:
Was the kind of oversight that this agency was doing different from the kind of oversight that you had done for congressional committees?

INTERVIEWEE 31:
Not really. It's more limited in a way. But it was very similar to what we did for the congressional committees. So, when I worked for Energy and Commerce and House Oversight, we had far-ranging oversight, that we could investigate practically anything, especially on House Oversight Committee, but also on House Energy and Commerce.

But we had some advantages on the Hill, and that is we could actually compel testimony. We could subpoena people.
//
INTERVIEWER:
Did you have those same tools available to you at this agency?

INTERVIEWEE 31:
Some of the tools we had were exactly the same. So we would always start off by writing a letter and asking specific questions. If they refused to respond to those various questions, the advantage we had on Capitol Hill was that we had subpoena power.

We could subpoena documents, which we often did. We could subpoena testimony. We could subpoena government employees right up to everyone except the president, and compel their testimony.
//
And if people didn't cooperate, of course, you could-- they were in danger of losing appropriations, or having something limited that way.

So they tended to be a lot more cooperative. Nobody wanted to be held in contempt of Congress, for example.

And certainly on Energy and Commerce, we took those steps a couple times. And we even, back in the '80s when I was with Energy and Commerce, we even had somebody prosecuted and sent to prison, for false testimony. So you don't have that with an IG's office, obviously. [LAUGHS] And so we have to cajole people into cooperating with us.
//
We don't have-- we don't have that subpoena power as an IG.

We are specifically prohibited from issuing subpoenas to federal employees of any kind. And we cannot subpoena documents from the agencies either. So, we can subpoena contractors and other people, private-sector people, but we can't issue subpoenas to the government.

INTERVIEWER:
So without those powers, what would you do at this agency to compel people to cooperate?

INTERVIEWEE 31:
Basically, we have to embarrass them into it. Publicity is one way. Another way is that we are required by statute to report non-cooperation to the secretary, the head of the agency, and also to Congress.

The statute says, "You shall report that non-cooperation." So we do that as a last step, but we do that. And that often results in the agency cooperating.

INTERVIEWER:
A minute ago, you mentioned the word "cajole."

INTERVIEWEE 31:
Yes. We often have to cajole them into it. You know, sort of talk them into it and say-- you know, it's something that you would normally do with a lot of hesitant witnesses in other lines of work. But it's very similar to that in many cases.

Sometimes you don't have to go all the way up the ladder to get things done. You can talk people into it and get them to understand, maybe it's in their best interest to give you this information, even though their instinct is always to withhold information.

Nobody talks about it, but every agency I've ever seen, the inside word – never put in writing – is "Never talk to the IG." I mean, that's just a byline that every government employee has probably heard at one time or another. So we had to get past that. And it frequently required just cajoling people into do it. So, and like every place, we develop our own sources too.

INTERVIEWER:
What does cajoling to compel cooperation, talking to them, what does that look like? What does that consist of? What's the argument?

INTERVIEWEE 31:
Well, it's often getting them to understand exactly what it is we're looking for and why we want it. And usually, most government employees want to do the right thing. I mean, they don't want to waste money. And they certainly don't want to engage in fraud.

I mean, in fact, fraud is actually a very small percentage of what we encounter. Mostly, there are bad decisions being made, which result in waste. And sometimes people don't know they're making bad decisions. They think they're making the right decision.

And if you explain to them what's going on, they suddenly realize, "Oh, wait a minute. That is a problem." [LAUGHS] So there's an element of that. But there's also an element of establishing trust, and that is, no, we're not naming you, you know, [NAME:] "Jane Smith," in this audit. We're trying to come up with an analysis of why this program isn't succeeding. And we need this information. Or maybe why it is succeeding.
//
INTERVIEWER:
For an oversight agency like this one, is it a shortcoming to not have the congressional tools that congressional entities have to compel cooperation?

INTERVIEWEE 31:
Well, it would make our lives easier, but I personally do not think that it's in public interest to give an IG the power to subpoena, or the power to levy fines, or otherwise have enforcement powers over the agencies. I think it's a good thing that that power resides with Congress instead.

INTERVIEWER:
Why isn't it a good idea for an agency like this to have those powers?

INTERVIEWEE 31:
I think the problem is there wouldn't be any check necessarily. Not every IG is a wise person. And I think it's good to have that power reside in a body which requires advise-and-consent, with a number of people, to decide whether something is an action worth taking. Because that's the ultimate power,

is when you have the ability to subpoena somebody, or to impose fines, or even imprisonment. I mean, that's something I don't think an IG-- that's not the kind of power I think an IG should have.
//
INTERVIEWER:
It sounds like what you're saying is the tools that could reduce or eliminate the challenges, difficulties, and inconveniences of getting other entities to cooperate with the oversight work is outweighed by the risks of, potentially, an irresponsible IG – who might misuse--

INTERVIEWEE 31:
I agree.

INTERVIEWER:
--those [tools]?

INTERVIEWEE 31:
Yes. That is-- that's exactly my view on the subject. So yes, it would make our lives a whole lot easier if we had that power. And I happen to think that we would exercise it judiciously. But I don't have any faith that the next guy might do that very judiciously. I don't think they would necessarily be that wise. I think [NAME:] John Sopko would be responsible. I think he'd be very hesitant to issue a subpoena, for example, to a government agency. But on the other hand, I'm not so sure about the next guy who comes along, so.

//

CONDUCTING OVERSIGHT IN A WAR ZONE: AFGHANISTAN
*** LEGAL ISSUE: NON-COOPERATION FROM U.S. DEPARTMENTS AND AGENCIES**

INTERVIEWER:
What was the biggest legal issue that you faced during your time at this oversight agency?

INTERVIEWEE 31:
It was agency cooperation, or lack of cooperation.
//
The agencies are required to produce to SIGAR any information that we request. For the most part, most of them do. But wherever that-- whenever they feel that information might be damaging to them, they don't want to produce it.
//
So they frequently just refuse to produce it. And we have to go about trying to figure out how to pry it out of them. Since we don't have a subpoena power or anything like that, what we do generally is work our way up, sort of up the chain, from the auditor-level usually, and try to convince them that-- get them to understand what we want to use it for, what it's for, what we're trying to find out, and so forth.

//
We can usually work our way up by that, first with oral conversations and so forth. But ultimately, it can come down to writing a letter to the secretary who heads the agency, and with copies to Congress, and getting Congress to weigh in on the subject for us. That can take weeks and months and so forth.

//

INTERVIEWER:
Over the 12 years of your time with this agency, how often did you confront that as an issue?

INTERVIEWEE 31:
Quite often. All the time. I mean, to me, it's the biggest single problem that we have as an IG, is getting agency cooperation. So the biggest one, the first one that I remember of a very large issue was something called obtaining the ministry assessments.

It turns out we discovered that USAID had done-- hired contractors to assess the ability of each of the Afghan ministries to be able to administer cash when we, the United States, provided direct assistance to them, meaning giving them money. Can they-- do they have the ability, the capabilities, and all the safeguards in place to adequately administer that, so it's not stolen, so it's administered correctly, used for the purposes for which it was intended and all the rest of that?

Well, USAID did not want to release those ministry assessments to us. We did an audit on the subject. They were very hesitant. We finally got some access to them. In the meantime, a congressional committee, the House Oversight Committee, decided [it] also wanted copies of them.

We had obtained the ministry assessments in the course of our audits. And when the committee discovered that we had those assessments, the committee asked us for copies of them. So we, of course, were going to give it to the committees. And the agencies intervened very, very strongly, demanded that we not produce them to the committees, which took us-- with an exchange of letters, we explained why we were going to do that. And sorry, but-- and the agencies argued they needed the chance to redact sensitive information.

We said, "No. We're not going to-- we're going to give them the entire thing. They're entitled to it legally. We have to." So we did.

And it was kind of funny because, in the course of the hearing, it was a hearing in which all the agency IGs plus SIGAR were present. There was an acting IG for USAID who, when the chairman of the committee asked, went across every IG and said, "Will you give these-- produce those ministry assessments," [NAME:] John,* of course, said, "Yes." And the USAID acting IG sort of sounded like he was saying yes. And then out of the earshot of the committee, leans over to [NAME:] John and says, "Will you give it to him? I don't want to." [LAUGHS] So that shows you what he was afraid of – was retaliation from his own agency, in my view.
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

//
Usually, you gain cooperation somewhere up the ladder. However, there are many times where they dig in their heels over it, and it goes all the way up to the secretary of the agency, the head of the agency. If they continue to refuse-- and [then] we've had to go to Congress, a couple times, and most recently in 2022, where the State Department in particular had refused to produce any information to us about anything, because their view was that we no longer had jurisdiction over aid to Afghanistan because it wasn't reconstruction anymore, because the government had collapsed, and therefore it wasn't reconstruction.

