

[H.A.S.C. No. 113-108]

HEARING
ON
NATIONAL DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 2015
AND
OVERSIGHT OF PREVIOUSLY AUTHORIZED
PROGRAMS
BEFORE THE
COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES
ONE HUNDRED THIRTEENTH CONGRESS
SECOND SESSION

FULL COMMITTEE HEARING
ON
**NATIONAL DEFENSE PRIORITIES
FROM MEMBERS FOR THE
FISCAL YEAR 2015 NATIONAL
DEFENSE AUTHORIZATION ACT**

HEARING HELD
APRIL 9, 2014



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**NATIONAL DEFENSE PRIORITIES FROM MEMBERS FOR
THE FISCAL YEAR 2015 NATIONAL DEFENSE AUTHOR-
IZATION ACT**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, Wednesday, April 9, 2014.

The committee met, pursuant to call, at 10:00 a.m., in room 2118, Rayburn House Office Building, Hon. Mac Thornberry presiding.

**STATEMENT OF HON. MAC THORNBERRY, A REPRESENTATIVE
FROM TEXAS, COMMITTEE ON ARMED SERVICES**

Mr. THORNBERRY. Committee will come to order. Good morning. The House Armed Services Committee meets today to receive testimony from Members of Congress on their national defense priorities for the fiscal year 2015 National Defense Authorization Act [NDAA]. Chairman McKeon has been called to handle other committee responsibilities this morning and will hopefully be joining us once we are underway. Without objection, we will enter his prepared opening statement at this point in the record.

[There was no prepared statement submitted by Mr. McKeon.]

Mr. THORNBERRY. One quick note for our format today. In consultation with the ranking member, we will depart from our regular questioning process. Each witness will have 4 minutes to testify. Members of the committee may seek recognition by raising their hand or notifying the staff and will be granted 2 minutes each up to the 4-minute limit. This will ensure we can hear from all our witnesses in a timely fashion.

As this hearing is intended to be a listening session, it is not our intent to engage in extended debate or colloquy with our witnesses. But we do appreciate all our colleagues coming today and hearing their priorities.

With that, I will yield to the distinguished ranking member.

**STATEMENT OF HON. ADAM SMITH, A REPRESENTATIVE FROM
WASHINGTON, RANKING MEMBER, COMMITTEE ON ARMED
SERVICES**

Mr. SMITH. Thank you, Mr. Chairman. I don't have any opening comments except to say that I look forward to the comments from the Members from outside of the committee. We strive on this committee to represent the entire Congress, obviously, so we want to hear what you are interested in. And as we get ready to produce the national defense authorizing act, those opinions and issues that you raise will be very important as we consider what the final product should look like and debate amendments and the bill on,

I believe it is May 7. So timely hearing. Look forward to the testimony.

Mr. THORNBERRY. I thank the gentleman.

And with that, we will start, appropriately, from the great State of Texas. Gentleman from Texas, Mr. O'Rourke, is recognized for 4 minutes.

**STATEMENT OF HON. BETO O'ROURKE, A REPRESENTATIVE
FROM TEXAS**

Mr. O'ROURKE. Mr. Chair, Ranking Member Smith, members of the committee, thank you for the opportunity to testify before you today. I have the distinct honor of representing El Paso, Texas, which is home to Fort Bliss and the Army's 1st Armored Division; 29,000 soldiers and their families call Fort Bliss and El Paso home.

Fort Bliss also has a unique relationship with White Sands Missile Range and Holloman Air Force Base, making the region one of the most important for our military. The three installations encompass more than 3.3 million acres and nearly 10,000 square miles of air space. Together they provide an unrivalled strategic advantage to our military for its training and testing and evaluation needs, an advantage that cannot be replicated elsewhere.

Today, I will testify on four issues that are important to our region and important to our country's security. The first is on the issue of the budget, and in these uncertain times I believe that Fort Bliss offers the Army opportunities to adapt, innovate, and achieve its near-term readiness priorities.

Fort Bliss, in partnership with the community, has built the largest inland water desalination facility in North America. Building on that commitment to sustainability, the installation has committed itself to achieve net-zero waste, water, and energy by December 31, 2018. These innovations will not only save the Army money, they will also make the post fully sustainable long into the future.

Fort Bliss is capable of training virtually any type of unit in the Army force structure. Along with the restationing of the 1st Armored Division in 2005, the post also seamlessly received several brigade combat teams and numerous supporting units. This committee can be confident that Fort Bliss, along with White Sands Missile Range and Holloman Air Force Base, will continue to play a critical role in our country's national defense for decades to come no matter what the budget situation.

The second issue is Fillmore Canyon and a requested land transfer. The Department of the Army has identified the Fillmore Canyon land transfer as a high priority for the NDAA. The proposal will ensure that Fort Bliss and White Sands are protected from encroachment and have the buffer necessary to continue their training missions in the area. This proposal would transfer the Fillmore Canyon to the jurisdiction of the Bureau of Land Management [BLM] and withdraw BLM land on the south and west boundaries of the Fort Bliss Dona Ana training areas and firing range complex from disposal to a third party, such as a private development company. I urge the support of this committee for the inclusion of this land transfer authority in the NDAA.

Next issue is Beaumont Hospital. Thanks to the past work of this committee, the new William Beaumont Army Medical Center is under construction and on schedule to start serving service members in 2017 as a new state-of-the-art facility. The hospital has three remaining phases of construction, and the timely completion of the new hospital is dependent on the funding of future increments through fiscal year 2016. I ask this committee to continue your strong support for this project and the remaining funding increments.

Last issue is the issue of transitioning service members. As a member of the Veterans' Affairs Committee, I understand the numerous issues transitioning service members face. Of critical importance is ensuring that they have access to health care through the VA [Veterans Administration]. I hope that this committee will consider the Healthy Transitions for Veterans Act, H.R. 3045, which I introduced last year. The proposal would require the Department of Defense to perform two simple, commonsense tasks.

The first, provide a comprehensive physical examination to all service members of the Active, Guard, and Reserve components who are separating from military service; and secondly, provide separating service members with a copy of their complete medical records electronically. These changes will improve the transition for our soldiers, and it has been endorsed by over 14 veterans service organizations and is cosponsored by 6 members of the committee, 4 of them Republican and 2 Democrat. I look forward to working with you on this proposal.

Thank you again for the opportunity to testify today. And in his absence, I would also like to thank Chairman McKeon for his decades of service both in Congress and on the committee. And should you have any questions, I am here to answer them. Thank you.

[The prepared statement of Mr. O'Rourke can be found in the Appendix on page 112.]

Mr. THORNBERRY. Thank the gentleman for his testimony.

Are there any questions?

If not, thank you, sir. Appreciate you being here.

Let's see, next we have the gentlelady from North Carolina, Ms. Ellmers. And I should have said at the beginning, without objection, all of the written statements that our witnesses provide will be made part of our record.

Ms. Ellmers, thanks for being here. You are recognized for 4 minutes.

STATEMENT OF HON. RENEE L. ELLMERS, A REPRESENTATIVE FROM NORTH CAROLINA

Mrs. ELLMERS. Thank you, Mr. Chairman and Ranking Member Smith, for allowing me to testify today in the House Armed Services Committee. I truly appreciate this opportunity. Since I have numerous issues I wish to draw attention to, I will keep my remarks brief on each issue. My staff will be happy to follow up on any of these issues and provide necessary information.

I am a proud Representative of the Second District North Carolina, which is home to Fort Bragg. I am very honored to be representing Fort Bragg. Fort Bragg is home to the Airborne and Special Operation Forces.

The first issue I would like to address is the President's proposal to inactivate the 440th Airlift Wing located at Pope Field. I have serious concerns with this proposal and the negative impacts it would have on training. The 440th Airlift Wing provides 33 percent of crucial joint airborne and air transportability training to the forces stationed at Fort Bragg.

This joint commission was formed over the last 7 years to provide Airborne and Special Operation Forces with the accessible, flexible, and quality training they need to continue to be ready for whatever mission they are asked to carry out. Eliminating the ability to rapidly mobilize to train and deploy with local commanders, aircrews and aircraft that have an established relationship with our most in-demand forces increases risk at an unacceptable rate.

Mr. Chairman, I respectfully request you maintain the mission of the 440th Airlift Wing and its C-130s.

My next issue that I would like to speak about has to do with TRICARE. I would like to discuss the issue and the lack of timely and consistent notification from TRICARE regarding changes made to beneficiaries' insurance coverage. While sitting down with one of my military spouses, Susan Reynolds, I was stunned to learn that her family was not notified about TRICARE's decision to end coverage for compounded pharmaceuticals. Her son Ian is allergic to red dye and relies on compounded pharmaceuticals for his medications.

Mrs. Reynolds' husband Jeremy was deployed in less than a month and was blindsided by the changes made to his family's TRICARE coverage. The Reynolds family was left with the struggles of deployment and unnecessary burdens of wondering if their son's medication would be covered and how they would be able to replace it. This was an unnecessary hardship placed on the backs of the deployed family simply because there is no standard notification system in place to changes of TRICARE coverage.

After speaking with numerous military families like the Reynolds, I introduced H.R. 4101, the TIME [Timely Information Management Enforcement] Act. This legislation would reconstruct TRICARE's notification process and require TRICARE to notify beneficiaries and providers no less than 90 days before a change to their coverage is made. It is imperative that military families have the appropriate time they need to find suitable alternatives for the coverage lost. Instead, they were left to see their insurance coverage pulled out from underneath them.

Mr. Chairman, I request that this problem be addressed in this year's NDAA and that the TIME Act be a part of that discussion. I would like to work with the House Armed Services Committee to fix this problem.

In closing, I believe it is more important than ever that the United States maintain its military superiority and continue to be the dominant force of freedom in the world.

Thank you, Mr. Chairman, for this opportunity, and Ranking Member Smith, for allowing me to speak before this distinguished committee and for all of your hard work and support of our armed services and military families. I look forward to working with the committee on the challenges facing our military. Thank you.

[The prepared statement of Mrs. Ellmers can be found in the Appendix on page 75.]

Mr. THORNBERRY. Thank you. Appreciate the testimony of the gentlelady.

Are there any questions? None.

Thank you. Appreciate you being here.

Mrs. ELLMERS. Thank you.

Mr. THORNBERRY. Next, the gentleman from Georgia, Mr. Collins. Appreciate the gentleman being here. You are recognized for 4 minutes.

**STATEMENT OF HON. DOUG COLLINS, A REPRESENTATIVE
FROM GEORGIA**

Mr. COLLINS OF GEORGIA. It is good to be here. And as a member of the still active Air Force Reserve, this committee is special to me, and I appreciate all the work that you, Mr. Thornberry and Ranking Member Smith, would give.

I appreciate the opportunity to testify this morning before your committee. Words cannot express how proud I am of having in my district one-third of the famed U.S. Army Ranger School. The 5th Ranger Training Battalion is located in the beautiful mountains of Dahlonega, Georgia, home also to America's first gold rush, but I am not here to discuss that.

Camp Frank D. Merrill, located on 282 acres of land, houses the Mountain Phase of Ranger School. The camp is comprised of 200 Active Duty soldiers, a dining facility, PX [Post Exchange], commissary, chapel, and mountaineering equipment. Most importantly, Camp Merrill houses over 200 soon-to-be Rangers who are deprived of food, sleep, and comforting amenities in order to best serve our country and offer themselves as a fighting force.

After World War II, the U.S. Army leased the 282-acre tract of land from the U.S. Forest Service [USFS] in order to construct the second phase of Ranger School. In 1951, Army-USFS Special Use Permit was drafted and the Army has operated on the land under the supervision of the Forest Service since then.

The Special Use Permit has enacted two layers of business rules and operating procedures for Camp Merrill, one Army layer and one Forest Service layer. The duplicative nature of management causes delays on critical infrastructure projects and unnecessarily complicates day-to-day operations.

Ranger School's operational tempo and mission at Camp Merrill is an understandably unique one. The Army's mission at Camp Merrill requires very specific building and maintenance standards calling for exemptions to regulatory guidance, guidance for which the Army already has standing operating procedures in place for.

Once approvals for exemptions are processed through the military channels, the Forest Service then vets any changes to Camp Merrill's structure. This has happened at increased cost to U.S. taxpayers. The goal in acquiring Camp Merrill for the Army is to increase efficiency and to save taxpayer money. Wholly owning Camp Merrill allows any needed structural improvements and Ranger training facilities upgrades to occur cheaper than operating under two levels of bureaucracy.

One example of bureaucratic senselessness is when a group of trees surrounding a landing zone for helicopters started to cause a safety hazard and needed trimming. Due to the two-level approval process of structural and environmental changes required by dual management of Camp Merrill, 2 years went by before approval was granted to trim the trees within an acre-and-a-half area. In addition to the protracted time to accomplish this simple task, the cost for trimming the trees was nearly doubled.

While we are on cost, the bureaucratic redundancy is occurring at a period when DOD [Department of Defense] is looking to capitalize on savings. The last nine projects the Army built at Camp Merrill cost \$674,980 more—catch that, more—due to repeated and unnecessary oversight by the United States Forest Service. While this may appear a minuscule amount of money, remember a redundant approval process can be traced back for over 50 years.

My legislation reverses decades of redundant oversight and enacts a land exchange between the Department of Army and the Forest Service. This exchange will allow the Army to gain administrative control of Camp Merrill and Forest Service gets new lake property on Lake Lanier.

For over 20 years, two agencies engaged in several rounds of negotiation to enact the land transfer, and as recent as 2012, language was inserted into NDAA to bring the long-needed change. At the last moment the language was stripped out because the Department of Agriculture reneged on the deal by asking for \$10 million in addition to the land on Lake Lanier. The Army was not able to provide the money, and shouldn't have, by the way, as it was not part of the originally mutually decided upon agreement.

2014 is the year the saga should come to an end. With the passage of this language, the Army is empowered to build the structures needed to train one of the Army's most elite fighting forces. In addition, taxpayer moneys are relieved of duplicative agency oversight and the Forest Service gains land it previously didn't own.

It is time, Mr. Chairman, for this to end, and it is time for two government agencies to settle a 20-plus-year-old dispute and save money at the same time.

And Mr. Chairman, I yield back, and thank you so much.

[The prepared statement of Mr. Collins of Georgia can be found in the Appendix on page 60.]

Mr. THORNBERRY. Thank you. Appreciate your testimony.

Are there any questions?

Thank you, Mr. Collins. Appreciate you being here.

Next, the gentleman from Florida, Mr. Posey.

Thanks for being here. You are recognized for 4 minutes.

**STATEMENT OF HON. BILL POSEY, A REPRESENTATIVE FROM
FLORIDA**

Mr. POSEY. Thank you, Mr. Chairman and Mr. Ranking Member and committee members. I appreciate the opportunity to testify before you this morning. I appreciate the work you do in crafting the National Defense Authorization Act. In addition to this testimony, I will also submit a letter outlining priorities I believe are worthy

of your consideration, and hope you will allow me just to highlight a few of them for you here this morning.

First, I would like to thank the committee for recognizing the national importance of having a safe, secure, reliable, and modern space launch range infrastructure to support the national security space mission in the fiscal year 2014 NDAA. Last year, I testified on the importance of urging the Air Force to take steps to ensure that the Range Communications Building—also known as the XY Building—at Cape Canaveral Air Force Station is in sufficient shape to support our Nation’s space launches.

The deplorable condition of this building, with its structural problems, flooding issues, outdated vacuum tube technology, believe it or not, must be addressed. I understand the Air Force rates this as their number one current mission MILCON [military construction] priority for 2013 to 2016. Please continue, I hope, to urge the Air Force to prioritize resources as appropriate to modernize this vital launch infrastructure.

Second, I would ask the committee to include in the NDAA a commonsense provision that passed the House last year on a voice vote as part of an en bloc amendment relating to Space Available military transport. Unfortunately, this provision did not make it through the Senate or the conference process. It simply allows non-profit organizations to ship items to U.S. service members serving overseas on a space available basis. A similar policy is in place for sending cargo to foreigners under the Denton Program. This provision, previously adopted by the House, gives the Secretary of Defense the authority to do this for our own troops.

Next, I understand that there may be requests to the committee that would require the Army to execute the fiscal year 2014 appropriated funds for an additional noncompetitive procurement for the Army’s Joint Tactical Radio Handheld, Manpack, and Small Form Fit Program, JTRS. Without getting too technical, I would urge the committee to instead continue the successful approach of last year and years before and promote competition in the procurement process. Competition saves money, and in this case it also drives competition. Sole source does neither.

In closing, I would ask the committee to support the Army’s network modernization with the Small Airborne Networking Radio program; the continuation of a successful J-STARS [Joint Surveillance Target Attack Radar System] fleet with the T-3 test aircraft; and the proper utilization of the Kiowa Warrior in its last year of availability for the warfighter. It includes upgrades to ensure that if called into action our troops would have the best equipment possible.

I appreciate very much your consideration of these requests.

[The prepared statement of Mr. Posey can be found in the Appendix on page 125.]

Mr. THORNBERRY. Thank the gentleman for testimony.

The gentleman from Florida, Mr. Nugent, is recognized for 2 minutes.

