

Testimony of Danny Harris, Chief Information Officer  
U.S. Department of Education

Before the  
U.S. House of Representatives Committee on Oversight and Government Reform  
“U.S. Department of Education: Investigation of the CIO”

February 2, 2016

Chairman Chaffetz, Ranking Member Cummings and Members of the Committee, thank you for giving me the opportunity to share with you my response to the allegations raised and investigated by the Department’s Inspector General (IG).

Background

I have been proud to serve the public for the last 32 years at the Department of Education and believe I have conducted myself in an ethical manner at all times. However, in light of the IG’s investigation and the counseling I received from the Office of the Deputy Secretary (ODS) and the Office of the General Counsel (OGC) at the Department, I fully understand and take responsibility for how some of my actions could allow questions to arise about my impartiality. This is unacceptable. I have learned from this experience, however, and to eliminate any such questions, I have assured my supervisors at the Department, and I want to also state unequivocally today, that I have not engaged in any of the actions that raised questions since prior to the IG’s investigation. The actions I took showed that I used poor judgment and I deeply regret those actions.

Update on Progress Made Regarding Cyber Security

Before I address the topic of this hearing, I’d like to provide the Committee with an update on a process we have put in place as part of the progress on cyber security we have made since the last time I sat before you in November. As I stated during my testimony last fall, I am committed to ensuring that the Department reaches our goals to continually improve our cybersecurity and we continue to make progress on those plans. I appreciate the work of the Inspector General in this area as the office has benefitted from her assessment and recommendations on how to improve. Since November, the Department has made progress in a number of areas, which I would be pleased to discuss further, but in particular:

The Department has stood up an Integrated Project Team that will be tracking all Corrective Action Plans tied to FISMA or Financial System Audits. The team is made up of the General Counsel (delegated the duties of the Deputy Secretary), myself, Deputy CIO, FSA Chief

Operating Officer and the FSA CIO. The team will meet on a weekly basis to ensure that all corrective actions are resolved based on the dates provided to and agreed upon with the OIG. The team will be paying particular attention to any items associated with the Department High Value Assets as well as items listed as repeat findings. This team has been charged by Acting Secretary King with ensuring that all corrective actions are resolved, but also that root causes and systemic weaknesses are identified and addressed, and I intend to ensure that happens.

### The IG's Investigation

At every stage of the IG's investigation, I have promptly and fully cooperated with the investigation. I was interviewed in February of 2013, and then again in April of 2013, and during those interviews I answered their questions truthfully and without hesitation. At no time did I attempt to hinder or impede the IG's work.

While I was not provided with a list of specific accusations against me, based on the questions during the investigation and the counseling I received, I understand that some concerns were expressed about my interactions with subordinate employees. My management style is to take an interest in and care about my colleagues and subordinates. I have been blessed with the opportunity to work with many outstanding individuals and even more blessed to have formed a friendship with some of the employees at the Department. I have tried my best to mentor staff when they have asked for my guidance and to help employees grow professionally whether that means developing skills for the job they are in or should they have an interest in areas outside of the office. I understand now that those actions could be viewed as showing favoritism. While I continue to mentor staff, I have modified my behavior so as not to create an appearance of favoritism. At no time, however, did my personal relationships cloud my professional judgment. The Department of Education has very strict rules and safeguards to ensure that an unbiased review is done of all candidates prior to consideration for promotion or hire and I can tell you emphatically that those guidelines were followed at all times.

Again, based on the questions during the investigation and the counseling I received, I believe that concerns were raised by the investigation about my conduct with respect to that in my personal time I enjoy detailing cars, and that prior to the investigation, I had also enjoyed installing audio/visual equipment. Many staff members at the Department were aware of these hobbies and two individuals in particular were interested in learning more about these activities. As I shared above, I do my best to work with my staff to help them gain new skills. I came to realize that by including them in these activities, for which they were compensated, I used poor judgment.

With regard to helping others on my team with home projects, I also came to understand how that could have been misconstrued. Each interaction with staff was predicated by them

approaching me and expressing an interest in benefiting from my experience. I think it is important to note that while I did not view these activities as a business, I nevertheless understand how it could be perceived; therefore I have ceased to install any audio/visual equipment for staff or engage in activities with staff in which there is any exchange of funds. The last time I performed work related to installing audio/visual equipment for anyone was in 2012, and I do not accept any funds for detailing cars.