INTERVIEWER:
So, when that withdrawal happened, so sometime during the next year, there was a legal communication from the State Department and USAID legal counsel to SIGAR?

INTERVIEWEE 31:
Well, there was eventually. But the first thing they did was refuse to give our auditors anything, of course. And then it mushroomed from up there.
//
What they did was they refused to give information to our auditors. We did our usual thing of, you know, various phone calls and so forth, and working our way up the ladder with phone calls. I think [NAME:] Gene Aloise* wound up calling somebody senior over there. Might even be the deputy secretary's office or assistant secretary of state, something.
[* former Deputy Special Inspector General for Afghanistan Reconstruction 2012-2025; Acting Special Inspector General for Afghanistan Reconstruction 2025-]

INTERVIEWER:
[NAME:], Gene, the deputy IG?

INTERVIEWEE 31:
Yeah. Yeah. And that didn't get us anything. So we eventually had to write a letter to the secretary, with copies to the committees of jurisdiction on Capitol Hill, meaning the Authorizing Committees and the Appropriations Committees, about the non-cooperation.

That resulted in a legal letter from the USAID general counsel's office explaining why they felt they didn't have to cooperate and we didn't have jurisdiction over this stuff anymore. I responded with a letter explaining that they were wrong, and why they did have to cooperate under the law, including going back into the legislative history and the all the rest of that. So that's where the lines were drawn. Eventually, they caved – under pressure from the Appropriations Committee, and produced the required-- and began cooperating again and producing the information we requested. But it took a while.

//

INTERVIEWER:
You mentioned that on one occasion this agency sent a formal letter to Congress reporting the non-cooperation by federal agencies. What was the official name of that type of letter?

INTERVIEWEE 31:
It's referred to as a "seven-day" letter, although that's not a term written into the statute. But that's how IGs refer to it. It's a seven-day letter because the-- when you send the letter to the secretary, the head of the agency, a copy goes to Congress at the same time. The secretary has seven days to respond.

INTERVIEWER:
So does this language sound familiar? [READING:] "I'm writing to report that State and USAID officials are unreasonably refusing to provide information and assistance requested by SIGAR"?

INTERVIEWEE 31:
That's correct. That sounds like the letter.

INTERVIEWER:
"Inexplicably, this long track record of cooperation seems to have abruptly ended. Agency officials now appear to have adopted a premeditated position of obstruction. State and USAID officials are coordinating to obstruct SIGAR audits and congressionally mandated reviews. In some cases, they've simply ignored our communications, all of which I've determined are unreasonable and in disregard of the responsibilities of my office."

INTERVIEWEE 31:
Yes.
//
INTERVIEWER:
That language, can you describe it or characterize it?

INTERVIEWEE 31:
Yes. It's a reflection of the requirements of the statute. The statute requires us to send that letter when the agency unreasonably refuses to provide information. So that's why those words – those particular words – appear in there.

INTERVIEWER:
They're designed very carefully?

INTERVIEWEE 31:
Exactly, to reflect the requirements of the statute.

//

INTERVIEWER:
In a nutshell, what was their legal argument?

INTERVIEWEE 31:
Their legal argument was that reconstruction ended the day the-- we have jurisd-- that SIGAR only has jurisdiction over reconstruction, and reconstruction ended the day the Afghan government collapsed. So any aid they provided after that was not reconstruction anymore, so.

INTERVIEWER:
In a nutshell, what was your counter argument?

INTERVIEWEE 31:
Our counter argument was that that was completely the-- the SIGAR authorizing statute made no differentiation between the current Afghan government and the prior one. That if you're providing money to Afghanistan, it's within our jurisdiction.

And that goes back to the fact that the statute is not focused on what the particular agency is doing. It's not focused on who the recipient is. It's focused on one thing: money provided to Afghanistan. And that's our jurisdiction. If you look into the definitions contained in the statute, which they don't like to do, it also makes that very clear. It includes things like humanitarian aid, development aid, and so forth.
//
INTERVIEWER:
Was your impression that their argument was a good-faith legal argument, or that it was a bad-faith legal strategy?

INTERVIEWEE 31:
It was a bad-faith legal strategy. I will say that quite bluntly. And the truth is it originated in the State Department's office – where they have one person who is basically the point of contact for all SIGAR information requests – because a senior official at the State Department was outraged that her name had appeared in a Fox News report.

Because Fox had obtained, through another source, a letter that we-- FOIA-- the response to-- we had made to a FOIA request, for all documents related to the withdrawal and so forth. And one of those things was a letter that she had written to us, demanding that we remove all our audits, audit reports and financial audit reports from our website, after the collapse of the Afghan government, which we had refused to do.

And we had provided a copy of that letter with her name on it to this requester, who then gave it to Fox News, who ran the story and used her name. And she was outraged about that. And suddenly, we had this legal argument that we no longer had jurisdiction over reconstruction, and so forth. So that's where that all originated.

//

INTERVIEWER:
Across your career as a lawyer, working for the federal government, government investigations in Congress, here at this oversight agency as well, have you ever seen this level of deliberate non-cooperation before? Or was it unprecedented in your experience?

INTERVIEWEE 31:
Cooperation with an IG?

INTERVIEWER:
Cooperation with a government authority doing what you would describe as a good- faith investigation.

INTERVIEWEE 31:
We often have-- when I worked on the Hill, I often saw non-cooperation from federal agencies. In fact, if it was-- usually, if you're going to do an investigation, you'll do-- on some something which is obviously going to be embarrassing to them. And so I frequently saw agencies refuse to cooperate with things.

And then frankly, when we were on the Hill, we sometimes deliberately went for some things that we knew were going to be very, very difficult for them to produce, meaning that they didn't want to produce it. So I can think of a couple instances. One was back when I worked for Mr. Dingell in the '80s.

We became aware of a rumor that the Atomic Energy Commission in the 1950s had purposely released clouds of radioactive iodine into the atmosphere in the state of Oregon [sic]-- Washington, the state of Washington – to see what its effects would be downwind.

And the result was a whole bunch of people with thyroid cancer, because that's where iodine goes, is to the thyroid. It's absorbed in the thyroid. That was one example. I knew that was going to be really difficult to get that document out of them.

Another example was that when we-- [NAME:] John* and I were doing oversight for Dingell in 2007, 2008, we were having a rough time obtaining information from the FDA, the Food and Drug Administration. And we had the administrator testifying before our committee.
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

And following his testimony, we demanded a copy of his pre-hearing briefing book that was given to him personally by his staff, in preparation for the hearing, because we wanted to see what they had to say about it. We knew they would fight that tooth and nail. So some things we knew ahead of time were going to be something they would strongly oppose, but we went ahead with it anyway.

INTERVIEWER:
So the level of non-cooperation that you saw against this agency was similar to what you had seen previously from other entities, when you were with other oversight agencies?

INTERVIEWEE 31:
Oh yeah. Absolutely. // Absolutely. Yeah, it didn't surprise me all that much. And particularly the State Department. The State Department has always been awful about these things. Even when you're doing congressional oversight, you're on a committee, a duly constituted committee with jurisdiction, they often refuse to even produce a witness. They didn't want to have any-- they didn't want to cooperate on anything – unless it was to their advantage.

INTERVIEWER:
So the non-cooperation that you saw at this agency was not unusual, given your experience?

INTERVIEWEE 31:
No. Unfortunately, it was not. Now, I don't want to over-emphasize that, though. For the vast majority of the work we did auditing and all that, there was agency cooperation. But many times when particularly sensitive issues were involved, or this latest thing in 2022 – which was ridiculous, but nonetheless – they dug in their heels very strongly about very sensitive things.

INTERVIEWER:
And in the case of the effort in 2022 to cease cooperation, that effort failed.

INTERVIEWEE 31:
Yes.

INTERVIEWER:
And they returned to a status of cooperation?

INTERVIEWEE 31:
Yes, they did.

INTERVIEWER:
And you think that that happened because of congressional encouragement?

INTERVIEWEE 31:
Yes. It was because of the intervention of the Senate Appropriations Committee, is the main reason they did that. No question about it.
//
INTERVIEWER:
So the non-cooperation – in your mind, was it specific to anything about the specific nature of this oversight agency?