Mr. NUGENT. Thank you Mr. Chairman.

And thank you, Mr. Posey. You bring up some very important issues, particularly to the State of Florida on your first as it relates to the space launch ability at our facility there. I mean, we have

two decades worth of experience in space launch. And I just want to thank you for bringing this forward. But beyond a Range Communication Building, what other programs need new authorization to preserve and improve our space launch in Florida, particularly since we are so dependent today on Russia, which has not turned out to be all that dependable?

Mr. POSEY. Well, I thank the gentleman for that question. You know, all space launches are matters of national security, not just perceived in the traditional manner that we look at national security, but as economic national security. I mean, take a few satellites out and you no longer get your weather report, you no longer can use your GPS, you no longer can use the cell phone, you no longer can use a credit card, you no longer can process a check. I mean, these are significant economic dangers to our economy and to our society.

There is a lot of discussion in the Space, Science, and Technology Committee how to best spend the money on space. But in this particular issue, the XY Building, literally, I would invite any of you sometime to visit it. The technology that we are using for tracking, and ultimately our systems hinge on it, are truly vacuum tube technology. I mean, if you saw it you would not believe that we are operating the Kennedy Space Center and the Cape Canaveral Air Force Station with this outdated technology or the condition of the building. It is truly frightening to me as a matter of national security.

Mr. NUGENT. I thank the gentleman from Florida for bringing that forward.

I yield back.

Mr. POSEY. Thank you, sir.

Mr. THORNBERRY. Other questions?

Thank the gentleman for being here. Appreciate it.

Next we have the gentleman from Puerto Rico.

Appreciate you being here. Recognized for 4 minutes.

**STATEMENT OF HON. PEDRO R. PIERLUISI, RESIDENT
COMMISSIONER FROM PUERTO RICO**

Mr. PIERLUISI. Thank you, Mr. Chairman, Ranking Member, members of the committee. Thank you for the opportunity to testify. I have two requests which I will summarize.

First, congressional action is needed to address a significant threat to public safety on the island of Culebra, Puerto Rico, which was used as a military training range for many decades. DOD argues that a 1974 law precludes it from funding the cleanup of a 570-acre parcel, much of which was conveyed to the Government of Puerto Rico back in 1982. Culebra is the only defense site in the Nation that DOD says it is barred by statute from decontaminating.

In the last several years, DOD and some Members of Congress have opposed bicameral efforts to repeal or relax the 1974 law. This opposition flies in the face of well-established Federal policy that DOD is responsible for funding remedial action on property contaminated by its training activities. It is also difficult to understand since CBO [Congressional Budget Office] confirms that effective cleanup could be conducted for \$6 million.

The current state of affairs on Culebra is a disaster waiting to happen because the parcel contains popular beaches, pedestrian walkways, and campgrounds. Since 1995, there have been over 70 incidents in which members of the public encountered unexploded munitions that could have caused grave harm. Indeed, in January local authorities had to close a beach when they discovered a 100-pound unexploded bomb underwater close to shore.

Last week the Corps of Engineers issued a press release warning spring break travelers to Culebra to exercise caution during their stay and to be on the lookout for any items that could be potential munitions, noting that the likelihood of encountering munitions on Culebra is relatively high.

This committee has been actively engaged on the issue of the past. The House version of the 2010 NDAA repealed the 1974 law to authorize cleanup of the parcel. But the House receded in conference.

The 2011 NDAA required a comprehensive DOD study on this issue which DOD completed in April 2012. In the 2012 NDAA, I offered a successful floor amendment expressing the sense of the House that the 1974 law should be relaxed or repealed if the parcel could be cleaned at a reasonable cost, which it absolutely can. But again, the final bill was silent on the issue.

I respectfully ask the committee to again include language to modify the 1974 law and to defend this provision in conference. I would like to work with Chairman McKeon, Ranking Member Smith, and Chairman Wittman to accomplish this goal. I have been trying to resolve this matter for 5 years. I cannot rest until it is properly addressed because the stakes are too high.

My second request relates to the budget line for counterdrug activities. No U.S. jurisdiction is more affected by the drug trade than Puerto Rico, which is a major transshipment point for drugs destined for the U.S. mainland. The murder rate in Puerto Rico is far worse than any State and most of the violence is linked to narcotics.

The defense title of the 2014 Consolidated Appropriations Act expresses concern about drug-related violence in Puerto Rico and requires DOD to brief Congress on the steps it is taking to support law enforcement operations in the U.S. territory. I am concerned that DOD has requested only \$719 million for interdiction activities in 2015 compared to the current funding level of \$895 million. DOD must request and receive more robust funding in order to adequately perform this vital mission.

Accordingly, I hope the committee will provide increased funding so that SOUTHCOM [Southern Command] has more of the maritime and aviation assets it needs to prevent major shipments of narcotics from entering the U.S. and destroying the lives of American citizens. Thank you.

[The prepared statement of Mr. Pierluisi can be found in the Appendix on page 121.]

Mr. THORNBERRY. I thank the gentleman.

Are there any questions?

If not, appreciate your testimony. Thanks for being here.

Mr. PIERLUISI. You are welcome.

Mr. THORNBERRY. Next we have the gentleman from Florida, Mr. DeSantis.

Appreciate you being here. You are recognized for 4 minutes.

**STATEMENT OF HON. RON DESANTIS, A REPRESENTATIVE
FROM FLORIDA**

Mr. DESANTIS. Thank you, Chairman, Ranking Member Smith, and members of the committee. I appreciate your time. I know it is a busy time for the committee.

I am here to talk about the E-2D Advanced Hawkeye, the Navy's carrier-based Airborne Early Warning and Battle Management Command and Control system. This particular E-2 platform has been serving our military well since the 1960s, and as you consider the fiscal year 2015 authorization for DOD, I ask that you support the E-2D program, as well as an additional fifth E-2D Advanced Hawkeye aircraft.

The E-2D is equipped with new cutting-edge communications capabilities and radar systems. These advancements enable the E-2D to synthesize information from multiple onboard and off-board sensors to provide increased missile protection to our carrier defense groups, while also improving the aircraft's offensive capabilities, which are key to supporting our combatant commands.

The addition of the fifth E-2D aircraft in fiscal year 2015 is necessary for providing carrier strike groups with the E-2D's advanced Integrated Air and Missile Defense capabilities to pace the rapidly evolving Pacific threat. Without this fifth aircraft, a carrier will be forced to deploy with less advanced E-2Cs, preventing carriers from having the additional capability that E-2Ds bring against multiple threats. Furthermore, additional funding would be needed to keep multiple variants of the Hawkeye in service longer.

The program is critical for the Navy and our military. One of the members of this committee and our colleague, Congressman Bridenstine, put it well: "Given the threat to the strike groups, multiyear procurement of E-2D is absolutely necessary. The only question is, are we purchasing enough E-2Ds and missile interceptors to counter the high volumes of incoming missiles that our sailors and soldiers could face?" And Jim is a former E-2C pilot, so he really sees the advancements in capability with the E-2D.

It has met every major milestone on schedule since the program's inception in 2003. And as the program moves forward, full funding for the E-2D, as well as funding for a fifth aircraft, ensures that carrier air wings will fully realize the capabilities provided by the state-of-the-art early warning and battle management command and control weapon system.

The role technology plays in modern warfare is very important, and the technological advances of the E-2D will ensure that our military maintains its critical edge. Your support for this program is essential to maintaining the safety of our carriers in a changing environment when we are facing new threats.

Thank you for having me here today, and thank you for what you do to support our Nation's warfighters.

[The prepared statement of Mr. DeSantis can be found in the Appendix on page 72.]

Mr. THORNBERRY. Gentleman from Florida, Mr. Nugent, is recognized for 2 minutes.

Mr. NUGENT. Thank you, Mr. Chairman.

And thank you, Mr. DeSantis. I mean, it is disappointing that the President's budget eliminated one of these aircraft. Can you explain to us, or at least to me, why is it so important? I mean, why is it so important, the difference between a C and a D? I mean, it is a letter. So if you could.

Mr. DESANTIS. Sure. Well, the E-2 generally has been the eyes of the fleet. One of the greatest capabilities we have just as a Navy, one of the things I was most proud of was to be able to take an aircraft carrier, sovereign U.S. territory, and put it anywhere on the seas and project power from there. But you can't just do that without knowing what the threats that you are facing, and so the E-2 has historically proven to be that platform that can identify the threats.

I think what the E-2D brings is the capability is just so much greater. So we would need to increase capability anyways because the threats are stealthier than they have been in the past. But I think what the E-2 does is it obviously keeps up with that, and then it puts us even at a greater competitive advantage considering some of the threats that we are facing. So it really does bring great capabilities to the fight.

Mr. NUGENT. Well, and particularly you talked about in the Pacific theater, there was just a comment, I believe it was in the paper today from China basically challenging us as it relates to our ability to operate within the Pacific theater and their growing capacity and capability. So I would think the E-2D certainly gives at least our forces, and particularly those that are attached to a carrier group, a whole lot more protection and the ability, if faced with a fight, to prevail. And so I appreciate you bringing this forward. Thank you.

Mr. DESANTIS. Thank you.

Mr. THORNBERRY. Other questions?

Thank the gentleman for your testimony. Appreciate you being here.

Just to alert members, a couple of things are happening. Number one, we are moving along efficiently. Number two, some of the witnesses have been detained in other committee hearings, and so I think we will be resuming here in just a moment.

Appreciate the gentleman from New York being with us. We have already gotten unanimous consent for any written statement and materials to be made part of the record, and we are asking witnesses to summarize their testimony in 4 minutes. With that, the gentleman is recognized. If you don't mind hitting the button for the microphone.

**STATEMENT OF HON. PAUL TONKO, A REPRESENTATIVE
FROM NEW YORK**

Mr. TONKO. I am sorry. I am sorry.

Thank you for the invitation to testify before the committee today. I come before you first to advocate for the thousands of veterans who served at Fort McClellan, Alabama, and are seeking to know whether their service time there made them ill.

Shortly after I was first elected to Congress in 2008, I met with a constituent named Sue Frasier, who had served at Fort McClellan in the 1970s as part of the Women's Army Corps. Sue described for me the numerous health problems she had experienced since her time at Fort McClellan, including fibromyalgia, autoimmune disorders, and asthma. Most significantly, Sue had to undergo a hysterectomy at age 37.

Sue's story is not an isolated one. As my office began to investigate this issue further, we have heard from hundreds of vets from all over the country who served at Fort McClellan that are experiencing similar health issues consistent with PCB [polychlorinated biphenyl] exposure.

I have introduced legislation that would notify those who served at Fort McClellan of potential contamination and create a voluntary health study to assess the validity of their claims. This issue has gained the support of 52 cosponsors, including members of both parties on this committee. I want to personally thank those of you on this committee, on both sides of the aisle, that have lent your support to this pro-veteran legislation.

Our mission here is simple: Obtaining basic information. Unfortunately, after 5 long years and support from many members of this committee, we are still stalled. We have yet to have a hearing or a vote on this important issue. And this inaction has a price: While we wait, these veterans become sicker.

This is an issue that deserves debate in an open forum. I do not pretend to have all the answers, and I am happy to work with anyone from either party to find a solution to this issue. However, what we cannot do is continue to turn a blind eye to those veterans who are simply seeking to understand why they are so sick. Caring for our veterans is a top priority and this is a debate worth having.

I urge this committee to consider language in the NDAA to address the needs of the Fort McClellan veterans. I also hope you will include language based on my bill in H.R. 337 which bears the name of Lieutenant Colonel Todd Clark, an Albany, New York, native who was tragically killed in action on June 8, 2013.

Todd wished to be buried at Fort Sam Houston in Texas; however, his family also wanted to have a hometown service to allow friends and family the opportunity to honor him. They were shocked to learn that they would be responsible for defraying part of the cost of transporting their son's body from Albany to San Antonio. Currently, it is the Department's policy to only provide one flight at government expense for deceased service members.

In this case, DOD paid for transport from Dover Air Force Base to Albany, but was unable to cover the cost to San Antonio. I have suggested allowing for one stopover en route to final destination. This would enable service members who wish to be buried in a national cemetery to have a hometown memorial service without worrying about the cost of transportation. This stopover would be completely optional.

I understand that DOD cannot be asked to fulfill burdensome requests, such as many flights crisscrossing our Nation. One stopover represents a reasonable compromise that insulates the Department from extravagant costs while allowing families greater flexibility to fulfill their loved one's last wishes.

Some will argue that families should use the \$100,000 death gratuity to cover this expense. But I believe, for a family that has just lost a loved one on behalf of our Nation, that money is better spent on mortgage payments, college funds, and rebuilding their lives. The cost of funeral arrangements is the last thing they should be worrying about.

Truthfully, I do not know how many people have paid this expense or changed their arrangements to avoid extra cost, but I do know that the Clarks are not alone. When a service member and his or her family make the ultimate sacrifice, the least we can do is make sure family and friends have ample opportunity to honor and memorialize their loved one. How we treat our fallen heroes and those who grieve for them says a lot about us as a Nation and the debt we owe our veterans. All I am asking is that we do a little bit more.

Thank you again to the chair and the committee for hearing my testimony today. I would be happy to answer any questions or follow up with additional information you may require. Thank you.

[The prepared statement of Mr. Tonko can be found in the Appendix on page 153.]

Mr. THORNBERRY. Thank the gentleman.

Are there any questions? If not, appreciate the gentleman being here and raising these issues.

Mr. TONKO. Thank you, Chair.

Mr. THORNBERRY. We are ready to resume. Appreciate the gentleman from Missouri, chairman of the Small Business Committee being with us, Mr. Graves. And you are recognized for 4 minutes.

**STATEMENT OF HON. SAM GRAVES, A REPRESENTATIVE
FROM MISSOURI**

Mr. GRAVES OF MISSOURI. Thank you, Mr. Chairman. I appreciate it, and I appreciate the work that the committee is doing.

Given that the Federal Government spends nearly half a trillion dollars each year on contracts, the Federal procurement market is incredibly important for all of the small businesses. Improving small business opportunities for Federal contracts is a triple play: The small businesses win more contracts; workers win because small businesses create jobs; and the taxpayers win because the competition saves the government money and it improves the health of the industrial base.

Over the last 3 years, the Armed Services Committee and the Small Business Committee have worked together on procurement issues, and I am pleased to report this collaboration is working very well. For the first time in 8 years it appears that the Federal Government met its small business goal. However there is still a great deal of work to be done to ensure that the contracting community has the tools and guidance it needs to get the best results and that small businesses don't face unnecessary burdens and barriers to the entry in the procurement process with the Federal Government.

And to that end, the Small Business Committee recently marked up five bills aimed at further improving the competitive viability of our industrial base, and I introduced a sixth bill that has not been marked up yet. I believe these initiatives, all of which have bipar-

tisan support, tie into the recommendation presented to this committee in 2012 by the Panel on Business Challenges in the Defense Industry, which is led by Mr. Shuster and Mr. Larsen.

The small business bills should complement the efforts of the Armed Services Committee in this Congress. Therefore, I am here today to support the inclusion of these six bills in this year's National Defense Authorization Act, and I detail each of the initiatives in my written statement, but I will just briefly mention them here.

The first three bills seek to make general improvements to the small business programs. The first addresses the treatment of veterans and service-disabled veterans seeking to do business with the government by improving the verification process with these firms. The second bill tackles the lack of reliable data on the contract bundling and consolidation process, which are practices that unnecessarily preclude small businesses from competing for contracts. And the third bill is a provision embraced by this committee in the fiscal year 2013 defense authorization which raises the government-wide small business contracting goal from 23 percent to 25 percent. As spending levels decrease, this is going to protect small businesses at the heart of the industrial base.

The remaining three bills focus on challenges for small business in the construction industry. The first makes it easier for small businesses to obtain the necessary bonding to compete. It does so at no cost to the taxpayer. The second takes the lessons learned from the policy enacted by the Corps of Engineers on reverse auctions and expands them government-wide to protect small businesses and the taxpayers alike. And the third improves the way we conduct design-build contracting to decrease the cost to government while it increases small business opportunities. This last bill is pending before the Committee on Oversight and Government Reform, which I understand that that committee of jurisdiction has to be consulted.

The first five bills received bipartisan support in the committee, passed by voice vote, and are supported by numerous small business groups, and final bill has support from agencies, industry, and the bipartisan group of members. Each bill supports the intentions if not specific recommendations of the panel report produced by this committee last Congress, and most importantly, each bill provides more opportunity to small businesses to create jobs at a price that is in the best interest of the taxpayers.

I am pleased that our two committees are working very well together and very cooperatively, and I hope this language can be incorporated into this year's defense authorization. With that, I thank you for your time.

[The prepared statement of Mr. Graves of Missouri can be found in the Appendix on page 82.]

Mr. THORNBERRY. Any questions?

Gentleman from Colorado recognized for 2 minutes.

Mr. COFFMAN. Thank you, Mr. Chairman.

I would like to thank Chairman Graves for appearing before the committee today. I would also like to offer my thanks for your support for the inclusion of House Resolution 2882, the Improving Op-

opportunities for Service-Disabled Veteran-Owned Small Businesses Act.