The IG investigators also asked me questions related to the employment of a relative in another office within the Department. As I confirmed for the IG investigator, I did inquire with some colleagues about whether they had any openings in their office. I was pleased when I learned my relative was successful in the application for the position as I have enjoyed working for the federal government and believed my relative would find the experience rewarding. I'd also like to share that the position was a term-limited position and the relative is no longer working at the agency.

After cooperating with the IG investigators, I was counseled by then-Deputy Secretary Tony Miller in 2013. After this counseling, I consulted any records I had with respect to my hobby and amended my tax returns to the IRS for 2008-2010, determined I had no additional income for 2011 and reported the additional income on my 2012 tax returns. The updated returns reflected an increase of roughly 1-2 % of my total household income.

With respect to my relationship with the owner of a vendor that performed work with the agency, I acknowledged that relationship but want to be very clear about when that relationship developed and also about the nature of my role in the agency's procurement process. The process, which is used to determine successful bidders, is done through another office within the agency over which I do not have control. As CIO, I did not and do not have a role in determining who will be awarded contracts. There was a period of time during which I worked in the office that does have responsibility for awarding contracts and I was on a review panel which ultimately determined to award a contract to this vendor but that was several years prior to my developing a personal relationship with the owner of the vendor and I was one of three individuals who made recommendations but did not have the final determination on which vendor was awarded the contract. My personal relationship with the individual developed several years after that date and occurred around when I moved in 2008 to a new neighborhood and discovered the individual lived nearby. After running into one another in the neighborhood several times we discovered we had many common interests outside of the workplace and the friendship developed.

At no time did I advocate for this vendor or ask staff to treat this vendor any differently than other vendors. I also ended my personal relationship with the vendor in February 2013.

### Moving Forward

I have benefitted from the counseling of two Deputy Secretaries – Tony Miller, and Jim Shelton, and John King, who at the time was delegated the functions and duties of the Deputy Secretary – as well as by the agency’s lead attorney for the Ethics Division Susan Winchell. Ms. Winchell provided counseling at an in-person meeting and in writing. While at the time I took them, I did not view my actions to be inappropriate, the investigation and counseling led me to appreciate how others might have viewed my conduct as questionable, and how in retrospect, I should have exercised better judgment. As noted, I have severed my personal relationship with the owner of the vendor in question. I no longer install audio/visual equipment, do not accept funds for detailing cars, amended the applicable tax returns, and where it was appropriate, included the relevant income on my financial disclosure form.

I appreciate the IG’s looking into these issues and raising them to my superiors and myself to allow me to perform to the best of my ability and in the best interest of the agency. I have learned from this experience and vow to do everything I can to show myself to be of the highest integrity and honor. I am proud of the service I have been able to provide to the agency and want to continue to serve the American people. I know that as the CIO, others look to me to demonstrate the best behavior possible and I am sorry if I have given any of my co-workers or supervisors or anyone else a reason to doubt my integrity.

I’d appreciate the opportunity to answer any questions you may have about my testimony.

### **Biographical Sketch – Danny A. Harris, Ph.D.**

Dr. Danny Harris is a 30+-year Information Technology and Financial Management professional. He is currently the Chief Information Officer at the U.S. Department of Education. As the CIO, he acquires and maintains the Department's IT Infrastructure and its most mission critical Financial Management Systems, including the Accounting System, Contracts and Purchasing System, Travel Management System, the Department's award winning Grants Management System, and its Web presence. He manages over 135 federal staff and more than 700 contractor staff. He manages the agency's participation in and implementation of Federal CIO Council Initiatives and coordinates Council activities throughout the Department.

Dr. Harris is also currently an Adjunct Professor at Howard University where he has served in this capacity since 1993. He teaches courses in Computer Technology. Prior to his job as the Department's CIO, Dr. Harris served as Deputy Chief Financial Officer from 2004 to 2008. In this capacity, he supported the CFO in overseeing the Department's Financial Management operation.

Dr. Harris holds a B.A. in Communications from North Carolina A&T State University, and an M.A. and PhD. in Organizational Management from Howard University.