INTERVIEWEE 31:
Yeah, I think it was – because they knew that we would do something with the information. I mean, none of their own agency IGs were asking for any of this. But we were. And they know that we publish everything. And that's a problem for them.

They did not want people to know, for example-- they didn't even want the American people to know they were still spending money in Afghanistan after the Taliban takeover. And in fact, the State Department still acts on the fiction that the Taliban are not in charge of the government. Well, they look to me like they are. [LAUGHS]

//

CONDUCTING OVERSIGHT IN A WAR ZONE: AFGHANISTAN
*** LEGAL ISSUE: FOIA REQUESTS: REQUIREMENTS THAT SIGAR WITHHOLD INTERVIEWEE NAMES**

We did encounter other legal issues. And one that resulted in a great deal of work, and a major court case, was a FOIA request. We have-- one of the innovations that we use, that [NAME:] John Sopko* came up with at SIGAR was to create a Lessons Learned program. In the course of that, we conducted many, many interviews on which our Lessons Learned reports were based.
[* former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

We interviewed lots of people, current and former government officials, including very high-ranking people, ambassadors and generals, assistant secretaries, lots of people in the private sector, including contractors and other experts. Lots of Afghans, including Afghan officials and so forth.

Many of those people requested anonymity as a condition for giving us information. And we granted that anonymity because it was an important way to get some really good information. At some point, *The Washington Post* became very interested in obtaining copies of our records of interview, of all.

And there were some 600 interviews that they-- for which they requested the records. We produced those records. But we pointed out that for a number of these we had to redact the names of the sources because they had requested anonymity as a condition for the interview.

And, of course, under the Inspector General Act, we are authorized to withhold the name. In fact, we are required to withhold the name of people who provide information to us under a condition of anonymity, only because they want to remain anonymous.

And, as you could imagine, that's an important thing for an IG, is to be-- because people are afraid of retaliation. Government employees in particular are afraid of retaliation. And that's at all levels. That goes right up to generals and ambassadors too. Lots of those people are very nervous about what can be done to them.

INTERVIEWER:
So the granting permission to do interviews is sometimes conditional, for the individuals granting permission, on the commitment to protect their anonymity?

INTERVIEWEE 31:
Absolutely. Absolutely. So that's under Section 7B of the Inspector General Act.
//
The result was *The Washington Post* took issue with that because, of course, what they want are especially the names of those generals and ambassadors who gave us great information, because those would be newsworthy – which I understand completely.

But we had granted them protection under the IG Act. So we, uh-- they wound up suing us, to try and obtain those names. Without going through all the details, they fought it through to the United States District Court in the District of Columbia, and they wound up losing the case. And we did not have to produce the names of those people, which I have to tell you is a very unusual thing.

The courts are-- because so many agencies abuse the exemptions from the Freedom of Information Act, that the courts are always very skeptical of an agency trying to protect information. And it's kind of funny. If you read the opinion of the court, the judge who decided this case, it's, uh--she even says at some point, you know, something along the lines of, "You know, I have to say that, in this case, the-- SIGAR has the better of the argument."

I mean, she really didn't want to rule in our favor because, once again, they're very skeptical. And I understand that, totally. But in this case, they did rule in our favor, and we won the case. And *The Post* did not appeal the case. I have to say that there's a certain irony in *The Washington Post* objecting to anonymous sources. But anyway, that's just an aside. [LAUGHS]

INTERVIEWER:
And it strikes me that there's another paradox here as well, and that is that this is an oversight agency that attempts to extract factual information sometimes from unwilling government entities. And in this case, it was a media entity trying to extract factual information from an oversight agency that generally is very interested in making public everything that it has.

INTERVIEWEE 31:
Absolutely. In fact, we make a big point of publishing everything we do. Everything. And we have a FOIA request, we give out information. In fact, that was one of the big changes when I got here. The fellow who headed our Public Affairs Office, and still does, we had a request for-- we were doing a series of suspension and debarments* of contractors who we had identified as working for the Taliban or other terrorist organizations.
[* *Suspensions and debarments are administrative remedies used to prevent the Government from working with parties who are not "presently responsible" – i.e., those that have engaged in criminal or other improper conduct, or demonstrated serious poor performance of such a compelling and serious nature that it would lead one to question their honesty, ethics, or competence. Federal agencies, exercising their inherent authority as consumers of goods and services, lessors, or awarding officials, use these remedies to exclude these parties from obtaining new*

Federal contracts and certain subcontracts (procurement), or discretionary assistance and certain funded lower-tiered transactions, leases, loans and loan guarantees, or other benefits (nonprocurement). https://www.doi.gov/sites/doi.gov/files/faq-suspension-and-debarment-for-website.pdf]

There were some 50 of them that the Department of the Army had refused to-- or the Defense Department, had refused to suspend or debar. And we had a request – from a newspaper, I think it was – for copies of the files with the names of those people.

And our public affairs guy came to us, came to me. I think we'd only been here for a year or something like that. And this is the first FOIA request we'd had of any significance. And he says to me, "You know, we've got a request for this stuff."

I say, "Well, give it to them." I said, "The files are probably pretty big, but just tell them they can come in and look at them." My public affairs guy says, "Really? You want me to give it to them?" I said, "Well, yeah. Give it to them." "You don't want to redact anything?" "No, just give it to them."

And I think he came back to me three times before this guy showed up and said, "Are you sure you just wanted to give it?" He said, "I've never experienced this before." And I said, "Well, that's our policy. We're going to give everything we can, that's not classified or doesn't endanger somebody, endanger somebody's life or is otherwise prohibited by law. So yeah, give it to them." So we did.

CONDUCTING OVERSIGHT IN A WAR ZONE: AFGHANISTAN
* LEGAL ISSUE: LEGAL BATTLE WITH *THE WASHINGTON POST*

INTERVIEWER:
So in the case of the legal battle with *The Washington Post*, there was a mitigating circumstance of protection for the individual sources who had requested anonymity. That was a special circumstance that caused SIGAR to deviate from its general position to make things public?

INTERVIEWEE 31:
That's exactly right. The vast majority of these people were afraid of retaliation from their federal employers. Some of them had gone on to the private sector, but they were still worried about retaliation from the agencies – because most people went to work for some other entity that still had work with those agencies.

So they were still afraid of retaliation. We had a couple of people who were afraid of personal harm – because they worked in Afghanistan, or they were Afghans. So understandably, they were afraid of being personally attacked. Some of those people, I think a couple of them, were Afghans who had moved to the United States and become citizens, but they were still afraid that their relatives might be retaliated against in Afghanistan. So all those things added up. That was the reason we withheld the names.

INTERVIEWER:
Did the public reporting about that case, that incident, the publication of that information, accurately reflect the picture, in your opinion? Or was there an impression left that somehow, the media had to pry, you know, this interview content out of another government agency, in this case an oversight agency, that didn't want to give it up?

INTERVIEWEE 31:
Yeah. That was the impression. The reporter* who wrote up the story tried to make it sound like "The Pentagon Papers" all over again. And it really wasn't. It was exactly the opposite of that. I think he was more intent on trying to make a name for himself.
[* Craig Whitlock, investigative reporter, *The Washington Post*; author, *The Afghanistan Papers: A Secret History of the War*]

And, it's my opinion: He misled his own editors about it. And I understand through the grapevine they later realized, but it was too late. It was after everything had been published with this particular cant to it. But yeah, I think that was—it was a very misleading cant added to it, to make it sound like he'd had a struggle, when in fact we had produced all the information – except the names who said things. And, of course, the names were the gossip element that he really wanted. [LAUGHS]

INTERVIEWER:
And bottom line, a federal court found in SIGAR's favor, and it was a legal victory for SIGAR to protect those identities.

INTERVIEWEE 31:
Yeah, that's correct. Yeah. That was a very important decision too, because it was the first time that the legal protections under the IG Act had been tested in a federal court.

//

CONDUCTING OVERSIGHT IN A WAR ZONE: AFGHANISTAN
*** OTHER SIGAR GENERAL COUNSEL'S OFFICE ROLES**

INTERVIEWER:
Can you give me a sense of the specifics of your Office of General Counsel at this oversight agency's typical workload – day-to-day, week-to-week, during the busiest years?

INTERVIEWEE 31:
Well, I don't know how you measure the workload, but yeah. We were very busy, and in the busiest years we've had. So we-- because we have-- because of the nature of our work, we're involved in everything that goes on at the agency, even from the administrative side – to things that happen with leases and whatever – to the personnel side and personnel problems that come up, and to the substance of requesting information, for example, to the substance of reviewing the adequacy of audit reports before they go out.