In the 2014 National Defense Authorization Act, the Small Business Administration and the Department of Veterans Affairs both verify the status of service-disabled veteran-owned small businesses. As a member of the House Small Business Committee and the House Veterans' Affairs Committee, I have heard numerous stories from veterans about problems with the current procurement programs for service-disabled veteran small businesses.

Under the current system, a company can qualify at one agency and not another for procurement preferences. The inconsistency often adds cost, confusion, and opens the door to fraud. Moreover, the current process requires the VA to make decisions that are outside their expertise, such as determining business structures.

My legislation will transfer the VA verification process for firms to the SBA [Small Business Administration], unify the definitions of service-disabled small businesses and veteran-owned small businesses, and add transparency.

I want to again thank Chairman Graves for coming to this committee today. I urge the committee to accept Chairman Graves' request for the inclusion of these small business measures in the National Defense Authorization Act, including my legislation H.R. 2882. And with that, I yield back.

Mr. THORNBERRY. Other questions?

Appreciate the gentleman being here. Thank you.

Mr. GRAVES OF MISSOURI. Thanks, Mr. Chairman.

Mr. THORNBERRY. Next, we have the gentleman from New York, Mr. Hanna. Gentleman is recognized for 4 minutes.

STATEMENT OF HON. RICHARD L. HANNA, A REPRESENTATIVE FROM NEW YORK

Mr. HANNA. Thank you. Good morning, Chairman Thornberry, Ranking Member Smith, and other members of the committee. Thank you for taking the time to listen to me today.

Over the course of almost 30 years in private business, I grew a small firm from the ground up that employed over 450 people over time and successfully completed thousands of commercial and municipal projects in upstate New York. Given that experience, I know how important small business construction contracting is. It is an industry where small business can grow into large businesses. Construction contracting builds communities.

However, there are a few small areas where the Federal Government's policies on construction contracting hurt small businesses, taxpayers, and agencies themselves. This is particularly important given the scope of Federal construction contracting. Construction and architect and engineering, or A&E contracting, represents about one in six prime contractor dollars awarded to small business. That was over \$17 billion in prime contracts in the fiscal year of 2012.

Therefore, as chairman of the Subcommittee on Contracting and Workforce of the Small Business Committee, I have introduced two bills this Congress and cosponsored a third intended to bring some commonsense reform to this area. I will discuss them briefly, and

I am asking you to include them in this year's National Defense Authorization Act.

The first, H.R. 776, the Security and Bonding Act of 2013, addresses surety bonding. As the construction projects get larger, it becomes harder for these small businesses to obtain necessary bonding to bid these projects. In these cases, they are sometimes forced to turn to disreputable sureties who issue worthless bonds that place the taxpayers at risk.

This is a no-cost bill that makes it easier for small businesses to get legitimate bonds and that makes sure that all bonds are worth more than the paper on which they are written. This makes sure that agencies get a quality construction job and that taxpayers get what they pay for and small businesses get paid.

The other two bills I want to discuss address the way we contract with A&E. The first is reverse auctions. While there is evidence that reverse auctions can be a good way to buy commodities, two studies by the Army Corps of Engineers demonstrated that it doesn't work for construction services contracts. Therefore, I introduced 2751, the Commonsense Construction Contract Act of 2013. This bill takes the lessons learned from the Army Corps of Engineers and applies them to other Federal agencies.

Likewise, the Corps has also led the way on design-build contracting, implementing a two-phase approach to procurement. Given the cost of bidding for design work, the two-phase approach allows more businesses to compete and saves the government money. Unfortunately, all civilian agencies have not learned from the Army Corps of Engineers experience. So I have cosponsored 2750, the Design-Build Efficiency and Jobs Act of 2013. This bill encourages other agencies to adopt the policies in place at the Army Corps of Engineers.

While I encourage you to include all the contracting bills recently marked up by the Small Business Committee, given the significance of construction contracting, I hope you will incorporate 776, 2750, and 2751 into this year's National Defense Authorization Act. I am happy to answer any questions.

[The prepared statement of Mr. Hanna can be found in the Appendix on page 86.]

Mr. THORNBERRY. Are there any question of Mr. Hanna?

Okay. Appreciate you being here. Thank you for your testimony.

Mr. HANNA. Thank you for your time.

Mr. THORNBERRY. Next, we will have the gentleman from Georgia, Mr. Broun. Gentleman is recognized for 4 minutes.

**STATEMENT OF HON. PAUL C. BROUN, A REPRESENTATIVE
FROM GEORGIA**

Dr. BROUN. Thank you, Chairman Thornberry, Ranking Member Smith, and members of the committee. I thank you all for the opportunity to come and testify before you today.

As an original-intent constitutionalist, as well as a current Navy Reserve medical doctor, I view national security as the most important function of our Federal Government. While President Obama and many within his party would like to further cut our military and prioritize wasteful domestic spending over our national defense, I disagree with his approach. Instead, we should be strength-

ening our military and restoring its readiness in the face of ongoing geopolitical threats, as well as nonconventional threats.

To this end, I appreciate your efforts to counterbalance the Senate and the executive branch in the past and urge you to continue to do so. That being said, I continue to have deep concerns over how the 2001 Authorization for Use of Military Force Against Terrorists, the AUMF, is being utilized.

This hastily crafted response to the September 11, 2001, terrorist attack dramatically expanded the powers of the President, and yet few Americans are even aware of its existence. In just 60 words the AUMF opened the door to egregious abuses of Federal power. In particular, it allows for the indefinite detention of American citizens and broad warrantless wiretapping by the National Security Agency.

The AUMF also paved the way to today's shadow drone war under the Obama administration that has quietly claimed the lives of at least four Americans. I appreciate the operational advantage we gain from using drones in our military operations, I saw those when I was deployed to Afghanistan in 2012, and I view them as a valuable asset.

But it is unconscionable for the U.S. Government to kill its own citizens without first allowing them their day in court and due process. No administration has the right to be judge, jury, and executioner of American citizens.

I was pleased that my amendment prohibiting drone strikes on American citizens was included in last year's NDAA as passed out of the House. But I am deeply disappointed that the language was dropped in the compromise.

As such, I respectfully urge the committee to include the language from my amendment while crafting this year's authorization, as well as other language to constrain the powers of the AUMF, such as Ranking Member Smith's proposed amendment to prohibit indefinite detention.

Mr. Chairman, it is my understanding that the Judiciary Committee has jurisdiction over the AUMF itself. However, the Armed Services Committee can, and in my opinion should, take the strongest possible action to prevent these specific abuses. At the same time, I hope the committee will include text, in plain language, clearly showing Americans that these disturbing, overly broad powers come from the AUMF and not from the NDAA itself.

We need to ensure that people across the country know what powers the Federal Government believes it has and what legal justification it presents for those powers. Our war efforts and military activities must be tightly focused and kept within the bounds of the U.S. Constitution.

America is a beacon of liberty and a force for good in this world only as long as we remain focused on keeping it that way. Liberty is too precious and we must continue to be ever vigilant in protecting it. We must never sacrifice our God-given, constitutionally protected rights in the name of security or expediency. I am hopeful that this year's NDAA will stay true to these principles.

Thank you again for the opportunity to testify before you today. I am glad to answer questions.

[The prepared statement of Dr. Broun can be found in the Appendix on page 49.]

Mr. THORNBERRY. Appreciate the gentleman being here to share his views. Are there any questions?

Dr. BROUN. Thank you, Mr. Chairman.

Mr. THORNBERRY. Appreciate the gentleman.

Next we have the gentlelady from Tennessee, Ms. Blackburn.

Appreciate you being with us today. The gentlelady is recognized for 4 minutes.

**STATEMENT OF HON. MARSHA BLACKBURN, A
REPRESENTATIVE FROM TENNESSEE**

Mrs. BLACKBURN. Thank you, Mr. Chairman. I appreciate the opportunity to come and to be with you and to talk a little bit about Tennessee's Seventh Congressional District and the wonderful Army post, Fort Campbell, which is primarily headquartered in that district, and the brave men and women that call Fort Campbell home. We have got the 101st Airborne, the 5th Special Forces Group, and the Army's 160th Special Operations Aviation Regiment. Nearly 3,500 officers and 27,000 enlisted personnel call Fort Campbell home.

Like many installations across the country, Fort Campbell is facing reductions that will have an impact on military readiness, as well as on the installation infrastructure. I was so pleased to work with you and this committee last year in support of the Army Flying Hours Program. It is a vital program that provides aviation training resources for individual crew members and units according to approved aviation training strategies. In addition, it also provides individual and collective proficiency in support of ongoing combat and noncombat air operations.

For aviation units like the 101st Airborne, this training is not only vital to mission success, but to the safety of our soldiers. Due to Army budget constraints, Army aviators will only be provided with 10.1 hours of training per crew per month. This is below the recommended requirement of 12.5 hours of training per crew per month. I ask the members of this committee to once again pay close attention to restoring the Army Flying Hours Program to its full capacity in fiscal year 2015.

I would also like to bring to the committee's attention the great need for Army installation infrastructure funding. As members of this committee may very well know, DOD's model calls for a level of funding to cover 80 to 90 percent of the needs of an installation. Currently, installations like Fort Campbell will be reliant on only 62 percent of the required funding set forth by DOD's model. This reduction in funding, if left unaddressed, will surely result in higher future costs to repair these important facilities.

I fully believe that our Army readiness infrastructure is a key component to our full military readiness, and is one that must not be forgotten. I stand ready to work with the Army and the committee to address this important concern.

Another issue that deserves the full attention of every member of this committee is that of security encroachment. I am greatly concerned that foreign companies are building and acquiring projects near DOD ranges and facilities that give them the ability

to monitor sensitive activities. I believe that we should look at amending the Committee on Foreign Investment in the U.S. process so that DOD is able to raise proximity and foreign entity concerns when it is a co-lead agency reviewing a transaction. It is imperative that DOD is able to assess potential security threats related to foreign acquisition or ownership of assets, and has the ability to mitigate or prevent a transaction from moving forward.

Thank you for allowing me to be with you, and I yield back the balance of my time.

[The prepared statement of Mrs. Blackburn can be found in the Appendix on page 45.]

Mr. THORNBERRY. Thank the gentlelady.

Are there any questions? If not, again, appreciate you being here.

Mrs. BLACKBURN. Thank you.

Mr. THORNBERRY. Next we have the gentleman from Washington, Mr. Heck.

Appreciate your testimony. Gentleman is recognized for 4 minutes.

**STATEMENT OF HON. DENNY HECK, A REPRESENTATIVE
FROM WASHINGTON**

Mr. HECK OF WASHINGTON. Thank you, Mr. Chairman, and Ranking Member Smith. And, Mr. Chair, while I anticipated doing this on the floor, I cannot help but insert here that I spoke to my Aunt Catherine in Bowie last week, and she literally told me to tell you hello. So hello from my Aunt Catherine in Bowie, Texas.

I thank the committee for allowing me to testify here today about our national defense priorities for the upcoming year. As the Member of Congress from the brand new 10th Congressional District of Washington State, I have the privilege to represent Joint Base Lewis-McChord [JBLM], one of the largest installations in the country. It is in the vicinity of Interstate 5 [I-5] that JBLM is located. This highway is the most heavily traveled north-south freight corridor in the State of Washington, carrying some 145,000 vehicles per day. Some say it is the most congested chokepoint between Vancouver, Canada, and Tijuana, Mexico.

Nearly 80 percent of traffic to and from JBLM relies on I-5, 80 percent. Local travelers in neighboring cities have no other option except to use the interstate as an arterial. When an incident occurs, it takes hours to recover. Backups of literally 6 miles or more starting at 6 a.m. are not rare, they are kind of expected.

So take a moment, if you will, please, and imagine a van full of soldiers and civilian workers stuck on I-5. A truck directly behind the van could be full of goods waiting to be stocked on the shelves of a local warehouse. And in a car behind the truck behind the van there is a mom with a crying child waiting to get to the doctor. Take these three vehicles, now multiply them into miles of traffic and thousands of people. Imagine them not just in Washington State, but also stuck on Florida's State Route 85, Interstate 95, 395, or 495 in the DC area. The almost daily question has become, what is the holdup?

The truth is military installations are still adapting to base realignment and short-term growth caused by troops passing through before being deployed. Installation growth has had a significant ef-

fect on regional transportation, particularly when an installation is located in an urban area. Even acknowledging the potential for drawdown in military bases, those reductions would not nearly come close enough to solving the problem.

Surrounding roads play an important role in preserving military readiness. Our Armed Forces need to instantly deploy, and we need functional roads in order for that to happen. The domino effect of delays due to congestion impairs our national security. This leaves not only military activities on base stranded, but also commerce in the community stranded as well. Goods can't move, companies lose money.

To be clear, the military is not to blame for this. In fact, they have done a lot to help mitigate the problem. They know the opportunity costs associated with their soldiers and civilian workers being struck in traffic. Bases have come up with innovative approaches to ease the pain. But the problem remains severe and unavoidable without more investment. It is a Band-Aid over a wound that needs stitches.

The only existing DOD program that provides funding for public highway improvements is the Defense Access Roads programs, DAR. It is limited by outdated and restrictive eligibility criteria. In fact, the DAR program began decades ago, when it was expected that bases would only be in relatively unpopulated areas. Because of the restrictive eligibility criteria, installations in urban areas, which feel the effects of installation growth more acutely, fail to qualify for DAR funding. Even when DAR applications are successful, it takes years.

DAR also requires base commanders to choose between on-base projects or local roads. And that is not a fair decision, sir. Something should be done. And I ask that you consider upgrading the transportation improvement infrastructure around these bases as soon as possible as part of the fiscal year 2015 National Defense Authorization Act.

In coordination with State and local entities, the DAR program can be revised to pay the military's share of road improvements. A separate DOD program should also be established to fund the transit services necessary to meet the needs.

Mr. Chairman, while I have been sitting here talking to you today think back to that van, that truck, and that car. Chances are just in the time I have been speaking they have only advanced about 50 feet. There is probably still going to be gridlock when this hearing ends, as a matter of fact.

I know being stuck in traffic is not something unknown to most Americans. We are all too familiar with the horrible feeling of approaching an unexpected slow crawl on the road. But when this affects our military's ability to get to base, to do the job, and to be ready for anything, that is when we can't just sit and wait for it to get better. We can do more. Please, sir, consider updating regulations to meet this critical need, or we will need to find another way to address this unsustainable problem and situation. Thank you very much for your time.

[The prepared statement of Mr. Heck of Washington can be found in the Appendix on page 88.]

Mr. THORNBERRY. Thank the gentleman.

The ranking member is recognized.

Mr. SMITH. Thank you, Mr. Chairman.

And I know how bad the situation is there, having previously represented that area. I was going to say, you know, it was just fine when I represented it. But that is not true. It is a growing area. The base is growing, the population around it is growing. And I know that the folks at Lewis-McChord have done on-base improvements, because there is a lot of areas where they can travel, stay on base instead of getting on the freeway. They have changed lights. They have tried to do a lot of things. Nothing that can be done unless there are improvements done on that piece of I-5.

How would what you are asking for here dovetail with what could happen in a State transportation bill? You and I know how bogged down and terrible that process is. The State should have passed it a long time ago. But it is a huge priority. Eventually they might. Has there been money in the various proposals that have thus far died on the State level that would help this problem that we could potentially leverage with Federal funds?

Mr. HECK OF WASHINGTON. Yes, Congressman Smith, there was included in the version that was proposed in the Senate Majority Caucus Coalition substantial funds. And there were some funds included in the House-passed version as well. The proposal that I am in the late stages of developing, which would reform DAR, would in fact of necessity have to dovetail with State and local efforts. They cannot go separately. This is a shared responsibility, which I fully recognize.

Mr. SMITH. Absolutely. And I think that is our best approach, is to try to blend the different pieces and get enough money to hopefully improve the situation. But you have described it very accurately.

Thank you, Mr. Chairman. I yield back.

Mr. THORNBERRY. Other questions? Okay.

Appreciate the gentleman being here and your testimony.

Next the gentlelady from California, Ms. Chu. Appreciate you being with us today. The gentlelady is recognized for 4 minutes.

STATEMENT OF HON. JUDY CHU, A REPRESENTATIVE FROM CALIFORNIA

Ms. CHU. Thank you, Chairman Thornberry and Ranking Member Smith, for the opportunity to testify today. First, I ask that my written testimony be entered into the record.

Mr. THORNBERRY. All of the witnesses' written testimony will be made part of our record. Appreciate the gentlelady.

Ms. CHU. Thank you.

Six days ago, on April 3rd, marked the third anniversary of the death of my nephew, Harry Lew. Harry was an enlisted Marine deployed to Afghanistan. He took his own life after enduring over 3 hours of degrading physical, abusive hazing by his fellow Marines. In the wake of his death, I learned that Harry's story is not an isolated incident. There are other brave, dedicated members of our armed services who were needlessly subjected to physical and emotional torment at the hands of their peers.

I am committed to ensuring that hazing in our Nation's military is addressed by the Department of Defense. The military needs to

create a bond within a unit and provide useful training. But instead, hazing breeds fear and distrust of peers and leadership. Where hazing results in death or harm, there is often no justice for the victims. For the future safety of our service members and our country, we must eliminate hazing outright.

For the past 3 years I have received encouraging support from the public, various advocacy groups, and fellow Members of Congress. Together, we included language in the fiscal year 2013 National Defense Authorization Act requiring the Department of Defense to report to Congress on the manner in which hazing is reported, tracked, and prevented by each branch of the armed services. These reports revealed some startling trends and practices.

First, substandard tracking systems result in unreliable data on hazing. Reports are unreliable because most branches do not track allegations or incidents of hazing separately from similar punishable offenses. Without a system solely in place to track hazing, the true scope of the problem remains unknown.

Second, the branches that do not require hazing to be reported have more hazing incidents. The reports show that the branches with the highest numbers of hazing allegations do not require service members to report if they are hazed or witness hazing. It seems that policies that do not explicitly require service members to report hazing have thereby tacitly condoned the practice. This is a problem that must be rectified.

But most importantly, much more information is needed. The lack of reliable statistics and other information in these reports underscores the need for an independent review of DOD hazing policies. As lawmakers, we must ensure we have objective, unbiased information on which to formulate policy.

In light of the disclosures of the DOD hazing reports, I ask the committee to first request updated hazing reports from the Department of Defense. Most of the reports indicated recent or planned actions by the branches of service in their ongoing efforts to eliminate hazing. As we continue to refine and perfect DOD hazing policies, we will need the most up-to-date information on each branch's effort. An update to each branch's report will be crucial as we move forward.

Secondly, I request that the Government Accountability Office [GAO] conduct an independent review of hazing within the Department of Defense. A GAO review of hazing that identifies problems, trends, and best practices amongst the branches of the military is vital to a better understanding of the scope of the hazing problem. The importance of unbiased information in the effort to eliminate hazing in the military cannot be understated. For the fiscal year 2015 National Defense Authorization Act, the inclusion of language requiring an independent analysis of DOD hazing policies is my top priority.

The failure of Congress to follow through with our responsibility to provide civilian oversight of our Nation's military would be a disservice to Harry and all those who have suffered or lost their lives as a result of hazing. As the committee begins crafting the 2015 National Defense Authorization Act, I urge you to consider the impact of hazing on morale, unit cohesion, combat readiness, and the

health of our troops and veterans. Thank you for your consideration of this request.

[The prepared statement of Ms. Chu can be found in the Appendix on page 56.]

Mr. THORNBERRY. Thank the gentlelady.

Are there any questions?

Thank you again for continuing to raise this issue and for being here today.

Ms. CHU. Thank you.

Mr. THORNBERRY. Appreciate the gentleman from Wisconsin, Mr. Ribble, being with us. We already agreed to have your written statement made part of the record. The gentleman is recognized for 4 minutes.

**STATEMENT OF HON. REID J. RIBBLE, A REPRESENTATIVE
FROM WISCONSIN**

Mr. RIBBLE. Thank you, Mr. Chairman. And I want to thank you and Ranking Member Mr. Smith for letting me have some time this morning. It is not my intention to read my testimony. It has already been submitted for the record.

Good morning, Chairman McKeon. It is good to see you here as well.

But I wanted to just talk a little bit about the Littoral Combat Ships that are in part built in Marinette, Wisconsin. One of the concerns that I have as it relates to that, and I speak of it in my testimony, is that we are about to embark on a journey that could raise costs to the American taxpayer. Without regard to a determination about whether moving from 54 ships down to 32 ships, I look at how those ships are being purchased over time. If in fact the contract is broken for a four-ship purchase in fiscal year 2015, breaking that contract does two significant things, in my opinion.

One is it opens up the Navy for an increased cost on the remaining ships that will be purchased, because each shipyard was promised two ships per year in each year. If the contract is broken, they then can go back and renegotiate whatever the price is for the ships. And here we have a program that at the initial first run those ships were costing \$650 million. They are now in a fixed contract price of \$348 million. If we break that contract, the taxpayer will be subject to the difference in pricing however they can negotiate with the Navy.

Secondarily to that, it goes more toward the fact that we want in this country, we want the private sector to invest in shipbuilding and in these shipyards. And in fact, private investment in the shipyard in Marinette, Wisconsin, exceeds \$200 million on the promise that the Navy was going to build two ships a year there during the term of this contract.

And so I feel that if we are going to continue to incent American shipbuilding, which the Navy needs, and we are going to be fair and honest to those shipyards, keeping our word to the letter of the contract is fairly essential to that end. We do not want to create a pattern in this country whereby American entrepreneurs and business owners make investments on the promise of the American taxpayer through its government and then have those promises broken, because it will be a disincentive for American investment

in the very types of things, our national defense, that is so essential to the American people.

And with that, Mr. Chairman, that concludes my remarks this morning, and I thank you for the time.

[The prepared statement of Mr. Ribble can be found in the Appendix on page 129.]

Mr. THORNBERRY. Appreciate the gentleman raising this issue. Any questions?

Thanks again to the gentleman from Wisconsin.

Mr. RIBBLE. Thank you.

Mr. THORNBERRY. The gentlelady from New York.

Welcome to the committee. Your full written statement will be made part of the record. And the gentlelady is recognized for 4 minutes for whatever testimony you would like to give.

**STATEMENT OF HON. GRACE MENG, A REPRESENTATIVE
FROM NEW YORK**

Ms. MENG. Thank you, Mr. Chairman Thornberry, Ranking Member Smith, and members of the committee. Thank you for allowing me to testify on three bipartisan pieces of legislation that have the support of the House Small Business Committee. These commonsense proposals would increase the level of fairness that should be expected in any programs the government is involved in. Combined, they help small businesses avoid unnecessary expenses when seeking a government contract, ensure the Federal Government is not being ripped off, and most importantly, remove from the Federal procurement system the bad actors who corrupt it for those playing by the rules.

Since I have only a few minutes and three bills to cover, my remarks will be brief. The Design-Build Efficiency and Jobs Act of 2013, H.R. 2750, would clarify when agencies should use a two-step process to buy design-build services. Design-build contracts offer well-documented benefits to the government, but can be very expensive to bid on, especially if the team is led by a small architect or engineer. Indeed, submitting a full proposal on one of these contracts routinely costs over a quarter million dollars. Given that most architects make less than a million dollars each year, this excludes well-qualified firms from bidding. Some have joked that they would be better served by taking the money to a casino.

H.R. 2750 addresses this problem by allowing any qualified company to submit a technical proposal, which is significantly less expensive than a full-blown proposal. After the agency evaluates these technical qualifications, only the top five firms will be asked to submit a full proposal. Therefore, they aren't wasting bid and proposal dollars and time on contracts that they have no chance of winning.

The government also benefits from this approach, which has already been adopted by the Corps of Engineers. By having more companies submit initial proposals, the government gets a better pool of initial competitors. However, since the government only needs to evaluate five full proposals, the government saves time and effort overall. This is truly a win-win approach.

Finally, the Security in Bonding Act of 2013, H.R. 776, addresses abuses of the surety bond process. Surety bonds are required when-

ever a company is doing construction work for the Federal Government, and these bonds ensure that the work is completed properly and that all subcontractors are paid. Unfortunately, there are well-documented cases where bad actors do not have the resources to back the bonds they issue, placing both the government and small subcontractors at risk.

H.R. 776 requires that bonds be worth the paper they are printed on and that small businesses have access to quality surety bonds. This is a zero-cost solution that protects all parties to Federal construction projects.

Also, the Commonsense Construction Contracting Act of 2013, H.R. 2751, improves the use of an often-abused procurement method, reverse auctions. Although reverse auctions may be acceptable for commodities or small items, several Corps of Engineers studies show that they are unacceptable in the construction industry. The practice should be ended immediately. The legislation is supported by subcontractors and prime contractors alike, and would result in a higher quality project for any Federal agency.

Reverse auctions are a prime example of failing businesses competing in a race to the bottom. They will bid on projects at impractical levels in an attempt to keep the business afloat for a few more months. The projects, if completed, are shoddy. The Army Corps of Engineers has stopped using reverse auctions for construction services, but this legislation would ensure that ban is in place amongst all the Federal agencies.

Thank you for your consideration of these bills. I hope you will strongly consider them for inclusion in this year's defense authorization.

[The prepared statement of Ms. Meng can be found in the Appendix on page 107.]

Mr. THORNBERRY. Appreciate it.

Are there any questions?

Appreciate, again, the gentlelady's testimony. Thanks for being here.

Next we will have the gentleman from California, Mr. Lowenthal. The gentleman is recognized for 4 minutes.

**STATEMENT OF HON. ALAN S. LOWENTHAL, A
REPRESENTATIVE FROM CALIFORNIA**

Mr. LOWENTHAL. Thank you, Chairman Thornberry and Ranking Member Smith and members of the committee, all of you. Thank you for allowing me this time to discuss with you the importance of STEM [science, technology, engineering, math] education for the Department of Defense, specifically the STARBASE program.

Providing science, technology, education, and math education to America's youth is critical to the global competitiveness of our Nation. That we all agree upon. The STARBASE program engages local fifth-grade elementary students by exposing them to STEM subjects through an inquiry-based curriculum and is currently active in 56 congressional districts throughout the country.

The program is carried out by the military services because the lack of STEM-educated youth in America has been identified as a future national security issue by the Department of Defense. Last year, both the House and the Senate rebuked the Office of Manage-

ment and Budget [OMB], their proposal to terminate this critical program. And today I ask you once again to join me in restoring the STARBASE program at a modest funding level of \$30 million.

The Department of Defense STARBASE program is one of the most cost-effective programs throughout the Federal Government. It costs an average of only \$343 per student. Last year, 3,062 classes were conducted in 1,267 schools, among a diverse 413 school districts throughout the country. More than 70,000 students attended the program, bringing the total to over 825,000 since its inception in 1993.

STARBASE is one of the most educationally effective STEM programs as well, according to internal Department of Defense studies that show that pre- and post-STARBASE youths demonstrate undisputed improvements in STEM fields. Just as crucial is the positive dispositional change in youth that they experience after participating in this exciting, hands-on, experiment-based program.

Changing our children's attitudes on math and science from negative to positive is a paramount achievement. Research shows that children begin to lose interest in STEM subjects as early as the fourth grade, and then subsequently they lose their motivation to select the necessary high school courses that will allow them to pursue STEM careers in college.

As a Member of Congress, I fully appreciate OMB's desire to consolidate STEM programs across the spectrum into one funding line. However, this is a national defense issue and has been identified as such by the Joint Chiefs of Staff. STARBASE was created under the auspices of the Department of Defense to meet its critical needs in STEM-related fields. I respectfully request that this committee reinstate the STARBASE program and authorize it at \$30 million for this and for future years.

In conclusion, STARBASE inspires America's youth to discover technical career fields that are imperative for future national security challenges. We cannot lose this battle and concede our technical edge. And in conclusion, I can say I have visited my program. It is a wonderful program. These are students that would not be into science. It is one of the things that at our military base that the military does so well in bringing that kind of excitement to students that would never have that kind of motivation in the future. I think it is money well worth spent, and it is really in our Nation's best interests to promote this program.

[The prepared statement of Mr. Lowenthal can be found in the Appendix on page 98.]

Mr. THORBERRY. Okay. Any questions? Mr. Nugent.

Mr. NUGENT. Thank you, Mr. Chairman.

And, Mr. Lowenthal, we had testimony in front of one of our subcommittees in regards to DOD making, or the Pentagon making a decision to eliminate the program even though one of the services continued to provide it. And I believe it was the United States Army continued to provide it.

Mr. LOWENTHAL. Right.

Mr. NUGENT. Because they felt that it was better to move it to Department of Education. And the interesting part about this conversation that we had with members of the armed services, they actually thought that was probably a bad idea to move it to Depart-

ment of Education because of the focus that is lost in regards to, you know, Department of Defense issues, and particularly in regards to getting kids excited about their ability and how it is so important to the national defense. I think it was wrongheaded by DOD to make that decision.

Mr. LOWENTHAL. I, too. I can just say I represent in southern California, in Orange County, the Joint Forces Training Base, which has one of the STARBASE programs. And we just last year dedicated a new building to the program. And I cannot tell you how excited those students are when they leave that program. Also the military in terms of the service that they provide to their community.

I think that the uniqueness of targeting students who, many of them are at-risk students, who would never go on to science and technology, but because it is done by the military, because it is done in a particular way, it really excites those students. And there is no doubt, in terms of our national security, we need these students to be involved in science, technology, engineering, and mathematics.

Mr. NUGENT. I appreciate you bringing this to the attention of the committee, the whole committee. Thank you very much.

Mr. LOWENTHAL. Thank you very much.

Mr. THORBERRY. Again, thank the gentleman for your testimony. We appreciate you being with us.

Mr. LOWENTHAL. Thank you so much. I appreciate your listening.

Mr. THORBERRY. The gentleman from Kentucky, Mr. Barr, is next. Your full written statement will be made a part of the record, and you are recognized for 4 minutes for whatever testimony you would like to give.

STATEMENT OF HON. ANDY BARR, A REPRESENTATIVE FROM KENTUCKY

Mr. BARR. Thank you, Mr. Chairman. Thanks for the opportunity to speak before the House Armed Services Committee today.

Once again, I come before you in support of our Active Duty, Guard, and Reserve components, as well as our veterans, to help ensure they receive the equipment and support they deserve. I believe that the National Guard and Reserve components are critical to our national security. And in order to safely and effectively complete their missions, they must be equipped with modern aircraft and the most updated avionics. I ask this committee to continue to help provide support for the National Guard and Reserve equipment account in order to help sustain accounts such as the Aircraft Modernization Program.

In addition, one of my priorities is preventing reckless reductions of our military troop levels, especially within the Army National Guard. I respectfully ask that this committee postpone any decision that substantially impacts troop levels for the National Guard until the National Commission on the Structure of the Army publishes its final findings. This is too important to consider without the commission's recommendation, given that the decision could have a lasting and harmful impact on our Nation's readiness to engage threats to our allies and our national security. As we proceed toward a drawdown, a postwar drawdown, we ought to carefully con-

sider not reducing the Guard and the Reserve components, which are the most cost-effective components of our military.

Several issues of concern have also been raised by my Sixth District Veterans Coalition. I know this committee remains committed to helping combat military sexual assault and provide the best care possible for survivors. I encourage this committee to consider incorporating legislation I have introduced, H.R. 3775, the Military SAVE [Sexual Assault Victim Empowerment] Act.

This legislation would allow victims of military sexual trauma to choose treatment outside of the TRICARE or VA health care network that they would feel best fits their particular needs, so long as the care is in response to the MST [military sexual trauma]. The TRICARE or VA system would issue the victim a voucher which entitles the victim to seek care from a private provider, and serves as a promise by TRICARE or the VA to reimburse the private care provider for their services. This legislation can serve as an important tool in our ongoing efforts to help victims of military sexual assault.

I am also aware of the committee's actions to help address mental health issues within the military. Tragically, the recent event at Fort Hood is a painful reminder of how important it is to continue to provide critical mental health services to our service members and veterans. As you know, the VA reported within the 2012 Suicide Data Report that an average of 18 to 22 service members and veterans commit suicide each day. Sadly, according to the latest report published in January by the Department, their findings still indicate no clear changes in suicide rates in the total population of Veterans Health Administration users or in male veterans overall. While I believe the DOD and VA are doing the best they can to properly administer many of its new suicide prevention and support programs, I also believe it is up to Congress to continue to provide these departments with the tools and resources they need to do more.

I am also concerned about the backlog, the medical claims backlog. It has reached an unacceptable level of 611,000 outstanding medical claims. According to the VA, claims have been reduced by more than 44 percent. And while I commend the VA on its efforts to reduce the claims backlog, actual reductions vary from facility to facility. Therefore, I urge this committee to commit additional resources to help ensure this issue is quickly resolved.

Finally, I ask this committee's continued support in increasing public-private partnerships at all arsenals and depots. I represent the Bluegrass Army Depot. Public-private partnerships can play an important role in bringing long-term stability and jobs to communities, while increasing revenue to the Army Working Capital Fund. This committee has taken a leadership role in this regard in previous NDAs, and I encourage this committee to continue to take an active role in this area, in addition to continuing to commit to fully funding the demilitarization efforts at the two remaining depots, in Pueblo and in my congressional district, in order to fulfill our treaty obligations.

And with that, I yield back the balance of my time, and thank you for your leadership on these issues.

[The prepared statement of Mr. Barr can be found in the Appendix on page 43.]

Mr. THORNBERRY. Appreciate it.

Any questions?

Thank you, again, Mr. Barr, for your testimony. Appreciate you being with us today.

Mr. BARR. Thank you.

Mr. THORNBERRY. Now we will go to the gentleman from Pennsylvania, Mr. Perry. Thanks for your patience. The gentleman is recognized for 4 minutes.

**STATEMENT OF HON. SCOTT PERRY, A REPRESENTATIVE
FROM PENNSYLVANIA**

Mr. PERRY. Thank you, Mr. Chairman. I want to thank the committee for allowing me the opportunity to testify.