They review all the Lessons Learned reports before they go out. And that is not just for legal issues, but for good public policy discussions and so forth. Because once again, my client is the IG himself. So I'm looking for things that might embarrass the IG.

I'm looking for things that I think are consistent with the IG's viewpoint. I'm also looking for things that are not whitewashed, because what the IG wants to do is produce something useful, not just some report that says "Needs improvement."

//

INTERVIEWER:
Did you mean by that that you view it as part of the Office of General Counsel's job to strengthen reports to make sure that their language is direct, plain, blunt, and very specific about the actual findings?

INTERVIEWEE 31:
Yes. That's correct.

INTERVIEWER:
Is that typical of a legal function in an entity like this?

INTERVIEWEE 31:
Well, I haven't worked in other IG's offices. But from what I hear and from what I've seen, it is not typical. So I've been told, for example, that at GAO the legal people are generally viewed as "white mice." So their job is to say, "Yeah, this looks good to me. Oh, and you got the form of this citation correct." You know, "You put a period after the USC in the United States Code. So, you know, that was good. You did well on that one." So they don't review substance at all. And that's not how we do things here.

INTERVIEWER:
And you viewed that as part of your mission to do that?

INTERVIEWEE 31:
Absolutely. In fact, in the first year I was here, the person who was heading audits actually went to [NAME:] John* with--
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

INTERVIEWER:
Your IG?

INTERVIEWEE 31:
--a draft audit report-- yes. Went to the IG with a draft audit report that I had inserted a whole bunch of track changes on, to complain that I was overstepping my bounds. He basically-- yes. He basically told her to forget it, and make the changes, so.

INTERVIEWER:
Because they strengthened the work?

INTERVIEWEE 31:
Oh, yeah. Yeah. This eliminated a lot of the gobbledygook and cut to the chase. And sometimes I'll even say, "Look, you know, this whole audit is focused on the wrong thing. Why didn't you go for the real issue, which is here?" And it turns out they had actually done the work on the real issue, but then not reported it – because some people thought it was too controversial.

INTERVIEWER:
So the mission was based on Office of General Counsel's analysis of the factual bases, findings, facts of each and every piece of work?

INTERVIEWEE 31:
That's absolutely true.

INTERVIEWER:
And how unusual do you think that is in the whole ecosystem of oversight agencies?

INTERVIEWEE 31:
For IG Offices, I think it's probably a one-off. I'm not aware of any other place where they've done that. In fact, most General Counsel's Offices try to stay out of it.

//

We also-- my office has responsibility ultimately for all the FOIA requests. We have responsibility for all the ethics questions. Everybody in the agency has to file financial disclosure statements every year.

We've got ethics issues that come up all the time. We've got some really-- some that you wouldn't imagine. There are some interesting things that come up. Some funny things that come up. But nonetheless, these things have to be dealt with.

And, and, people-- we encourage people-- I encourage people, and our ethics officer – who's a lawyer, who works for me – I make it clear that if people have an ethics question, we want them to come to us with it. And I know that they are worried that it will be disclosed to the IG, or somebody'll be outraged over the fact that they're even asking this question.

So I make a point of, "Take it to our ethics officer. She will not disclose it to anybody if you don't want her to. But she will answer your question to the best of her ability, because we <u>want</u> you to bring these questions to us." O.K.? And people have done that, which is good.

And we've had things-- particularly, they come up a lot in Afghanistan. You'd be surprised about this because I've had, for example, auditors call because, "Well, we just had a meeting with this minister –

let's say, the minister of interior," or whatever, "the Afghan minister of interior. And while we were there, suddenly, were coming in guys who were measuring us with tape measures. What's all this about?" And he says, "Well, we're giving you new suits." Well, wait a minute! [LAUGHS]

INTERVIEWER:
A culture of gift-giving.

INTERVIEWEE 31:
Well, yeah. So a culture-- // Yeah, you could say that. Or I've had people way, "Well, they just gave me this really nice bowl, carved out of a solid block of lapis lazuli." [LAUGHS] Well—

INTERVIEWER:
Bumps up against U.S. government ethics rules.

INTERVIEWEE 31:
Exactly, you know. So, you know, so we had to deal with that kind of thing. And we want people to report this to us and ask us, you know, what's allowed and what isn't allowed, or what I have to do to get rid of this, or whatever, so.

INTERVIEWER:
Were there other cases like that, where people in the field doing oversight work in Afghanistan for SIGAR, would contact SIGAR with unusual legal issues?

INTERVIEWEE 31:
Oh, absolutely.

INTERVIEWER:
Can you go into some of that? Describe some of what you encountered.

INTERVIEWEE 31:
Well, that kind of thing is a prime example. Things that you-- on the one hand, you know, Americans are very good about foreigners. In fact, overly sensitive, in my opinion. So they don't want to insult people, or offend people. So, for example, it's not unusual for things like, you're meeting with this minister, that he wants to give you something, right, as a gift, because – you're an official person. "And by the way, you give us all this money and everything, so here's this lapis lazuli bowl." Or, "Here are three new suits, which our guys just measured you for." And you wondered what that was about.

So those kinds of questions, you wouldn't expect to come up. On the other hand, we've also had some things where people, our own employees, have tried to take advantage of things, so. But let's-- before I ever get to that, you said unusual things in the field.

Yes. We've had some things that people, only afterwards did they think, "Oh, wait a minute. That might've been a problem." So, an agency employee, you're in Afghanistan – a SIGAR employee, let's say an auditor's in Afghanistan, or an investigator for that matter – for an extended period of time.

You get to know people who live in the [U.S.] Embassy, and so forth. They become friends with them. So suddenly, O.K., so you're going to-- oh, you're invited to a party at somebody's apartment, you know, on a Saturday night or something. And then suddenly, you're asking yourself, "Well, wait a minute. They're spreading around this really expensive wine and all that, and I'm an auditor."

"And he works for USAID. And can I actually drink his expensive wine?" You know? So those kinds of questions come up. So it's the kind of thing you don't normally see here in the United States, which is unique to a place like Afghanistan, where it's a closed community. You all have to live at the Embassy. And there are a couple-- several thousand people living there – or were, in the heyday. So these kind of things happen.

INTERVIEWER:
So additional opportunities for sharing of amenities--

INTERVIEWEE 31:
Yes.

INTERVIEWER:
--that could occur, just by the nature of being in a confined Embassy space all together, in a way that it wouldn't occur if you were here in the states?

INTERVIEWEE 31:
That's correct.

//

CONDUCTING OVERSIGHT IN A WAR ZONE: AFGHANISTAN
*** SIGAR GENERAL COUNSEL'S OFFICE COMPOSITION**

INTERVIEWER:
At its peak, SIGAR was an agency that had a staff of approximately 200-plus people. What was the size of the Office of General Counsel staff at its peak?

INTERVIEWEE 31:
I think the largest-- let me think. I'd have to think. I think we had nine or 10 people at most. But that was during a period when all the SIGPROs*, our prosecutors, were in our office.
[* SIGAR prosecutors]

INTERVIEWER:
SIGAR had its own team of prosecutors?

INTERVIEWEE 31:
Yes. We had our own—

INTERVIEWER:
Part of the office of--

INTERVIEWEE 31:
Yeah. They were technically part of the Office of General Counsel. So we had three prosecutors, and a couple of paralegals, most of whom I saw only a couple times a year, because they all had their offices over at the Department of Justice. But technically, they were within the General Counsel's Office.

And I would talk to these people at various points, over the phone. But I really had no effect on prosecutions. There were a couple of exceptions where I got involved because people called me for one reason or another.

CONDUCTING OVERSIGHT IN A WAR ZONE: AFGHANISTAN
*** SIGAR GENERAL COUNSEL'S OFFICE INNOVATION: ATTACHING/FREEZING ASSETS IN CRIMINAL INVESTIGATION**

There was one early on where we did something unique that nobody had ever done before. And that is we had attached the assets of an Afghan who we had-- were criminally investigating for stealing money. In fact, we attached some $70 million in bank accounts. And, that was highly controversial. And it actually resulted in some phony-baloney phone calls to our prosecutors from people who purported to be with Special Forces, American Special Forces units, claiming that our target in this investigation was actually an undercover guy for them.

And it took years to straighten all this stuff out. Of course. And a couple of our prosecutors were relatively inexperienced. They were smart people and everything, but my first-- when they'd call me about this, I'd say, "Well, you give that guy my name and number and tell him to call me." And guess what? I never got any phone calls. So I think that's one of the areas where having an Army background helped me a lot, because I recognized this isn't how this works. And anyway, so that's—

INTERVIEWER:
So, I just wanted to ask you, in that context, "attached" means what, legally?