I want to begin by saying that I am here in support of a study that includes a traditional force design, force development model. I want to say that everybody must sacrifice, and the Reserve component is no different in that regard. But I have asked what is driving this plan, because I can't seem to get the facts and what I see doesn't add up. The theme keeps changing. It started out with the cost. And then it was Guard, Reserve, their readiness is not where it is, they are not available. Then it changed to they don't do enough collective training. Finally, it was we don't have enough aircraft to do the mission, and they call it stacking, where the aircraft are in the mission set. But I can't get the information on that either.

Regarding costs, we say we can't afford the R&D and replacement of the OH-58D. A 64 Echo model costs between \$25 and \$30 million, yet an OH-58D costs \$7.5 million, including the mast-mounted sight. I understand it is a legacy aircraft and we might want to get rid of it, but we have a platform readily available right now flown by the Special Operations Forces, which is the AH-6 or MH-6, which is a fabulous aircraft. The plan never mentions the cost of retraining everyone currently involved in flying and maintaining the AH-64. It does not validate the need for more UH-60s in the Reserve component. And it does not adequately address increased costs of the UH-72 as the primary trainer.

Regarding readiness, that we are not ready, the Guard flew more fiscal year 2012 AH-64 hours in CONUS [continental United States] than any other units in the Army. The flying hour and experience level in the Guard, this is where the experience is, Mr. Chairman. The Guard pilots have two to three more times hours and experience than their Active Duty component. It is not a dig on the Active component, it is just how it is. When people leave the Active component, they come to the Guard. If you really want the metric, look at the class A accidents in the AH-64 over the last year and where they occurred and why they occurred.

We progressed more aviators. We progressed 60 aviators to RL [Readiness Level] 1 in 2 years not using any additional money. And I would ask, why are we now making Reserve component units look different than Active unit components? It not doctrinally correct.

Availability. We have mobilized 12 battalions and 4 companies in deployments, and we have answered every single request that has been asked.

And I would also say this regarding the AH-64 as a reconnaissance platform. If you have to get it to theater, and this is coming from Active component, you cannot get it there in a C-17 because it does not land in nonpermissive environments. If you can't get the airframe to the fight, what does it matter what the airframe is? You know, you can buy five or six MH-6s for the cost of one 64, and you can get it to the fight, which is important.

Regarding collective training, that we don't do collective training. I can list the number of instances, but right off the bat training with Special Operation Forces grew on an Active Duty basis, joint live fire exercises, air-ground integration, monthly JTAC [Joint Terminal Attack Controller] training. I would ask this. Why are we requiring battalion-level collective training for employment when on employment uses Scout Weapons Team. And I would also say if you just Google this or go by AKO [Army Knowledge Online], the guidance memo for a particular ARB [Air Reserve Base] under a certain cab shows that Active component ARBs are not training at company level either, and they are focusing on air weapons training proficiency. And that is open source.

Regarding mission accomplishments and stacking. I was in a meeting a couple weeks ago, and I was told we don't have enough aircraft to do it. And it was about basing. I said, fine, I agree, if that is the case. Show me the plan.

We asked last Thursday, what is the plan? What is the requirement? We can't get it. If we can't get it, I think it raises some doubt. And I would also say there is a U.S. Army War College study that says that ARI, the Aviation Restructure Initiative, is resource driven, not mission driven. And I would harken back to a time when we had 58 Sherman and M60 tanks in a unit, and because of capability we went down to 29 tanks. The E model Apache is wildly capable. I know you are going to cut me off, sir, and I appreciate that. If you remember anything else from this briefing, remember this: We have not been given sufficient facts to support this decision.

And I thank you. And I yield back.

[The prepared statement of Mr. Perry can be found in the Appendix on page 119.]

Mr. THORNBERRY. Thank the gentleman. Lots of information. If the gentleman would indulge, I think the gentleman from Florida has a question.

Mr. NUGENT. I just want to thank you for bringing this forward. This is one of the issues that we have been having as it relates to the restructuring, particularly as it relates to the Army National Guard aviation unit. You know, my son is an Army aviator in the National Guard, and I think he gets as much or more flight time than his Active Duty brethren. And they are actually, I know, training live fire and everything else this summer for an extended period of time to do all those things that big Army is saying that they are not capable of doing.

Plus, that is ignoring the State mission that they have that is hugely important to States like Florida as it relates to—you know,

the plan is to reduce the number of UH-60s in Florida. And you go, how does that work in reality when the Florida Army aviation unit has been deployed multiple times into Iraq and Afghanistan, but also into Europe to support that mission? It is amazing that we would cut that resource. And I appreciate your comments in that regards to that.

Mr. PERRY. I would just hope, again, that we would follow the paradigm of figuring out what the mission is and then figuring out what the force would look like. This is not following that paradigm that has been followed time and time again.

Mr. NUGENT. If you look at it, remember the Army first talked about taking Lakotas away from the National Guard and use those as a training bird at Rucker, and it would have eliminated that whole vast training experience that you currently have at Rucker, because they have never flown a Lakota. And they are not durable enough to actually be in a training mission, because when my son was learning at Rucker, I mean, they pretty well abused those aircraft, and that airframe is not capable of doing it. So I want to thank you.

Mr. PERRY. I wouldn't say it is not necessarily not capable, but it is a two-engine aircraft. The cost is not addressed in this. The OH-58, the TH-67, the jet Ranger is a highly prolific aircraft.

Mr. NUGENT. And what they were telling us and those that I know that are extremely good pilots were saying that the reason they are not as durable is because they say, well, you don't have to do the type of training with it. But if you did, they would be replacing skids daily.

Mr. PERRY. Exactly. And the Lakota, having to land with the engine off, because you only have 1 in a 58, the training that you get from that, that lasts for the rest of your life, is immeasurable.

And I would also say this, with all due respect. When we lose this talent pool, which is what we are talking about, talent management, you can run a new aviator through Fort Rucker once a year. Every year you can get a whole crop of new ones. But the proficiency level that you lose from a 4,000- or 5,000-hour aviator is what you don't get. Yes, you have an aviator with 190, 250 hours. But when you are in combat, that 4,500 hours is really what makes the difference. And that will be gone. And you cannot get that quickly. You cannot get that quickly. It takes time and experience. And that is what we are throwing away. There is no operational depth in this plan.

So I would just say let's study it, let's take a look at it, and let's use the method that has been used time and time again, as opposed to this just quick reaction to a budgetary problem. Which I understand the considerations. But I think this needs further review.

Mr. NUGENT. My time has expired. I yield back. Thank you so much.

Mr. THORNBERRY. Appreciate again the testimony of the gentleman and the issues he raised.

Next we have the gentlelady from the State of Missouri, Ms. Wagner.

Appreciate you being with us. You are recognized for 4 minutes.

**STATEMENT OF HON. ANN WAGNER, A REPRESENTATIVE
FROM MISSOURI**

Mrs. WAGNER. Thank you very, very much. I appreciate also, Vice Chairman Thornberry, the members of the committee, thanks again for the opportunity to talk about a key defense priority for the United States Navy and our Nation, the EA-18G Growler. The 2014 Quadrennial Defense Review notes, and I quote, "In the coming years, countries such as China will continue seeking to counter U.S. strengths using anti-access and area-denial approaches." Full spectrum airborne electronic attack has been identified by the Navy and the Department of Defense as a critical and required capability for our forces to effectively and successfully operate in these challenging environments. As the Chief of Naval Operations [CNO] Admiral Jonathan Greenert has stated, control of the electromagnetic spectrum is critical to the warfighting mission today and in the future.

As you know, the Growler is the Nation's only full-spectrum airborne electronic attack aircraft. It provides this unique capability off of Navy aircraft carriers and provides support for joint force land bases. It is truly the tip of the spear as our forces enter into contested air environments.

Recognizing that there is a warfighting need, the CNO submitted an unfunded priority of 22 additional Growlers for congressional consideration of the fiscal year 2015 defense appropriations. The stakes are quite high, and the time to act is now. Without additional Growlers to meet the Navy's unfunded priority, it is likely that the F/A-18 manufacturing line will shutter. To avoid this very predicament, last year Congress added \$75 million in advanced procurement funds for the F/A-18 in the fiscal year 2014 Defense Appropriations Act, enough for 22 aircraft.

Another critical consideration is the Nation's defense industrial base for tactical aviation. Today there are multiple providers for tactical aviation, sophisticated tactical radars, and strike fighter engines. With the end of the F/A-18 production, however, DOD will be left with only a single manufacturer in each one of these areas. This scenario limits warfighting surge capacity, it eliminates competition that drives innovation and cost control, and imperils future development programs. Moreover, the F/A-18 program supports American manufacturing, including 60,000 jobs, 800 different suppliers and vendors, and provides \$3 billion in annual economic impact.

For these reasons, I have authored a House letter to your committee asking for consideration of the Navy's unfunded priority of additional Growlers. I hope it demonstrates to you that there is a broad bipartisan support for this request across Congress to support both the warfighter and the defense industrial base. I look forward to working with this committee and supporting the process as the National Defense Authorization Act moves through the House of Representatives. And I thank you.

[The prepared statement of Mrs. Wagner can be found in the Appendix on page 154.]

Mr. THORNBERRY. Thank the gentlelady.
Any questions? Great.

Appreciate the gentlelady being here and for her testimony on this issue.

Mrs. WAGNER. Thank you.

Mr. THORBERRY. Next we will have the gentleman from Arkansas, Mr. Crawford.

Your full written statement will be made part of the record. And the gentleman is recognized for 4 minutes for whatever comments he would like to make.

**STATEMENT OF HON. ERIC A. "RICK" CRAWFORD, A
REPRESENTATIVE FROM ARKANSAS**

Mr. CRAWFORD. Thank you, Mr. Chairman. Good morning, Ranking Member Smith, Chairman McKeon, distinguished members of the committee. I thank you for the work you do to preserve the security of our great Nation, and for allowing me to testify before the full committee regarding explosive ordnance disposal [EOD] priorities for fiscal year 2015 in the National Defense Authorization Act.

I myself served in the Army as an EOD tech. I am proud to be a cofounder, along with committee member Susan Davis, of the House EOD Caucus. EOD soldiers, sailors, airmen, and Marines are the military's preeminent team of warrior explosive experts. They are trained and equipped to identify and neutralize explosives used by terrorist networks across the globe. EOD techs protect their fellow military personnel and civilians from these threats, while providing support across a wide range of military and civilian national security operations.

EOD forces have proven to be game changers in attacking and dismantling terrorist cells and associated networks. These forces will continue to be indispensable assets for the foreseeable future, supporting counterterrorism operations, building the capacity of partner nations, and protecting the homeland through providing support to civilian law enforcement agencies at Federal, State, and local levels.

There are an estimated 66,000 call-outs annually across the United States on explosive ordnance by interagency, military EOD, and public safety bomb squads. Army EOD units responding under immediate response authority have historically departed their home station installation within 30 minutes of notification during duty hours and 60 minutes off-duty, 365 days a year. On these civil support missions, EOD provide support to civil law enforcement agencies, but they do not perform law enforcement activities.

The Boston bombings serve as a stark reminder of the threat of the terrorist detonation of explosives in the United States and have revealed gaps in the Nation's ability to defeat a sustained bombing campaign in the homeland.

I note that military EOD immediate response included the 387th Ordnance Company EOD from Camp Edwards, Massachusetts, which responded to 64 call-outs during the Boston bombing.

However, I have concern that following these attacks, the Army Forces Command issued guidance that the local Staff Judge Advocate must review every civil authority request for emergency EOD response prior to sending aid to ensure the support does not violate the Posse Comitatus Act of 1878. In addition, the guidance requires that a senior commander, normally a three- to two-star general,

must then approve each of these EOD immediate responses and must ensure that civil authorities will reimburse the Army as a condition of immediate response.

I understand the need to ensure that EOD is compliant with Posse Comitatus in any of its civil support missions, but it is vital that we do not overcorrect and negatively impact the ability of our EOD forces to provide increasingly needed and immediate support to our civilian law enforcement agencies. It is further problematic that under the recent Army Forces Command guidance, the responding EOD units must now seek reimbursement from local, State, and Federal law enforcement as a precondition for providing the requested military EOD support.

On April 4, 2014, I met with the general officer that has the training readiness authority for the Army Forces Command to EOD units. I have grave concerns over his proposed reorganization of the Army EOD force structure, reorganization of Army EOD force modernization and branch proponents, and reorganization and restationing of EOD tactical units and EOD institutional activities.

The significance as well as the irreversibility of these proposed actions deserves the committee's close scrutiny and oversight, and I respectfully request that you and the committee seek more information and further require the Department to justify these proposed changes before permitting any of them to proceed.

We must also ensure that our EOD units, like the 387th out of Massachusetts, are properly equipped to respond to explosive threats in cities and towns throughout the homeland. The MRAP [Mine-Resistant, Ambush Protected] vehicles for EOD operations in Afghanistan are a good place to field excess MRAPs to the Army National Guard EOD units, comprising one-third of Army EOD Force, need response vehicles like the MRAP.

As I am running low on time, I will just continue to submit these statements for the record and just ask for your consideration, and any questions you might have I will be happy to answer them.

[The prepared statement of Mr. Crawford can be found in the Appendix on page 65.]

Mr. THORNBERRY. Any questions?

I appreciate the gentleman's input on these issues and his continued leadership and expertise, which we will continue to take advantage of. So I appreciate very much the gentleman being here.

Next, we will turn to the State of North Carolina, distinguished gentleman, Mr. Hudson.

Appreciate you being here. Recognized for 4 minutes.

**STATEMENT OF HON. RICHARD HUDSON, A REPRESENTATIVE
FROM NORTH CAROLINA**

Mr. HUDSON. Thank you, Mr. Chairman. I want to thank you and Chairman McKeon and Ranking Member Smith for the opportunity to share with you some of the national security priorities that I hold for the upcoming year on behalf of the Eighth District of North Carolina.

As I have traveled around my communities in my district in North Carolina, people have consistently told me that restoring fiscal responsibility is their number one priority, and they sent me to

Washington to force the government to live within its means. Accordingly, I am committed to cutting spending, reducing the size of government, promoting economic growth, and balancing our budget. That means we have to focus on priorities, priorities like a strong national defense.

Today, I would like to discuss a number of issues, namely the challenges that we face, along with our allies and partners, the commitments we have made to our men and women in uniform, and the importance of ensuring accountability and transparency when trying to maintain a strong national defense in a very tough budget environment.

While we have seen the gradual reduction of core Al Qaeda influence, it is important to remember that we continue to be engaged in a global conflict against increasingly factionalized groups that seek to do us harm along with the states that support them. A failure to exercise U.S. diplomatic and military leadership means nuclear states like Iran and North Korea will be able to bully the international community, both through direct means and through their proxies.

North Carolina is fortunate to be home to over 700,000 proud veterans, and I am fortunate to represent a district that has a strong military presence given its proximity to Fort Bragg. I just returned from a productive visit to Camp Mackall, an extension of Fort Bragg, where some of America's finest train to become part of the special forces, and I am pleased to report on their fine work.

The men and women of Fort Bragg have matchless capabilities and a unique mission. I look forward to continuing working with the base to ensure their priorities are met when it comes to equipment, facilities, and training. As the United States increases its special operations and airborne operations presence, it is critically important that we support in-depth training and techniques, an area where Fort Bragg continues to excel.

I look forward to working with you and this committee to provide the necessary resources to ensure the utmost success of our dedicated men and women in uniform there. While I recognize this committee does not intend to reauthorize or make changes to the authorization of military force this year, I would still like to take a moment to touch on the issue given its continued importance in regard to civil liberties and our ability to effectively prosecute terrorists.

I would like this committee to note that I will not support trading our guaranteed civil liberties for the promise of security. With that said, I also refuse to stand by and allow terrorists to be treated as common criminals. The administration has taken this stance when it comes to pursuing those involved in the deadly September 11 attack on the U.S. Embassy in Benghazi, and we have all seen the failure in results this approach has led to. Waving subpoenas in the face of radical militants is simply not the way to protect America's interests.

This approach is also apparent in the administration's attempt to close the prison in Guantanamo Bay and transfer over 150 terrorists to U.S. soil or return them home to their home nations. I cannot and will not support policies like this that threaten Americans around the world.

The United States is a nation built on the premise of liberty and constitutional rights. We preserve a unique separation of powers so that we can ensure not one branch has too much power. The programs in the NDAA, like any other, fall within that system, and it is our duty as elected representatives to ensure it does not violate our privacy or civil liberties.

Thanks to the committee for the opportunity to speak today, and thank you for your commitment to our Nation's warfighters and their families. Thank you. I yield back.

[The prepared statement of Mr. Hudson can be found in the Appendix on page 90.]

Mr. THORNBERRY. Appreciate the gentleman. And committee appreciates his input. Thank you for your testimony.

Next, we have the distinguished gentleman from California, Mr. Nunes.

**STATEMENT OF HON. DEVIN NUNES, A REPRESENTATIVE
FROM CALIFORNIA**

Mr. NUNES. Thank you, Mr. Chairman. I just have a brief statement for the record, and I am also submitting it for the record.

Mr. THORNBERRY. And without objection, we previously made any written materials you want to include, including your full written statement, part of our record.

Mr. NUNES. And I also have a slide that I would like to draw your attention to as I am giving my statement.

[The information referred to was not available at the time of printing.]

Mr. NUNES. I would like to submit the GAO report for the record titled "Defense Headquarters: DOD Needs to Reassess Options for Permanent Locations of U.S. Africa Command."

[The report referred to can be found in the Appendix beginning on page 165.]

Mr. NUNES. Amid the challenging budgetary situation now facing the U.S. military, opportunities for significant cost savings have been identified in AFRICOM's [Africa Command] operations. I am proposing the relocation of AFRICOM headquarter stateside. The Government Accountability Office, GAO, reported that the transfer would save \$60 million to \$70 million annually. Additionally, GAO estimated that the move would create 4,300 U.S.-based jobs and infuse \$350 million to \$450 million into the local economy.

The office found no—and I want to repeat no—substantiating evidence or rationale for the DOD's decision to keep AFRICOM headquarters in Germany. In fact, the placement of AFRICOM's headquarters in Germany was supposed to be temporary and was done merely out of convenience since it was spawned out of EUCOM [European Command]. This proposal would move AFRICOM stateside and have it operate much like CENTCOM [Central Command] and SOUTHCOM, which have their headquarters stateside with forward operating locations near the theater in order to conduct operations.

In conjunction with this transfer, I would also say that Lajes Field base, which is in the middle of the Atlantic Ocean, should serve as a forward-operating base and a logistical hub for AFRICOM. The Azores base recently has had \$150 million in up-

grades to it. It is really one of the Taj Mahals of all U.S. Air Force bases around the globe. And it is really not being used; and in fact, USAFE [U.S. Air Forces in Europe] is trying to close the base.

I think this would be a strategic error, as I presented to this committee last year, and I was thankful actually that this committee found that that was a very poor decision on behalf of USAFE. And that is why this committee put in the bill last year strong language that said that no troops should be withdrawn. In addition, Defense Appropriations put in a similar rider.

And so what I have been looking to do is, how do you save money and also get our warfighters closer to the battlefield and create efficiencies. I believe that this is a strong way to do it, and I would urge the committee to give it serious consideration.

And with that, Mr. Chairman, I would like to yield back for questions.

[The prepared statement of Mr. Nunes can be found in the Appendix on page 110.]

Mr. THORNBERRY. Let me just say, I appreciate the gentleman's leadership on this issue and continuing to raise questions about current plans and better options. And I appreciate the material that the gentleman has submitted. I think that will benefit the committee in looking at these issues.

So, again, thank you for being here. Thank you for your testimony.

Mr. NUNES. Thank you, Mr. Chairman.

[The prepared statements of Mr. Roskam, Mr. Young of Indiana, Mrs. Lummis, Mr. Pascrell, Mr. Rothfus, Mr. Collins of New York, Mr. Rahall, Mr. Gardner, Mrs. Bustos, Mr. Cuellar, Mr. Chabot, Mr. Johnson of Texas, Mr. Sablan, Mrs. McMorris Rodgers, Mr. Fincher, Mr. Gosar, Mr. Williams, and Mrs. Roby can be found in the Appendix.]

Mr. THORNBERRY. And with that, the committee stands adjourned.

[Whereupon, at 12:05 p.m., the committee was adjourned.]

A P P E N D I X

APRIL 9, 2014

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

APRIL 9, 2014

April 9, 2014

Rep. Andy Barr (KY-06) House Armed Services Committee Testimony

Thank you Chairman McKeon for providing me the opportunity to speak before the House Armed Services Committee today. Once again, I come before you in support of our Active Duty, Guard, and Reserve components, as well as our veterans to help ensure they receive the equipment and support they deserve.

I believe that the National Guard and Reserve Components are critical to our national security and in order to safely and effectively complete their missions they must be equipped with modern aircraft and the most updated avionics. I ask this Committee to continue to help provide support for the National Guard and Reserve Equipment Account (NAGREA) in order to help sustain accounts such as the Aircraft Modernization Program.

In addition, one of my priorities is preventing reckless reductions of our military troop levels, especially within the Army National Guard. I respectfully ask that this Committee postpone any decision that substantially impacts troop levels for the National Guard until the National Commission on the Structure of the Army publishes its final findings. This is too important to consider without the Commission's recommendation, given that the decision could have a lasting and harmful impact on our nation's readiness to engage threats to our allies and national security.

Several issues of concern have been raised by my Sixth District Veterans Coalition. I know this Committee remains committed to helping combat military sexual assault and provide the best care possible for survivors. Therefore, I encourage this Committee to consider incorporating legislation that I have introduced, H.R. 3775, Military SAVE Act. This legislation would allow victims of military sexual assault to choose treatment outside of the TRICARE or VA health care network that they feel would best fit their needs, so long as the care is in response to the assault. The TRICARE or VA system would issue the victim a voucher, which entitles the victim to seek care from a private provider and serves as a promise by TRICARE or the VA to reimburse the private care provider for their services. This legislation can serve as an important tool in our ongoing efforts to help the victims of military sexual assault.

I am also aware of the Committee's actions to help address mental health issues within the military. Tragically, the recent event at Fort Hood is a painful reminder of how important it is to continue to provide critical mental health services to our service members and veterans. As you know, the VA reported within the 2012 Suicide Data Report that an average of 18 to 22 service members and veterans commit suicide each day. Sadly, according to the latest report published in January 2014 by the Department of Veteran Affairs, their findings still indicate, "No clear changes in suicide rates in the total population of Veterans Health Administration users or in male Veterans overall."

While I believe that the DOD and the VA are doing the best they can to properly administer many of its new suicide prevention and support programs, I also believe it is up to Congress to continue to help provide these Departments with the tools and resources they need to do more.

I also continue to be concerned about the VA's medical claims backlog. In March 2013, the backlog reached an unacceptable level of 611,000 outstanding medical claims. Today, according to the VA, claims have been reduced by more than 44 percent. While I commend the VA on its efforts to reduce the claims backlog, actual reductions vary from facility to facility and more must be done to ensure this backlog is eliminated. I urge this Committee to commit additional resources to help ensure this issue is quickly resolved so our veterans can receive the timely care and benefits they need and deserve.

Finally, I ask this Committee's continued support in increasing public-private partnerships at all arsenals and depots. Public-private partnerships can play an important role in bringing long-term stability and jobs to communities while increasing revenue to the Army Working Capital Fund. This Committee has taken a leadership role in this regard in previous NDAA's, and I encourage this Committee to continue to take an active role in this area.

In closing, I would like to personally thank Chairman McKeon and this Committee for your leadership and working to ensure that our nation's military and veterans receive the care, equipment, and support they so richly deserve.

I look forward to working with this Committee to help address these matters I have raised today. Thank you.

Congressman Marsha Blackburn
House Armed Services Committee:
Member Day
Opening Statement as Prepared for Delivery
April 9, 2014

Chairman McKeon, Ranking Member Smith, and Members of the Committee, thank you for allowing me to testify this morning.

As you may know, I represent the Seventh Congressional District of Tennessee which is home to the brave men and women of Ft. Campbell.

Ft. Campbell is home to the storied 101st Airborne, the 5th Special Forces Group and the Army's 160th Special Operations Aviation Regiment. Nearly 3,500 Officers and 27,000 enlisted personnel call Ft. Campbell home.

Like many installations across the country, Ft. Campbell is facing reductions that will have an impact on military readiness programs as well as installation infrastructure.

I was pleased to work with this committee last year in support of the Army Flying Hours Program. This vital program provides aviation training resources for individual crewmembers and units according to approved aviation training strategies. In addition, it also provides individual and collective proficiency in support of ongoing combat and non-combat air operations.

For aviation units like the 101st Airborne, this training is not only vital to mission success but to the safety of our soldiers.

Due to Army budget constraints, Army aviators will only be provided with 10.1 hours of training- per crew- per month. This is below the recommended requirement of 12.5 hours of training-per crew-per month.

I ask the members of this committee to once again pay close attention to restoring the Army Flying Hours Program to its full capacity in FY 15.

I would also like to bring to this committee's attention the great need for Army installation infrastructure funding. As members of this committee may very well know, DoD's model calls for a level of funding to cover 80 to 90 percent of the needs of an installation.

Currently, installations like Ft. Campbell will be reliant on only 62 percent of the required funding set forth by DoD's model. This reduction in funding if left unaddressed will surely result in higher future costs to repair these important facilities.

I fully believe that our Army infrastructure is a key component to military readiness and is one that must not be forgotten. I stand ready to work with the Army and this committee to address this concern.

Another issue that deserves the full attention of every member of this committee is that of security encroachment. I am greatly concerned that foreign companies are building and acquiring projects near DOD ranges and facilities that give them the ability to monitor sensitive activities.

I believe that we should look at amending the Committee on Foreign Investment in the United States' process so that DoD is able to raise proximity and foreign entity concerns when it is a co-lead agency reviewing a transaction.

It's imperative that DoD is able to assess potential security threats related to foreign acquisition or ownership of assets and has the ability to mitigate or prevent a transaction from moving forward.

Thank you for allowing me to testify this morning. I stand ready to work with this committee on strengthening programs and review processes that are vital to our national defense.

Statement for the Record

The Honorable Paul C. Broun, M.D. (GA-10)

Committee on Armed Services, U.S. House of Representatives

Hearing On: National Defense Priorities from Members for the FY 2015 National Defense Authorization Act

Wednesday, April 9, 2014

Chairman McKeon, Ranking Member Smith, Members of the Committee, thank you for the opportunity to testify today.

As an original-intent Constitutionalist and Navy Medical Officer, I view national security as the most important function of the federal government.

While President Obama and many within his party would like to further cut our military and prioritize wasteful domestic spending over our national defense, I disagree with this approach. Instead, we should be strengthening our military and restoring its readiness in the face of ongoing geopolitical threats.

To this end, I appreciate your efforts to counterbalance the Senate and the Executive branch in the past, and urge you to continue to do so.

That being said, I continue to have deep concerns over how the 2001 Authorization for Use of Military Force Against Terrorists – or AUMF –is being utilized.

This hastily-crafted response to the September 11, 2001 terrorist attacks dramatically expanded the powers of the President, and yet few Americans are even aware of its existence.

In just 60 words, the AUMF opened the door to egregious abuses of federal power. In particular, it allows for the indefinite detention of American citizens and broad, warrantless wiretapping by the National Security Agency.

The AUMF also paved the way to today's shadow drone war that, under the Obama Administration, has quietly claimed the lives of at least 4 Americans.

I appreciate the operational advantage we gain from using drones in our military operations, and I view them as a valuable asset. But it is unconscionable for the U.S. government to kill any of its own citizens without first allowing them their day in court. No administration has the right to be the judge, jury, and executioner of American citizens.

I was pleased that my amendment prohibiting drone strikes on American citizens was included in last year's NDAA as passed out of the House, but I am deeply disappointed that the language was dropped in the compromise.

As such, I respectfully urge the Committee to include the language from my amendment while crafting this year's authorization, as well as other language to constrain the powers of the AUMF such as Ranking Member Smith's proposed amendment to prohibit indefinite detention.

Mr. Chairman, it is my understanding that the Judiciary Committee has jurisdiction over the AUMF itself. However, the Armed Services Committee can, and in my opinion should, take the strongest possible action to prevent these specific abuses.

At the same time, I hope the Committee will include text, in plain language, clearly showing Americans that these disturbing, overly-broad powers come from the AUMF and not from the NDAA itself. We need to ensure that people across the country know what powers the federal government believes it has, and what legal justification it presents for those powers.

Our war efforts and military activities must be tightly focused and kept within the bounds of the Constitution. America is a beacon of liberty and a force for good in this world only as long as we remain vigilant in keeping it that way.

We must never sacrifice our God-given, Constitutionally-protected rights in the name of security or expediency, and I am hopeful that this year's NDAA will stay true to these principles.

Thank you again for the opportunity to testify before you today.

Congresswoman Cheri Bustos (IL-17)
Testimony on National Defense Priorities

Thank you Chairman McKeon and Ranking Member Smith for providing this opportunity to provide testimony essential to Illinois' 17th Congressional District.

The Rock Island Arsenal (RIA) is one of our nation's vital military assets and an integral part of the Quad City region's economy. It is important to ensure that the Rock Island Arsenal maintains the workload it needs to keep its workers' skills sharp while pursuing the public-private partnerships it needs to stay strong.

The Arsenal has a lot to offer both the private sector and our nation's military, and I'm proud for the opportunity to advocate and fight to see that the Rock Island Arsenal gets the support it needs to meet its full production potential.

It is important to recognize the Rock Island Arsenal's critical role in preserving our national security. Because of this, it is imperative that the Army keeps the Arsenal's workload strong and capable of responding to military needs or national emergencies in the event of future contingencies, and training for those contingencies.

I also want to promote public-private partnerships to support the Arsenal's workforce. As the long conflicts in Iraq and Afghanistan drawdown, the workload at the Arsenal's Joint Manufacturing and Technology Center (JMTC) has decreased. To prevent even further decline, the JMTC has begun pursuing public-private partnerships to maintain adequate work levels to keep its employees' skills up-to-date. However, the JMTC's workload has fluctuated

significantly recently, forcing the Arsenal to charge above-market rates for manufacturing services to cover their operating costs.

As a nation, we cannot afford to let the Rock Island Arsenal workforce's critical manufacturing skills decline or disappear. The Rock Island Arsenal has been there for our fighting men and women in uniform and I am committed to making sure this always remains the case.

At the Rock Island Arsenal, the JMTC alone employs 1,444 workers and has an estimated economic impact of \$318 million on the surrounding bi-state region. When all the programs it houses are considered, the Arsenal has a \$1 billion impact on the Quad Cities' economy. As this bill moves forward, I will work to secure the Arsenal's future as both a strategic asset to national defense and an integral part of the local economy.

Maintaining a robust National Guard that can meet the challenges we face within the United States and, when required, overseas contingency and training operations should be priority for all Americans. Given the various demands upon the National Guard, it is vital that we maintain their readiness with the most advanced platforms to perform their mission.

I want to ensure the codification of the recommendations by the National Commission on the Structure of the Air Force (NCSAF), particularly the concurrent and proportional fielding of equipment to the Air National Guard (ANG). I appreciate that the Secretary of the Air Force and the Air Force Chief of Staff have proactively engaged with the ANG on this issue, and would like to take this opportunity to engage the House Armed Services Committee to ensure collaboration among the components on this critical issue.

I am concerned that the Air Force's Fiscal Year 2015 budget fails to incorporate recommendations by the NCSAF. I ask you to provide for the modernization and recapitalization of the ANG C-130 fleet. The 182nd Airlift Wing in Peoria, Illinois, provides critical and timely disaster relief operations, training exercises and overseas contingencies. Along with the ANG and our Adjutants General, I am concerned that the Air Force is not adequately funding modernization of the ANG C-130 fleet, nor is it providing a transparent and comprehensive plan for the future fielding of C-130J's to the ANG.

My concern, as well as the concern of the ANG, is that as the Air Force moves to field C-130J's predominately to the Active component, the ANG faces the reality of possessing a completely different platform. This runs counter to the recommendation of the NCSAF which highlights the fact that there should be better integration between components.

I request you provide language that calls on the Secretary and the Chief of Staff to update the Committee and Congress on actions being taken in conjunction with recommendations from the National Commission on the Structure of the Air Force, specifically as they relate to modernization of the C-130H fleet and put in place a plan to place C-130J's in the 182nd Airlift Wing at Peoria.

Thank you again for this opportunity to testify today.



Cheri Bustos
Member of Congress

Written Statement for the Record
Congressman Steve Chabot
FY15 HASC Testimony Submission
April 7, 2014

Mr. Chairman, as you and the other Members of the House Armed Services Committee work to craft the Fiscal Year 2015 National Defense Authorization Act, I want to provide written testimony to convey my general support for several items.

Air Force Centers for the Sustainment of Trauma and Readiness Skills (C-STARS). C-STARS offers a unique and invaluable experience to prepare our servicemen for the traumatic situations that unfortunately occur on the battlefield. I respectfully request that the Committee consider including the following language conveying general support for the program:

“(A) U.S. Air Force Centers for the Sustainment of Trauma and Readiness Skills

The Committee continues to support the Air Force Centers for the sustainment of Trauma and Readiness Skills (C-STARS), a unique and valuable Air Force training program that trains members of the Air Force’s Critical Care Transport Teams (CCATT) to provide vital care during the transport of members of the armed services who are critically injured. During training, CCATT trainees have access to a one-of-a-kind, high-fidelity simulation training center, which provides the most realistic environment for training the men and women who treat critically injured service members as they are transported, often from conflict zones. The Air Force has designated three national C-STARS Centers, which are each valuable and offer unique collaboration among the centers in developing specialized training programs. Particularly, the Committee recognizes the groundbreaking research and specialized training focused on the en route care of critically injured servicemen and women and encourages continued investments in this area.”

Comprehensive Subcontracting Plan

With the enactment of P.L. 101-189, Congress agreed to streamline the subcontractor acquisition process and authorized a test program to allow subcontracting plans to be negotiated at the corporate or division-wide level. This program, known as the Comprehensive Subcontracting Plan (CSP), has been extended eight times and administered for more than 23 years.