INTERVIEWEE 31:
Basically, you freeze their assets and they can't take them. And in fact, it's the first step towards confiscating the entire amount from the bank account, so which we were able to do, even though the banks were outside the United States, because they had – it's a legal thing – but they had legal relationships with banks in New York City. And we were able to serve the papers on the banks in New York City, and thereby attach the assets and so forth.

It was $70 million, I think. So that was-- that's important because that's money that—ultimately, I think we got $50 million of it. And that goes immediately to the U.S. Treasury. So that's not theoretical savings. That's cash on the barrelhead, which is-- and it's always a pleasure when you can do something like that.

INTERVIEWER:
Did that happen often?

INTERVIEWEE 31:
Does not happen that often. But we've recovered quite a bit over time.

//

SIGAR DEPLOYMENT TO AFGHANISTAN

INTERVIEWER:
During your time with the agency, did you go to Afghanistan?

INTERVIEWEE 31:
Yes, I did. 2013--

INTERVIEWER:
How often?

INTERVIEWEE 31:
I went once with this agency, 2013.

INTERVIEWER:
And what were the circumstances? How long were you there? What were you doing there?

INTERVIEWEE 31:
Uh, we were there for-- I can't remember now. It was a couple weeks. I went over with the IG. And, we had a couple things on our agenda, one of which was we wanted to talk to the people who investigated contractors over there – the Afghan contractors – because that was when we were looking for contractors who were actually working for the Taliban or other terrorist groups at the same time. So we wanted to see the vetting unit.
//
The Department of Defense had established this unit designed to vet contractors before you hired them – Afghan contractors – to make sure they weren't terrorists. And that unit was moved from Kabul to a base outside Doha, in Qatar. So we went to visit that.

They were staffed by American-- Americans, men and women. And then we went to Kabul to go out and look at a whole bunch of things. One of those things were some airplanes that we had noticed sitting at the Kabul airport, which looked like there were weeds growing up around. They were cargo planes.

It turned out to be something called a G222, which were Italian cargo planes that had been purchased for the United States, which were never used because they were un-flyable. So that became a big investigation, and we really exposed a terrible situation there.
//
To me, it showed the advantages, of which I was already aware, of going out and actually looking at things, instead of just documents and talking to people over the phone and so forth. Because we went out-- we went to visit the Special Forces camp where they trained Afghan Special Forces, which was-- and, of course, the advisors there were American Special Forces.

So we flew out there on a helicopter. And met the general in charge, the Afghan general in charge, and so forth. And then the American general who was in charge of this, I think he was at the time a brigadier general or major general, then flew us out to a remote outpost called Kohi Safi, which was an eye-opener to me, because it was a little Special Forces camp out there.

Not the first time I'd ever been to one. And the beauty of that one, to me, was that I immediately realized it was a "Potemkin village."
//
A Potemkin village means – it's a false front. It's basically like a Hollywood movie set. You know, you've got all the buildings there. When you look behind them, there's nothing there.
//
That goes back to my experience as an infantry officer in Vietnam, because I noticed they made a big deal out of briefing us, taking us into some little shack and briefing us ahead of time.

But there were a lot of M4 carbines against the wall, with silencers on them. Very dramatic-looking. And the briefing was how dangerous this was, and we could be attacked at any time. And then we walked outside, and the first time I'm seeing are the mortars out there.

They had a "four-deuce" – we call that – which is a large mortar, and 81s. And they were all within 10 meters of each other. I mean, they were all in this little group. Looked like they had never been fired. But the one thing that I know, having been an infantry officer, and actually a weapons officer, is that you don't put them all in one spot, because one round can kill everybody and blow up all your tubes.

Well, these things had never seen action and were never going to see action. It was just total nonsense. So, but we let them parade us around. And then they flew us around some very scenic areas in Afghanistan on the way back to Kabul, which just told me everything I had to know about the subject.
//
INTERVIEWER:
So when you say the way you were escorted around what you were being shown told you everything that you needed to know, what was the message to you?

INTERVIEWEE 31:
Yeah. To me, the message was, "We're trying to make it look like we're doing a great job out here. We're engaged in all this stuff, but we're not really doing much of anything." To me. And secondly, the Taliban are not out there attacking everything in sight; in fact they clearly were not.
//
INTERVIEWER:
Did your previous military experience during the Vietnam War – in-country, at that time – have benefits for you in your oversight work as general counsel for this oversight agency?

INTERVIEWEE 31:
Yes, because it gave me a lot of familiarity with how the military operates. Actually, and USAID as well, because had worked with them extensively. I'd also done some work with the State Department in the past, and – albeit 50 years ago, but still, it was a long-- you know, many things don't change.

INTERVIEWER:
So when you were in the field during your trip to Afghanistan, the things that you were seeing, you were seeing with informed, experienced eyes?

INTERVIEWEE 31:
Yes. Yes. That's true. So—

INTERVIEWER:
And that made obviously a difference in what you were able to understand from what you were being shown?

INTERVIEWEE 31:
Certainly. Many things were much clearer to me. And I could see the differences, but I could also see the similarities, how things had changed over time.

//

INTERVIEWER:
You had mentioned that when you worked for the Army in Vietnam, part of what you were involved in were efforts to form a new government.

INTERVIEWEE 31:
Essentially. It was reconstruction, really. It was development and so forth.

INTERVIEWER:
So you participated in a previous U.S. effort to reconstruct a country that was in the middle of war-fighting and combat and conflict?

INTERVIEWEE 31:
That's correct.

INTERVIEWER:
What did you think about the situation in Afghanistan against that previous experience when you went there?

INTERVIEWEE 31:
It was a wholly different situation. And it's—and, Afghanistan is unique in many, many ways. The Vietnam conflict, I could go into chapter-and-verse on this thing, but it was a very much different thing. It was really an anti-colonialist struggle which I don't think the U.S. understood at the time.
//
In Vietnam, I think the United States government was convinced that it had sided with an ally that really wanted to have a democratic system, and was being invaded by Communists who were trying to thwart that. So there was this-- and I personally think that was a mistaken belief, but – there was this strong belief that that was the situ-- it was, in my opinion, was a misapprehension of the actual facts.

In Afghanistan, we decided somewhere along the lines – it was almost sort of, uh, a creeping mission, that – suddenly, somebody-- not suddenly, but gradually, people decided that part of our mission is to turn-- to create a democratic society, a modern democratic society in Afghanistan.

This was not a realistic endeavor, as everybody must know by now, I would assume, although there are certainly a lot of people that don't seem to be entirely convinced yet. But-- so, Afghanistan is a unique place. And we had a much better opportunity to do that in a place like Iraq-- because there was a total misunderstanding: Afghanistan was not-- was never a modern country.

So it was actually a misnomer to refer to it as "reconstruction." It was "construction" – for the first time.

And I've often thought that what demonstrated that to me was my first visit to Afghanistan, which was when I was on the House Oversight Committee on Capitol Hill. Went to Iraq first. Then we flew to Afghanistan. And the differences were so vivid. In Iraq, for example, you could land at the airport, and drive into Baghdad, down a six-lane highway or something. It looked just like the Jersey Turnpike. I mean, Saddam Hussein would've been at home with a New Jersey contractor. He knew how to build, O.K.?

In Afghanistan, you arrived at the airport. 2009 this was. And the drive into downtown Kabul was on a basically one-and-a-half lane asphalt road, chunks of which were missing because people chopped them out at night to burn fuel to heat their houses.

I mean, it was-- it was night [and day]. These were totally opposite countries in stages of development. And to think about "reconstructing" Afghanistan was just completely silly. That was not what it was. [LAUGHS]

In Iraq, we-- for example, in Baghdad, the United States helped rebuild the central power plant that produced electricity. In Afghanistan, there was no such thing.

//

BEST QUALITIES FOR OVERSIGHT-IN-A-WAR-ZONE PERSONNEL

INTERVIEWER:
Who are the best candidates to conduct oversight in a war zone in general, in your opinion? What qualities, professional characteristics, abilities do they have?

INTERVIEWEE 31:
Well, I think you have to have-- ideally, you would want people with experience, oversight experience in particular. I think that the ideal person is also independent, because you don't want somebody who's going to be, uh-- feel like if they are too critical, they're going to suffer some sort of retaliation.