While a more recent study on the efficacy of this program has yet to be reported by the Department of Defense, the data that we do have demonstrates that this plan has benefited all those involved, particularly small subcontractors, the Department of Defense, and American taxpayers.

An independent review of this program, completed in 2007, recommended the program be made permanent, stating, “[CSP] has successfully met its goal of increasing subcontracting opportunities for small business concerns while reducing the

administrative burden (for both large prime contractors and DoD) and, therefore, should be made permanent.”¹

Currently, there is an ongoing debate about the future of this program, and whether small businesses and subcontractors would be better served by discontinuing it.

As a senior member of the House Committee on Small Business, I am concerned that discontinuing the CSP without a better understanding of its impact on small businesses could yield unintended results for small subcontractors. Furthermore, I feel that a decision to end this program without adequate data to justify such an action would be an irresponsible approach to policy making.

I respectfully request that the Committee consider extending the CSP until a more recent study measuring its efficacy can be produced by either the Department of Defense or the Government Accountability Office. Such a study should seek to identify:

- (1) Whether the CSP is more effective than other existing subcontracting programs in developing small businesses that support the defense industrial base;
- (2) The effect that the CSP has had on job creation among small businesses since its implementation; and
- (3) The impact that suddenly eliminating this program without a clear pathway forward would have on small businesses currently participating in the program.

Thank you for the opportunity to submit this testimony for the record, and for all the work that this committee undertakes in order to serve our warfighters and our country.

¹ Jackson, Clyde P., Jr., Janet Koch, and John B. Jennings. *Review of the Department of*

**Written Testimony for the House Armed Services Committee
Regarding the FY2015 National Defense Authorization Act**
Rep. Judy Chu
Monday, April 7, 2014

Four days ago, April 3, 2014, marked the third anniversary of the death of my nephew, Harry Lew. Harry was an enlisted Marine deployed to Afghanistan. He took his own life just minutes after enduring three and a half hours of degrading, humiliating, and physically abusive hazing by his fellow Marines.

Sadly, what happened to Harry was not an isolated incident. In the wake of his death, I came to learn about the tragic loss of Private Danny Chen, Private Hamson Daniels MacPherson, Jr., Specialist Brushaun Anderson, and many other brave, dedicated members of our Armed Forces who were needlessly subjected to physical and emotional torment at the hands of their peers. To make matters worse, the aftermaths of crimes like these often see no justice for the victims nor provide any form of consolation to their families. For example, all eight of Private Chen's tormentors had their highest charges dropped or were found not guilty of their highest charges. In the case of my nephew, Harry, only one of his three attackers was convicted of any wrongdoing, for which he was sentenced to only 30 days in confinement.

For the past three years, I have been dedicated to ensuring that hazing in our nation's military is addressed by the Department of Defense, and I will continue to push forward to solve this problem. It is imperative for lawmakers and the leaders of our Armed Forces to understand that hazing is a serious concern for our military. Hazing does not create a bond within a unit nor provide useful training to service members. Rather, it breeds fear and distrust of peers and leadership. Additionally, where hazing has resulted in death or serious physical or psychological harm, there has often been no justice for the victims. The prevalence of hazing has had a negative impact on military retention and the long-term health of service members and veterans. In fact, the Department of Veterans Affairs (VA) recently estimated that 22 veterans of current or previous wars commit suicide each day, and hazing most certainly plays a role. For the future safety and security of our service members and our country, we must continue working together to eliminate hazing in the military.

Since I began working on this issue, I have been encouraged by the support I have received from the public, various advocacy groups, and my fellow Members of Congress. With your help, we were able to include language in the FY2013 National Defense Authorization Act that required the Department of Defense to report to Congress the manner in which hazing is reported, tracked, and prevented by each branch of the Armed Forces.

These reports revealed some startling trends and practices.

Substandard hazing tracking systems result in unreliable data

Reported numbers of instances of hazing are unreliable because most branches do not track allegations or incidents of hazing separately from similar punishable offenses, such as assault and bullying. For example, the Air Force reported investigating 16 allegations of hazing since 2000. They arrived at this total by searching a JAG database for the word "haze" and its

derivatives. In that same report, the Air Force admitted, “our experience demonstrates that the concept of hazing can be confused with bullying, unfair treatment, or other perceived untoward behaviors.” If hazing is often confused with other forms of “untoward behaviors”, it is difficult to believe that a database search for the word “haze” resulted in an accurate return. The real number of hazing incidents in the Air Force could easily be much higher.

The branches that do not require hazing to be reported have more hazing incidents

The reports show that the branches with the highest known numbers of hazing incidents are also the branches that do not require service members to report if they are hazed or witness hazing. The only two branches that do not require hazing to be reported are the Army and the Marine Corps. Not surprisingly, the Army and the Marine Corps reported higher occurrences of hazing than the other three branches. It would appear that policies that do not explicitly require service members to report hazing have thereby tacitly condoned the practice, thus allowing it to happen with greater frequency.

Much more information is needed

The lack of reliable statistics and other information in these reports underscores the need for an independent review of DOD hazing policies. Although reports from all branches of our Armed Services are useful and appreciated, they are only a small part of what is required. We still need objective, thorough studies to fully understand the scope of the hazing problem in the armed services. As lawmakers, we must ensure we have well-researched, unbiased information on which to formulate policy.

In light of the disclosures of the DOD hazing reports, I ask the Committee to:

1. Request updated hazing reports from DOD

Several of the reports indicated recent or future actions by the branches of services in their ongoing efforts to eliminate hazing. For example, the Marine Corps instituted a new hazing policy in May 2013, the Army expected to implement a new hazing policy in March 2014, and the Air Force intended to issue new guidance on combating violence within its ranks in the spring of 2014. These updated reports should also include comments on best practices for tracking hazing, including a self-assessment of current tracking systems and the feasibility of implementing a DOD-wide hazing database. As we continue to refine and perfect DOD hazing policies, we will need the most up-to-date information on each branch’s efforts. An update to each branch’s report will be crucial as we move forward.

2. Request that the Government Accountability Office (GAO) conduct an independent review of hazing within the Department of Defense

A GAO review of hazing occurrences, policies, tracking systems, and reporting requirements in order to identify problems, trends, and best practices among the various branches of the military is vital to a better understanding of the scope of hazing in the military. The importance of objective information in the effort to eliminate hazing in the military cannot be understated. For the FY2015 National Defense Authorization Act, the inclusion of language requiring independent analysis of DOD hazing policies will be my top priority.

The failure of Congress to follow through with our responsibility to provide civilian oversight of our nation's military would be a disservice to the memories of Harry Lew, Danny Chen, and all those who have suffered or lost their lives as a result of hazing. As the House Armed Services Committee begins the process of crafting the FY2015 National Defense Authorization Act, I urge you to consider the disastrous impact of hazing on morale, unit cohesion, the health of our troops and veterans, the long-term effectiveness of our military, and its ability to perform its mission of keeping our country safe. Thank you for your continued support of this very important issue.

Sincerely,

JUDY CHU
Member of Congress

CHRIS COLLINS
27th District, New York

COMMITTEE ON SMALL BUSINESS
CHAIRMAN, SUBCOMMITTEE ON
HEALTH AND TECHNOLOGY

COMMITTEE ON AGRICULTURE
COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

Congress of the United States
House of Representatives

April 2, 2014

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The Honorable Buck McKeon
Chairman
House Armed Services Committee
2120 Rayburn HOB
Washington, D.C. 20515

The Honorable Adam Smith
Ranking Member
House Armed Services Committee
2120 Rayburn HOB
Washington, D.C. 20515

Chairman McKeon and Ranking Member Smith:

I submit this statement for the record in support of Congressman Dan Maffei's FY 15 NDAA Directive Report Language request regarding the LUH Next Generation Health Monitoring System (NGHMS). My staff and I visited the facility where this technology was developed, received a full briefing on NGHMS, and were impressed with the technology and its capability to assist our military servicemen and women.

As stated in the requested DRL, "the commercial variant of the LUH, the EC-145, is currently being outfitted with a Next Generation Health Monitoring System (NGHMS)". The Army LUH platform provides a proven opportunity to demonstrate the military benefits of the NGHMS technology. Additionally, NGHMS has wide application that extends to military ground vehicles and ship platforms.

NGHMS employs a distributed lightweight (<13 pounds) architecture and operates with nonproprietary data communication protocols in a secure cloud based diagnostics and prognostics information management infrastructure. The equipment is highly flexible, able to easily adapt to new requirements and procedures, and also combines both mechanical and electrical diagnostics, utilizing miniature electromechanical system (MEMS) sensors as well as Spread Spectrum Time Domain Reflectometry (SSTDR) for electrical wire monitoring.

NGHMS can achieve total platform state of awareness by fusing mechanical and electrical diagnostics, platform usage monitoring, and operational regime recognition. The increased maintenance information, provided through NGHMS's advanced prognostics, enable early warning for failing platform systems. Such advanced intelligence will significantly reduce emergency maintenance and provide predictable platform maintenance schedules, which will reduce maintenance costs and increase readiness.

This state of the art technology holds the capability to cost effectively change military platform maintenance approaches and activities. Therefore, I fully support Congressman Maffei's LUH Next Generation Health Monitoring System (NGHMS) FY 15 NDAA DRL request and ask the Committee to continue to seek further military applications for NGHMS, where cost and readiness benefits can be achieved.

Sincerely,



CHRIS COLLINS
Member of Congress

Statement of Congressman Doug Collins (R-GA)
Testimony before HASC — Camp Merrill Land Transfer

April 9, 2014

Chairman McKeon, Ranking Member Smith, I appreciate the opportunity to testify before your committee this morning.

Words cannot express how proud I am at having in my district, one-third of the famed U.S. Army Ranger School. The 5th Ranger Training Battalion is located in the beautiful and mountainous Dahlonega, Georgia, home also to America's first gold rush, but I am not here to discuss that today.

Camp Frank D. Merrill, located on 282 acres of land, houses the Mountain Phase of Ranger School. The camp is comprised of 200 active duty soldiers, a dining facility, PX, commissary, chapel and mountaineering equipment.

Most importantly Camp Merrill houses over 200 soon to be Rangers who are deprived of food, sleep and comforting amenities in order to be the best our country has to offer as a fighting force.

After World War II the U.S. Army leased the 282 acre tract of land from the U.S. Forest Service in order to construct the second phase of Ranger School. A 1951 Army-USFS Special Use Permit was drafted and the Army has operated on the land under the supervision of USFS since then.

The Special Use Permit has enacted two layers of business rules and operating procedures for Camp Merrill - one Army layer and one Forest Service layer. The duplicative nature of management causes delays on critical infrastructure projects and unnecessarily complicates day-to-day operations.

Ranger School's operational tempo and mission at Camp Merrill is an understandable unique one. The Army's mission at Camp Merrill requires very specific building and maintenance standards calling for exemptions to regulatory guidance, guidance for which the Army already has standing operation procedures in place for.

Once approvals for exemptions are processed through military channels, the Forest Service then vets any changes to Camp Merrill structures.

This happens at an increased cost to U.S. taxpayers.

The goal in acquiring Camp Merrill for the Army is to increase efficiency and save tax payer's money. Wholly owning Camp Merrill allows any needed structural improvements and Ranger training facilities upgrades to occur cheaper than operating under two levels of bureaucracy.

One example of bureaucratic senselessness is when a group of trees surrounding a landing zone for helicopters started to cause a safety hazard and needed trimming.

Due to the two level approval process of structural and environmental changes required by dual management of Camp Merrill, two years went by before approval was granted to trim the trees within an acre and a half area. In addition to the protracted time to accomplish a simple task, the cost for trimming the trees nearly doubled.

While we are on cost, this bureaucratic redundancy is occurring at a period when DOD is looking to capitalize on savings.

The last nine projects the Army built at Camp Merrill cost \$674,980 more due to repeated and unnecessary oversight by the US Forest Service.

While this may appear to be a miniscule amount of money, remember a redundant approval process can be traced back over 50 years.

My legislation reverses decades of redundant oversight and enacts a land exchange between the Dept. of Army and U.S. Forest Service.

The exchange allows the Army to gain administrative control of Camp Merrill and USFS gets new lake front property at Lake Lanier in Georgia.

For over twenty years the two agencies engaged in several rounds of negotiations to enact a land transfer. As recent as 2012, language was inserted into the NDAA to bring about this long needed change.

At the last moment, the language was stripped out because the Dept. of Agriculture reneged on the deal by asking for \$10 million in addition to the land on Lake Lanier. The Army was not able to provide the money, as it was not part of the originally mutually decided upon agreement.

2014 is the year this saga comes to an end. With the passage of this language the Army is empowered to build the structures needed to train one of this country's most elite fighting forces.

In addition tax payers are relieved of duplicative agency oversight and the U.S. Forest Service gains access to land it previously didn't own.

Mr. Chairman, ranking member, thank you for your time.

Congressman Rick Crawford

**Testimony before the House Armed Services Committee:
EOD Priorities for the FY2015 NDAA**

Good morning Chairman McKeon, Ranking Member Smith, and distinguished members of the Committee. Thank you for the work you do to preserve the security of our great nation and for allowing me to testify before the full committee regarding Explosive Ordnance Disposal priorities for the Fiscal Year 2015 National Defense Authorization Act. I served in the Army as an EOD tech and I am proud to be a co-founder, along with Committee member Susan Davis, of the House EOD Caucus.

Explosive Ordnance Disposal Soldiers, Sailors, Airmen and Marines are the military's preeminent team of warrior explosive experts. They are trained and equipped to identify and neutralize explosives used by terrorist networks across the globe. EOD techs protect their fellow military personnel and civilians from these threats while providing support across a wide range of military and civilian national security operations.

EOD forces have proven to be game changers in attacking and dismantling terrorist cells and associated networks. These forces will continue to be indispensable assets for the foreseeable future, supporting counterterrorism operations, building the capacity of partner nations and protecting the homeland through providing support to civilian law enforcement agencies at federal, state and local levels.

There are an estimated 66,000 “call outs” annually across the United States on explosive ordnance by interagency, military EOD and public safety bomb squads. Army EOD units responding under immediate response authority have historically departed their home station installation within 30 minutes of notification during duty hours and within 60 minutes of notification after duty hours, 365 days a year. On these civil support missions, EOD has provided support to civilian law enforcement agencies but they do not perform law enforcement activities.

The Boston bombings serve as a stark reminder of the threat of the terrorist detonation of explosives in the United States and have revealed gaps in the Nation’s ability to defeat a sustained bombing campaign in the homeland. I note that military EOD immediate response included the 387th Ordnance Company (EOD) from Camp Edwards, Massachusetts, which responded to 64 “call outs” during the Boston bombing.

However, I have concern that following these attacks, the Army Forces Command issued guidance that the local Staff Judge Advocate must review every civil authority request for emergency EOD response prior to sending aid to ensure that the support does not violate the Posse Comitatus Act of 1878. In addition, the guidance requires that a senior commander, normally a three or two star general officer, must then approve each of these EOD immediate responses and must ensure that civil authorities will reimburse the Army as a condition of immediate response.

I understand the need to ensure that EOD is compliant with the Posse Comitatus Act in any of its civil support missions, but it is

vital that we do not overcorrect and negatively impact the ability of our EOD forces to provide increasingly needed and immediate support to our civilian law enforcement agencies. It is further problematic that under this recent Army Forces Command guidance, the responding EOD unit(s) must now seek reimbursement from local / state / federal law enforcement as a pre-condition for providing the requested military EOD support.

On April 1, 2014, I met with the General Officer that has training readiness authority for the Army Forces Command's EOD units. I have grave concerns over his proposed reorganization of the Army EOD force structure, reorganization of Army EOD force modernization and branch proponents, and reorganization and re-stationing of EOD tactical units and EOD institutional activities. The significance as well as the irreversibility of these proposed actions deserve the Committee's close scrutiny and oversight. I respectfully request that you and the Committee seek more information and further require the Department to justify these proposed changes before permitting any of them to proceed.

We must also ensure that our EOD units, like the 387th out of Massachusetts, are properly equipped to respond to explosive threats in cities and towns throughout the homeland. The Mine-Resistant Ambush Protected vehicles, or MRAPs, are critically needed vehicles for EOD operations in Afghanistan, and I feel that Army National Guard EOD units, comprising one third of the Army EOD Force, need response vehicles like those used by WMD-Civil Support Teams. I understand the Army is looking to divest itself of much of the MRAP fleet as it draws down in Afghanistan. I believe these MRAPs could greatly benefit the

mission for EOD units in the Army here in the US and I encourage the Committee to transfer these excess MRAPs to Army EOD Unit MTOEs. These units also need portable containment magazines to safely store explosives as well as communications capable of integrating with the civilian law enforcement agencies that they're supporting. These Army National Guard units should also receive Training Readiness Oversight and active duty Soldier support from Army Forces Command.