I think you want people who are-- I mean, the ideal thing is the people who are very familiar with the workings of the agencies you're dealing with, who can recognize something that is either going right or going wrong, or somewhere in between, who know their way around.

Ideally, you want people who are senior enough, and self-confident enough, that they're not going to be intimidated when they meet generals or ambassadors or other high-ranking people. I think that, particularly with a war zone, you want people who are not going to be scared to death because [of a] "I'm-in-a-war-zone-and-I-may-get-killed-at-any-moment" kind of thing.

That's always-- obviously, it's a concern, but. We have had, I should tell you, one experience with somebody that we hired. You know, one of the conditions when you hire somebody for SIGAR is that you've got to be aware that you could be sent to Afghanistan, because that's what our work is.

And we had someone who had volunteered to go over there in a senior level. I've always said to people when I've interviewed them before we hire them, "Look, you know, part of the job is to go to Afghanistan. But if you don't want to go, if there is some point at which you have great fear or apprehension about that, you need to tell us.
//
We had a guy who was supposed to go to Kabul, and the very night before he was supposed to get on the airplane, he completely freaked out and said, "I can't do this. I can't do this." So that was a good thing that he did that, before he got over there. But it happens occasionally. You know, not everybody is cut out to work in a combat zone, right, because you can obviously get killed.

//

SIGAR OVERSIGHT AUDITS/INVESTIGATIONS/RESEARCH AND ANALYSIS/LESSONS LEARNED: SUCCESSES?

INTERVIEWER:
In your mind, what were the biggest successes that this agency had conducting oversight in Afghanistan?

INTERVIEWEE 31:
I think that overall, I think we forced a number of, uh-- I think we forced a number of agency programs to reflect, or the agencies – USAID and Department of Defense – to reflect on what it was they were doing, and maybe change things. They certainly indicated a lot of changes. On the other hand, it was a small dent, because they still spent enormous amounts of money, which I think were basically wasted – on programs which were never going to succeed. I mean, they just would not.

The biggest individual successes, the ones that were worth probably the most amount of money, were-- I already mentioned the one where we attached the assets from that fellow. We got at least $50 million in cash out of that. We had another one where we recovered $40 million. I mean, that's $90 million worth. You know, that's a lot of money.

But there were other bigger ones. We stopped a program where they were going to buy Black Hawk helicopters for the Afghans. It would've been totally absurd. They didn't know how to fly them. They had no means of repairing them at all, or maintaining them.

And that was something like half-a-billion dollars. I mean, that's a pretty big win, because we got the whole program canceled – just because we exposed it before it ever-- before the money got spent, thank goodness. And that's one example, by the way, where I can demonstrate it by the value of going out to actually see what was happening.

When [NAME:] John* and I went to visit Afghanistan in 2013, the Special Forces general made a big show of flying an Afghan helicopter out to the Special Forces camp, with an Afghan crew flying the helicopter. He didn't realize, because we needed several helicopters to get-- you know, when a general goes anywhere, he has numerous people go with him.
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

So to fly out there, the other three helicopters had American crews. That's because, out of all the training they had done up until that time, with something like, well, we would've been there for 12 or 13 years in Afghanistan and trying to train people and everything, they had one crew that could fly a helicopter. <u>One!</u>

And they were Russian helicopters, because Russian helicopters are easier to repair and maintain than American ones are. So what does that tell you? I don't know how many millions we probably spent on that program. But we had trained one crew.

INTERVIEWER:
So I asked you earlier how optimistic you were, what your expectations were for this independent oversight agency that you were joining in progress. After 12 years here, did your experience at this

agency live up to your optimistic hopes, your expectations – in terms of the effectiveness of the agency, the quality of the work, the output, the outcomes?

INTERVIEWEE 31:
Yeah. I think we did. And I think we made out much better than anyone would expect. And I think we got a lot done. I feel good about it. Did we do everything we wanted to do? I don't think we accomplished everything. We could have-- I would have liked to have seen a number of programs canceled, and nipped in the bud before they ever got money spent on them, but it wasn't going to happen.

It's very difficult to divert, you know, a Department of Defense program of any size. I mean, even-- you know, to illustrate one that's non-Afghan related, but something I worked on when I was on the Hill was-- which illustrates how hard it can be, is the V-22 Osprey, a total waste of money.

We did a major investigation on it when I was with House Oversight, which I led. And what I discovered in the course of this thing is that we were not the first people who thought this thing was terrible.
//
A guy named Dick Cheney, who was at the time vice president of the United States, tried to cancel that program. Did not succeed, which shows you how hard it can be.

INTERVIEWER:
And the V-22 Osprey, if my memory serves me correctly, was that the one that could vertically land?

INTERVIEWEE 31:
Yes. And then the engines shift. And then it rotates. And then they fly. And it's known informally as "the Widow Maker." Yeah, because they don't do a very good job of flying. Now officially, the Defense Department says that's total nonsense, they're the greatest things since sliced bread, which is-- I'll never get on one. Let's put it that way.

//

SIGAR OVERSIGHT AUDITS/INVESTIGATIONS/RESEARCH AND ANALYSIS/LESSONS LEARNED: SUCCESSES? (CONT'D)
*** SIGAR SUSPENSION AND DEBARMENT PROGRAM**

One of our big successes was our Suspension and Debarment program.
//
In order to get a government contract, you have to be an approved contractor and considered eligible for a government contract. By suspending them, you-- and debar them – you prohibit them from receiving government contracts from the United States.
//

We suspended and debarred a whole lot of bad contractors, many for bad performance or non-performance. Others because they were actually Taliban or other terrorists, and making money from U.S. projects, which was ridiculous.

So-- but the scope of that is not really well understood. We suspended or debarred almost 1,000 people or/and companies, over that course of that 12 years. That I can tell you-- I was asked to give-- to meet with-- give a little speech, a talk to the IG's office at the Department of Health and Human Services a couple of years ago – right before COVID, actually. So it was probably in 2019.

They have a very large IG's office, I mean, probably 1,000 people or something. And one of them asked me had we ever suspended and debarred everyone. And I told him at the time, "Yes, we've suspended and debarred maybe somewhere around 900 people."

The questioner laughed. She was an assistant IG. And I said, "Why are you laughing?" She says, "We have come nowhere near that, ever." So that was a much larger-- we suspended and debarred way more people than any other IG's office over the same period, way more.

So that was a major success, a very aggressive program that was run out of the [SIGAR] General Counsel's Office. Some, the-- you know, that accomplished-- that was a real accomplishment. We got rid of bad contractors. That's a good thing.

//

One of the problems we ran into which was kind of funny is that the Department of Defense was refusing to suspend people who we had given them a whole raft of evidence who were actually part of the Taliban or other terrorist groups. There was one guy over at the-- the guy in charge of suspension and debarments over there was refusing to do it.

INTERVIEWER:
Why?

INTERVIEWEE 31:
We never could figure it out. But we used to-- we finally-- I think we told a congressional committee, "Look, this is so absurd. Let me illustrate it." And I think [NAME:] John* said, "You know, we can put them on a no-fly list. We can kill them with drones. We can kill them in the combat zone. But we can't keep them from getting government contracts. I mean, it makes no sense." [LAUGHS]
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

So, if you can imagine, with the congressional pressure that resulted from that, that guy wound up being reassigned somewhere else. And then we started getting these people suspended and debarred finally. But anyway, so that was a very successful program.

//

SIGAR OVERSIGHT AUDITS/INVESTIGATIONS/RESEARCH AND ANALYSIS/LESSONS LEARNED: SUCCESSES? (CONT'D)
*** SIGAR LESSONS LEARNED PROGRAM**

I think it's important for an IG's office to have a "lessons learned" program. Ours is unique. As far as we know, no other IG's office has ever had one. And that proved to be one of our best things. We weren't expecting it to work out as well as it did.

But it was [NAME:] John's* idea to start the thing. And I have to say really it's been, to me, a raging success. Because we came up with a lot of stuff, that an audit or an investigation doesn't really allow you to bring out. And you can tell a bigger story. And I think that's been-- I think that's helpful. Heaven knows whether anybody's ever going to read those reports again, or years from now. Who knows? But you do something. You do what you can, as we say.
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

INTERVIEWER:
So the [SIGAR] Lessons Learned Program – just to fill in some detail: These are big-picture, deeply analyzed, researched, reported works that sometimes can run hundreds of pages, and take a really fulsome look into the depths of a particular broad issue.

INTERVIEWEE 31:
Yes. And they do it not just from an inspector general's point of view. But they're based on extensive research and interviews. The interviews I think are the most valuable part. Because we hire-- what we do, we hired for the lessons learned program people who are experts in their fields, very highly qualified people.

INTERVIEWER:
Subject matter experts.

INTERVIEWEE 31:
Subject matter experts. And then gave them free rein to go out and do whatever research they needed and interview whoever they needed to interview. And that went up to the highest levels, as I've mentioned before, and then write a report.

And we didn't dictate what those reports would be, meaning [NAME:] John* or [NAME:] Gene and I did not dictate what's in them. "You're the expert. You write what you think is important on this subject." So that's what they did. And, you know, I think some reports are better than others. But that's what you would naturally expect.**
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]
[** Gene Aloise, former Deputy Special Inspector General for Afghanistan Reconstruction 2012-2025; Acting Special Inspector General for Afghanistan Reconstruction 2025-]

But I think we came up with a lot of valuable information. And things that I think future operations like this – "overseas contingency operations" is what they call them these days, I think – would benefit

from these reports. And I understand that several of them are actually kind of considered, you know, mandatory reading. Others not, but that's expected too.

But, yeah, I think that was an important thing that we did that nobody else has done. And I really am kind of proud of those.

//

WHAT DID SIGAR DO WELL?

INTERVIEWER:
What, in your opinion, did this agency do well as it went about the work of conducting oversight in the conflict zone of Afghanistan?

INTERVIEWEE 31:
I think the things that we did well were to press the agencies, for information. And we did [a] very good job of forcing them to adopt some reforms, mostly because we published the information. We did a great job of extracting information from them, and then reporting it to the public, which is what gave us what leverage we could to get things done.

Other examples are, I think, one of the things we did – and I give all the credit to the IG* for this – is that he was very, very good in-- he made many, many trips to Afghanistan, O.K.? And he got to know all these top generals and ambassadors. And I think they began to understand that he was a serious person and serious about this stuff.
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

And a number of them started looking forward to his ideas, and proposals. So, one of our big accomplishments was when we exposed the fact that they had changed uniforms for the Afghan army, for no good reason. It cost an enormous amount of money.

I think that went all the way to the Chairman of the Joint Chiefs or something, who said-- who issued and edict and said-- gave this as an example of waste, and he never wanted to see this again, and put in some controls, and so forth, and so on. Well, that's a big accomplishment, especially at the Defense Department at that level. So bringing it to his attention. I think the IG deserves all the credit for that sort of thing. So he won over a lot of people. There are a lot of people who hate us in the apparatus, really do. But there are a lot of others who are won over.
//
A lot of people don't know this, but-- [COUGHS] excuse me – // some of our best tips came from very high-level people who-- you know, most Americans want to do the right thing. And some of those people are generals and ambassadors. And sometimes they don't have the power to do the right thing. But if somebody like SIGAR comes along, suddenly maybe there's somebody who can get those things done.

So we've had tips from people at the highest levels, at things that we ought to look at. And they actually resulted in some of our biggest stories out there, some of our biggest accomplishments.

INTERVIEWER:
Some, or many of which, remain undisclosed?

INTERVIEWEE 31:
Oh, yes. So, in terms of our sources, yes. Oh, the sources are anonymous. Absolutely. We'll never disclose the names. In fact, very few people at SIGAR know who some of these people are. I mean, I know-- I suspect that there are some maybe [NAME:] John* and I are the only ones who know who they are, and we're not going to say. So that's that. And we're not going to give any hints either, so. But those are-- that's an important thing, but it shows that I think we accomplished something that a lot of people, even in the agencies, think is valuable.
[* John Sopko, former Special Inspector General for Afghanistan Reconstruction, 2012-2025]

INTERVIEWER:
It would also seem to show that, at very high levels, among certain individuals, there's a trust in the honest nature of the oversight efforts that are going on at this agency? Is that a fair way to express it?

INTERVIEWEE 31:
I think that's the conclusion I would draw. There's also a trust that we will respect their anonymity, too – and understand that it's really, really important to protect them. Which we have done, I think, a very good job of, so.

//

INTERVIEWER:
Can you talk about the importance of nonpartisan oversight, in what I think many Americans would agree is a pretty hyper-partisan era of U.S. political culture?

INTERVIEWEE 31:
Yeah. It's extraordinarily important to have nonpartisan oversight, in our opinion. And I think I'm speaking for [NAME:] John as well. And, you know, that's hard to do. And the reason it's hard to do is because it's hard to pick individuals who are immune to that partisanship.

One of the advantages that we've had at SIGAR, in my opinion – and I'm being very candid about this – is that the IG, the deputy IG and I don't care whether we get fired, O.K.? And that's very unusual.

Because most people are at points in their career where it doesn't [sic] matter. Well-- or it does matter, I mean. And it's very important to them not to get fired. They've got mortgages. They've got this, that, and the other thing. Maybe we have some of those things, too. But we're much older, and much more experienced – and recklessly self-confident that we'll get another job somewhere.

So we don't really care about what the agencies think or how high the heat gets turned up. And that's very rare in government. So this is just an unusual thing, where, I think, it was an advantage to the agency where we don't worry about those things.

So we do what needs to be done and what we think is the right thing to do. But I will say that I can understand why other people don't have that kind of flexibility. But it's both institutional because the institution, the IG, doesn't have independence, real independence like we do. And secondly because the individual has these other little restraints that keep them worried about keeping their jobs.
//
I think that it's extraordinarily important to have nonpartisan oversight. That's what an IG's office is supposed to provide, is nonpartisan oversight. That's very hard to do. You know, in a way, picking an IG is like picking a jury, right?

You're supposed to-- you know, a jury is supposed to go into a criminal case with the idea that they have-- they're supposed to be biased. And the jury's bias is supposed to be a presumption that the defendant is innocent until proven otherwise.

In the case of an IG, you're supposed to go in with the bias that, "We don't care what political party we're looking at or what their program is. We're just interested in waste, fraud and abuse. Are you wasting the money? Are you-- is somebody engaged in fraud? Is somebody abusing this somehow, this program somehow?" Whether--

You know, the question is: have you picked an IG who actually feels that way? And is that IG-- has that IG picked a general counsel, or a deputy IG, or a head of audits, who actually feels that way?

Well, you don't know for sure what's in the depths of somebody's mind. But maybe through experience or through your prior knowledge of these people, you try your best to come up with somebody like that. I think we did a really good job of that at SIGAR.

Do I know that to be the case of every investigator we have, or every auditor we have? Absolutely not. I have no idea. So-- but you <u>try</u> to come up with people who you think are dedicated to the proposition of nonpartisanship, but aggressive oversight at the same time.

//

WHAT COULD/SHOULD SIGAR HAVE DONE BETTER/DIFFERENTLY?

INTERVIEWER:
In your opinion what things did this agency not do well, or could or should it have done differently?

INTERVIEWEE 31:
That's an interesting question. I, um-- [PAUSE] // I think there are times where I think that we've had non-cooperation, examples of non-cooperation, which were not reported up the chain. So I found out

about them, like, months, even sometimes a couple years later, and [said], "Why didn't you tell us about this so we could do something about it at the time?"

So that's something I think we could've done better. We didn't get that information up the chain, O.K.?

One of the things I wish is sometimes I wish we had had more resources, so that we could've audited more stuff. Sometimes I wish that I personally had become more involved in planning what audits we did, because I had some ideas of things that I think would've had greater bang for their buck.

And maybe I'm wrong, because we had a lot of good auditors, but I keep worrying that maybe there were things that we should've gone for that we didn't. And so, to that extent, yeah, I think there were things we could've done better. I think there are more things we could've addressed, but we didn't. But we didn't have the resources either. We only have so many people. And, you know, there were, frankly, a whole lot of things to look at.

//

INTERVIEWER:
If you were to set up or help set up an oversight agency, independent as this one has been, would you do anything differently, were you to do it again? Are there any lessons learned that you have personally, that would guide you and that you might want to help guide others in the future to do?

INTERVIEWEE 31:
I don't think there's a whole lot I would do differently. I mean, I think we would follow the same principles, O.K.? And I think the important thing is to-- the most important thing is to get good people, who are in fact independent, who are not afraid of losing their jobs. If you can-- that's one of the most important things.

It starts at the top, and goes down as far as you can go. So your assistant inspector general for audits and the assistant inspector general for investigations have to be ideally both in that category. And I think that-- so fearlessness is an important part of the job. I think that, uh-- I think that's the single most important thing.

//

AFTER U.S. WITHDRAWAL / AUGUST 2021

INTERVIEWER:
You've been here for 12 years. In August of 2021, everything changed on the ground in Afghanistan. The U.S. withdrawal, the Taliban takeover, how did that affect your personal feelings about the work that this agency did, and the overall work that the United States tried to do in that country?
//

INTERVIEWEE 31:
I think with regard to SIGAR's work, you know, my view is that we still did a really good job. We saved as much money as we could for the taxpayer. And we continue to do that, even though I was convinced that funding would continue after the takeover. And, sure enough, it did.

The largest chunk of that did not, because the Department of Defense withdrew completely from Afghanistan. So it doesn't do anything there anymore. But the USAID and State Department funding continues onward, which would be a surprise to even members of Congress. But we try to keep them informed about how much they're spending over there.

Did I feel like the whole thing was a waste of time? No, I mean, sometimes, you know-- meaning the intervention in Afghanistan? I mean, you know, I personally think that, and I have often thought, that it was, you know, it was, a, uh-- a mistake to intervene in Afghanistan in terms of the idea of building a democratic society.

I think that was never going to succeed. And I thought that at the very outset. But my view was to take this job because, if we're going to do that, at least let's spend the money in a reasonable way. Whatever we're doing should be, you know, without wasting money, or so forth.

You could say that all of it was a waste, I suppose. But I don't think that's correct, either. We did accomplish some things, on a small level. But we spent a whole lot of money doing it, which really wasn't necessary. But I think SIGAR did its best to try and stop that in various places or recover a lot of money that was stolen or in the process of being stolen.

//

INTERVIEWER:
You'd been at an oversight agency that had a ring-side seat to how things were going, really. How did you feel when those events transpired—

INTERVIEWEE 31:
Well, I wasn't surprised. I think most of us could see the handwriting on the wall, militarily. I mean, it was just-- we never thought-- we didn't believe for a minute that there were 300,000 Afghan army troops out there, army and police. That's just-- that was never even close to being realistic.

INTERVIEWER:
But this agency had done factual analysis of a pay system, is my understanding, that demonstrated that was not the case. There were not.

INTERVIEWEE 31:
That's correct. So.

INTERVIEWER:
It wasn't just a belief. It was this agency did the work to try to figure out the question.

INTERVIEWEE 31:
Yes, we did. And we did it right down to the lowest levels, too. So there were-- there was an audit. I can't remember the name of it, but where we went out to look at how they counted their troops in the morning, for example. And it was just-- it bore no relationship to what people have done literally for thousands of years.

You know, any normal military commander, going back to Alexander the Great, and probably people in pre-history, the first thing you do when you roll out of the bed in the morning is-- the first question is, "How many troops have I got this morning?"

Afghans don't even know that, or didn't even know that, because they didn't require people to even show up in the morning to be counted – which is, you know, just a normal thing in every army, worldwide. It is the first thing they do, is fall out for reveille or whatever they might call it in their country or particular-- and count heads. Well, the Afghans didn't even do that. They didn't require people to show up. So how would you know how many troops you have? It was just that basic.

INTERVIEWER:
And yet U.S. government official statements continued to include that 300,000 number, well after SIGAR's findings and warnings to the contrary.

INTERVIEWEE 31:
I have no idea where that came from. But yes, apparently that is the case.

INTERVIEWER:
Do you have any thoughts about the idea that, despite having a special inspector general – independent, wholly focused on all U.S. spending on Afghanistan reconstruction – U.S. efforts in that country still, by most measures, can now be viewed as a failure. Despite the existence of that oversight work?

INTERVIEWEE 31:
Yes. Because I think there's-- we didn't-- we don't have the-- it is not within our powers, our jurisdiction, to question the overall policy of whether this should be done or not. Our jurisdiction is to decide whether the money is being wasted or being stolen, O.K.?

That's-- it's not a question of whether-- we don't have the authority to look at the question of whether we ought to be engaged in there at all. That's not our line of work. That's not what we're authorized to do. So. And nobody cares about our opinion on the subject either, for that reason.

We're deemed not to have the expertise. It's really a political question, as to whether we ought to be engaged in Afghanistan. Ultimately, it's a decision made between the President of the United States and the Congress. And together they decide whether we're going to be there or not, or what we're going to do there. And they've made those decisions. It's a political decision.

WHAT DID SIGAR AND YOU ACCOMPLISH IN AFGHANISTAN?
*** SPECIAL INSPECTOR GENERAL OVERSIGHT MODEL**

INTERVIEWER:
What do you wish the American public would understand better about this overall oversight picture?

INTERVIEWEE 31:
I wish they would-- well, it would take a very knowledgeable public. But I would think that-- I would hope they would understand there's a value in having an independent authority – nonpartisan, independent authority, which seems to be not a popular thing these days. But an independent nonpartisan authority who can act in the taxpayers' interest and say, "O.K., let's take a look at this government spending and see if it's worth doing."

You know, we have read a lot recently that there's supposedly going to be an independent authority out there, the new next administration coming in. But I'm not sure exactly what that is, or whether it's nonpartisan or not. But anyway, we'll see. [SMILES]

//

INTERVIEWER:
At the end of the day, when all is said and done, what do you think that this agency and you have accomplished for the American people?

INTERVIEWEE 31:
I think we saved it a lot of money. I think we saved, uh-- we recovered money and we saved a lot of money. I think we exposed a lot of problems in the agencies. And the reason I think that is effective is because the agencies have been very united in making it clear to Congress that they want no more special IGs.

And that includes the agency IGs, who don't want any more special IGs, either. The IGs from the Department of Defense, USAID, and the State Department have been very united, for example, in opposing the appointment of any kind of special inspector general for subsequent operations, most notably Ukraine.

Because there was talk about appointing a special IG for Ukraine, and the agency IGs got together very publicly and made a whole thing about how they were cooperating with each other. They-- all three of them went together to visit Ukraine on the ground and established some kind of an oversight function, all an attempt to pre-empt any attempt to legislate a special IG for Ukraine or – heaven forfend – expanding SIGAR's jurisdiction to include Ukraine, because that's what they're worried about.

We never tried to do that, by the way. But they were worried that we would. And that says something about how effective we were, I think. Because the agency IGs quite honestly are in the pockets of their

own agencies. They are not critical on important matters. They do not publish everything that's supposed to be published, even though it's required by law. And they tend to sweep things under the rug. And there's a reason for that. They aren't fully independent. So.

INTERVIEWER:
The thought that strikes me is: Does this agency's success result in the non-existence of the special inspector general model, going forward in this country?

INTERVIEWEE 31:
It might. That's unfortunate, but it might. That might be the ultimate result.

INTERVIEWER:
And what does that say?

INTERVIEWEE 31:
But-- well, it says that people in the agencies don't want real oversight. They want to continue on their path doing what they want to do, when they want to do it, and how they want to do it. And, you know, nobody likes to be criticized. Nobody wants that-- the guy looking over your shoulder and saying, "Wait a minute. Why are you doing that?" [LAUGHS]

INTERVIEWER:
But for posterity, the existence of the agency, when it did exist, and the work it will have left behind means what to you?

INTERVIEWEE 31:
Well, I think it's a very significant example of what oversight can do. So, to me, it proves the model. But probably other people would say, "Yes, it proves why we don't want one." But to me, it shows what can be done with aggressive independent oversight. And that's its greatest value.

But it's not its only value, because we saved a lot of money, you know – several billion dollars, as I recall.

So that's an important thing. But [it] could have been so much more, if we had had the resources. But the, uh-- but I think its value is that we proved the value of independent oversight. That's the biggest thing. And I just wish there was more aggressive oversight. Right now there seems to be a lack of it on Capitol Hill.

It seems when [NAME:] John Dingell* has died a few years ago, the other great leaders of oversight have also left office or passed away, literally – and that's a loss. But eventually, I think things will come full-circle. And there will be other people who will come along and begin to re-engage in full oversight. It's happened before, and I think it'll happen again.
[* Former U.S. Representative John Dingell (D-MI); former U.S. House Energy and Commerce Committee Chair]

//

I think we accomplished a lot. And we still had more to go. And I think we will accomplish more with our [SIGAR] final report too, frankly, because it's going to sum up a lot of things, and, I think, important things, observations that we have to add, and including information derived from more interviews of former officials, which I think a lot of people will find very surprising and shocking, and will tell them something about how our government operates.

And maybe people will have-- I hope that policymakers have second thoughts when it comes around to doing these kinds of things again, meaning reconstruction programs elsewhere, or interventions elsewhere. Not that they should stop doing them, but they should rethink how they go about it and what their objectives are when they do these things.

###