I feel that there are a number of issues that we can address in this year's NDAA that can help strengthen our preeminent explosive experts. As you draft the NDAA, please consider including language to:

1. Direct the Secretary of Defense to Establish a Program Element on "Emerging Threats – Explosive Ordnance" under the Office of Secretary of Defense, Special Operations and Low Intensity Conflict (SOLIC); the Honorable Michael Lumpkin is Secretary Hagel's advocate for the Department's EOD forces.
2. Enact language to immediately halt, and reverse, the attempt by the Department of the Army to reorganize its EOD force structure, reorganize EOD force modernization and branch proponents, and re-station EOD units and transfer EOD functions and activities, until a full analysis and report to the committee that justifies such an action.
3. Direct the Commander of U.S. Northern Command's Joint Force Land Component Command and U.S. Army North to immediately begin working closely, with the Army Forces

Command as force provider, and with the 52d, 71st and 111th Ordnance Groups (EOD) on EOD activities in coordination with the Department of Justice Joint Terrorism Task Forces.

4. Per the GAO Report's finding on their 2012 study of EOD, direct the Secretary of the Army to Establish a Program Element on "Army EOD Program", managed by the Headquarters Department of the Army G-38, to consolidate functions and achieve savings for EOD procurement, research, development, test and evaluation, and operations and maintenance. The Army remains the sole Service Department that does not have a Program Element for its EOD Program.

Thank you again for the opportunity to present my testimony today. I look forward to working with the Committee in the near future to craft legislation that supports the critical Joint Explosive Ordnance Disposal Forces in their mission to defend the homeland and our interests aboard. I remain available to the Committee for further assistance on EOD matters, and I thank you for your consideration.

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HENRY CUELLAR, PH.D.
U.S. HOUSE OF REPRESENTATIVES

April 9, 2014

The Honorable Howard P. McKeon, Chairman
The honorable Adam Smith, Ranking Member
House Committee on Armed Services
2120 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman McKeon and Ranking Member Smith:

Thank you for the opportunity to provide testimony regarding the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015. There are several priorities I would like to bring to the Committee's attention that are important to my district and to the security of nation.

The first involves military-to-military engagement and the reuse of excess defense articles between two strategically important partners: the first being our neighbor to the south, Mexico. The second being those countries that make up the "Silk Road": Georgia, Azerbaijan, Kazakhstan, Uzbekistan, Kyrgyzstan, Turkmenistan, and Tajikistan.

As our third largest trading partner, with a border that stretches over 1900 miles and a Mexico-to-U.S. oil exportation rate of around 10%, security within Mexico is of vital interest to the United States. Whether it be through the providing of nonintrusive inspection and communication equipment, or direct training provided by U.S. military advisors, aiding Mexico's security apparatus will aid the United States in stopping narcotics importation, reducing violence along the U.S.-Mexico border, and will lay the ground work for an even more robust partnership over the coming years.

Still of strategic importance, but for very different reasons, are those countries that make up Central Asia and lie in the southeastern part of Europe. Due to the Europe-to-Asia trade routes that traversed the area for millennia, this region was given the name "Silk Road". In modern times, due to their strategic geographic location to Russia, Iran, and China, and the abundance of oil, gas, and mineral resources, these "Silk Road" countries have the potential to become major flash points for conflict for the foreseeable future. The United States must remain actively engaged once our withdrawal from Afghanistan is complete. Continued military assistance through the disposition of retrograde of military equipment from Afghanistan, and our assistance in the development of self-defense and deployment capability, will be key actions that should be considered.

Second, I would like to call the committees attention to the advanced sensor application program. As mentioned in last year's NDAA, there are "a number of irregular threats that are not well suited for the array of sensors developed and optimized for observing more conventional adversary threats". I ask the committee to continue its support of manned and unmanned surveillance and reconnaissance sensor systems that can target smuggling activity and those actions that could potentially support global terrorism.

Third, I also ask that the committee support the Secretary of Defense in his efforts to complete the mandatory inventory report on all United States military installations located overseas due this upcoming January. It would provide an assessment of the requirements for overseas military force structure and infrastructure, as well as an inventory of potentially excess infrastructure and any opportunities for consolidation.

Fourth, too many of our returning warriors are harming themselves once they arrive back home. Our current system does not take into account that some veterans have a delayed reaction to trauma after they leave the service. This is why I call on the committee to expand veteran's eligibility to enroll in VA health care to 15 years after the completion of service. Sometimes the most detrimental wounds do not manifest themselves until far in the future, and we must do more to see that these wounds do not become fatal.

If you require further information, do not hesitate to contact me or Wendell White, my legislative assistant, at 225-1640.

Sincerely,


Henry Cuellar, PhD
U.S. Congressman
Texas, District 28

Testimony of Congressman Ron DeSantis (FL-6)
April 9th, 2014
House Armed Services Committee

Chairman McKeon, Ranking Member Smith, Members of the House Armed Services Committee, thank you for having me here to testify today. I know this is a particularly busy period for this committee, and I appreciate your time and consideration.

I'm here to talk about the E-2D Advanced Hawkeye – which as you know is the Navy's carrier-based Airborne Early Warning and Battle Management Command and Control system. Variants of this aircraft have been serving our military well since the 1960's. As you consider the Fiscal Year 2015 authorization for the Department of Defense, I ask that you support the E-2D program as well as an additional fifth E-2D Advanced Hawkeye aircraft.

The E-2D is equipped with new, cutting edge communications capabilities and radar systems. These advancements enable the E-2D to synthesize information from multiple onboard and off-board sensors to provide increased missile protection to our carrier defense groups, while also improving the aircraft's offensive capabilities, which are key to supporting our combatant commands.

The addition of the fifth E-2D aircraft in FY15 is necessary for providing Carrier Strike Groups with the E-2D's advanced Integrated Air and Missile Defense capabilities to pace the rapidly evolving Pacific threat. Without this fifth aircraft, a carrier will be forced to deploy with the less advanced E-2C's, preventing carriers from having the additional capability that E-2D's bring

against multiple threats. Furthermore, additional funding would be needed to keep multiple variants of the Hawkeye in service longer.

This program is critical for our Navy and our military. As our friend, and E-2 pilot, Rep. Jim Bridenstine puts it:

“Given the threat to the strike groups, multiyear procurement of E2-D is absolutely necessary. The only question is, “Are we purchasing enough E-2Ds and missile interceptors to counter the high volumes of incoming missiles that our sailors and soldiers could face?”

The E-2D program has met every major milestone on schedule since the program’s inception in 2003. As the program moves forward, full funding for the E-2D, as well as funding for a fifth aircraft, ensures that carrier air wings will fully realize the capabilities provided by this state-of-the-art early warning and battle management command and control weapons system.

The role technology plays in modern warfare can never be discounted, and the technological advances of the E-2D will ensure that our military maintains its critical edge. Your support for the Navy’s E-2D Advanced Hawkeye program in the FY15 President’s Budget and an additional fifth aircraft is essential to maintaining the safety of our carriers in a changing environment where we are facing new threats.

Thank you again for having me here today and thank you for all you do for our warfighters and our country.

April 9, 2014

FY15 NDAA HASC Member Testimony Day

I. Introduction

- Thank you Chairman McKeon and Ranking Member Smith for allowing me to testify today before the House Armed Services Committee.
- Since I have numerous issues I wish to draw attention to, I will keep my remarks brief on each issue.
- My staff will be happy to follow up on any issue and provide the necessary information.

II. 440th Airlift Wing

- As you know, I am the proud representative of the second district of North Carolina which is home to Fort Bragg.
- Ft. Bragg is home to the Airborne and Special Operations Forces and a rich military history that the great state of North Carolina is proud to support.
- The first issue I would like to address is the president's proposal to inactivate the 440th Airlift Wing located at Pope Field.
- I have serious concerns with this proposal and the negative impacts it would have on training.
- The 440th Airlift Wing provides 33 percent of crucial Joint Airborne and Air Transportability training to the forces stationed at Fort Bragg.
- This Joint Mission was formed over the last seven years to provide Airborne and Special Operation Forces with the accessible, flexible, and quality training they need to continue to be the ready for whatever mission they are asked to carry out.
- Cutting Ft. Bragg's airborne operations by an estimated 33 percent could further erode our readiness at a time when the United States simply cannot afford it - particularly when the Department of Defense recognizes the continued need to enhance and utilize Special Operations Forces.
- Eliminating the ability to rapidly mobilize to train and deploy with local commanders, aircrews, and aircraft that have an established relationship with our most in-demand forces increases risk at an unacceptable rate.
- Mr. Chairman, I respectfully request you maintain the mission of the 440th Airlift Wing and its C-130s.

III. TRICARE

- The next issue I would like to discuss is the lack of timely and consistent notification from TRICARE regarding changes made to beneficiary's insurance coverage.
- While sitting down with one particular military spouse - Susan Reynolds - I was stunned to learn that her family was not notified about TRICARE's decision to end coverage for compounded pharmaceuticals.
- Her son Ian is allergic to red dye and relies on compounded pharmaceuticals for his medication.
- Mrs. Reynolds husband, Jeremy, was deploying in less than a month and was blindsided by the changes made to his family's TRICARE coverage.
- The Reynolds family was left with the struggles of deployment and the unnecessary burden of wondering if their son's medication would be covered and how would they replace it.
- This was an unnecessary hardship placed on the backs of a deploying family simply because there is no standard notification system in place for changes in TRICARE coverage.
- Mr. Chairman, I came to Washington to fix problems for families and this is a problem that is easily solved.
- After speaking with numerous military families like the Reynolds, I introduced H.R. 4101 - The TIME Act.
- This legislation would restructure TRICARE's notification process and require TRICARE to notify beneficiaries and providers no less than 90 days before a change to their coverage is made.
- It is imperative that military families have the appropriate time they need to find suitable alternatives for the coverage lost. Instead, they were left to see their insurance coverage pulled out from underneath them.
- Mr. Chairman, I request that this problem be addressed in this year's NDAA and that the TIME Act be a part of that discussion. I would like to work with the House Armed Services Committee to fix this problem.

IV. Conclusion

- In closing, I would like to express the need for a fully-funded and supported military.

- It is more important than ever that the United States maintain its military superiority and continue to be the dominate force for freedom in the world.
- Thank you Chairman McKeon and Ranking Member Smith for allowing me to speak before this distinguished committee and for all of your hard work in support of our armed forces and military families.
- I look forward to working with this committee on the challenges facing our military.

Statement for the Record
House Armed Services Committee, April 9, 2014
Congressman Stephen Fincher

Mr. Chairman, I want you to thank you for giving me the opportunity to testify today regarding Milan Army Ammunition Plant (Milan AAP), located in Tennessee's 8th Congressional district. The Milan AAP went into operation in 1941 and has been a rich part of the history of Milan and the surrounding communities that call West Tennessee home. Many families have seen multiple generations work at the Milan AAP and serve their country.

The families in Milan and the surrounding communities have tremendous interest in saving and bringing more business and opportunities to the Milan AAP. In fact, there have been over 2,000 letters to the Army, American Ordinance, and elected officials along with a petition signed by approximately 3,000 people to save the Milan APP. I have personally toured the arsenal and met many of the employees. I continue to pledge my support to the community to work with the Army to bring opportunities to Milan AAP. This is too important an issue to my district and one I take very seriously.

It is simple for me, the move by American Ordinance of the ammunition production jobs from Milan AAP to Iowa AAP resulted in the loss of approximately 600 direct jobs and an estimated 2,000 jobs in the surrounding communities. As you are aware, this move has had a devastating economic impact to Northwest Tennessee.

I fully support the actions this Committee has taken by directing the Secretary of the Army, in consultation with the Assistant Secretary of the Army for Acquisitions, Logistics, and Technology as well as the Joint Munitions Command to study and report to the defense committees on improvements to the ARMS program, which Milan AAP is a member. I am looking forward to that report being completed and seeing what recommendations to the ARMS program the Army believes will improve opportunities for new jobs at Milan AAP.

I urge this Committee to wait for the ARMS report and to evaluate the recommendations in order to maximize the opportunities at Milan AAP.

Testimony of the Honorable Cory Gardner
Member, U.S. House of Representatives
House Armed Services Committee Hearing
2015 National Defense Authorization Act
U.S. House of Representatives
April 7, 2014

Thank you Chairman McKeon, Ranking Member Smith, and the other members on this committee for the opportunity to testify. As you know, the National Defense Authorization Act (NDAA) and its annual passage helps to ensure the safety of the United States and the brave men and women fighting for this country. The legislation is also crucial to the United States' military programs and for shaping national defense policy.

The NDAA has passed every year for the last fifty-two years. Without this legislation, our troops would lose combat pay, and life-saving military research and improved-weapons acquisitions would immediately come to a halt. Furthermore, the Department of Defense would be unable to chart a certain course forward for the American military. For these reasons, and many others, I have supported NDAA in the past.

NDAA provides Congress an opportune time to re-examine the military justice system. Several high-profile military sexual assault cases have increased public and congressional interest in how these cases are prosecuted within the military. Last year's NDAA made reforms and improvements to the manner in which military sexual assault cases are handled within the military ranks. Commanders no longer have the authority to unilaterally overturn court martial decisions, although they maintain their role in the chain of command as sexual assault cases are prosecuted.

While these reforms were significant, sexual assault in the military continues to be under intense scrutiny and Congress must act to further protect the victims of sexual assault. I support measures which would remove from the military's chain of command the decision to prosecute claims of sexual assault and other major military crimes. Senator Kirsten Gillibrand spearheaded this effort in the United States Senate with the introduction of S. 1752, the Military Justice Improvement Act of 2013.

During this year's NDAA debate and ultimate passage, I urge you to consider Senator Gillibrand's language and the possibility of removing the military chain of command from sexual assault cases within the House version.

Once again, thank you for the opportunity to testify on this important matter. It is my hope that the committee will favorably adopt this language. I look forward to working with the committee.

Congressman Paul A. Gosar
Statement for the Record
House Armed Services Committee Hearing: FY14 National Defense Authorization Act
Wednesday, May 8, 2013

Chairman McKeon, Ranking Member Smith, and members of the committee—I thank you for allowing me to testify before you all. I appreciate the fair and open process that is taking place here today. I come before you to highlight a serious issue facing a group of my constituents.

By way of background, the *Radiation Exposure Compensation Act of 1990*, or RECA, established a trust fund to provide compassionate lump-sum payments to individuals—commonly referred to as “down winders”—who have contracted certain cancers and other serious diseases that are presumed to be the result of their exposure to ionizing radiation from above-ground nuclear weapons testing or from various activities in connection with uranium mining. Though the testing in question was performed in Nevada, radioactive elements affected people in Utah and Arizona as well.

The original language in the 1990 RECA used a broad definition of the affected areas in Arizona. That language reads “that part of Arizona that is north of the Grand Canyon and west of the Colorado River”. That definition therefore included northern Mohave County, Arizona in its definition, as it is the county in Arizona that is closest to Nevada and therefore closest to the testing ranges.

But when RECA was reauthorized and amended in 2000, the purpose was to *expand* eligibility. With respect to Arizonans’ eligibility, the definition of the affected areas changed to reflect specific counties. Of the five Arizona counties listed in the 2000 Act, Mohave County is *not* among them.

Then in 2002, technical corrections were made to the 2000 Act to reflect part of the 1990 language concerning Arizona. So, after the 2002 corrections, the law listed the 5 counties and included the language “and that part of Arizona that is north of the Grand Canyon”.

Again, Mohave County is the closest of the Arizona counties to the Nevada border and therefore to the nuclear testing ranges. The Arizona counties directly east and southeast from Mohave County are both covered in their entirety. This omission seems to be a clerical error—which is consistent with the fact that the 2000 reauthorization contained composition errors that had to be fixed in a separate 2002 Act.

To correct the omission, Congressman Trent Franks, a member of this Committee, introduced bills in the 111th and 112th Congresses to include Mohave County as an affected area for RECA purposes. Because I am now the representative of Mohave County, I have re-introduced the bill in the 113th Congress. It is known as H.R. 424, the *Mohave County Radiation Compensation Act*, and I am pleased to have Representative Franks as an original cosponsor. I thank Representative Franks for his continued support for this cause. It is this exact language that I am seeking to have included in the National Defense Authorization Act for Fiscal Year 2014.

The trust fund associated with these claims has been active since 1992, and that fund will sunset in 2022, by statute. My goal is to ensure that the affected residents in Mohave County, Arizona have their fair shot at justified compensation before the trust fund is closed. It will not increase costs, it will simply allow constituents who should have been included in the 2002 law to submit a claim. Each Mohave claimant would be subject to the same burden of proof as the other claimants. But for Congress to deny the rest of Mohave County, Arizona the right to even *file* a claim is both inconsistent and careless.

Again, I thank the Committee for providing this opportunity to be heard. It is my hope that the Committee will favorably adopt this language and ensure that my constituents affected by the government's nuclear weapons tests are eligible for reasonable and justified compensation.

Testimony of Chairman Sam Graves,
Committee on Small Business
Before the House Committee on Armed Services
National Defense Priorities from Members for the FY 2015 National Defense
Authorization Act
April 9, 2014

Thank you, Chairman McKeon, Ranking Member Smith, and members of the Committee.

Given that the federal government spends over half a trillion dollars each year through contracts, the federal procurement market is incredibly important for small businesses. Improving small business opportunities for federal contracts is a triple play – small businesses win more contracts; workers win as the small businesses create jobs; and taxpayers win because small businesses bring competition, innovation and lower prices to save the government money and improve the health of the industrial base.

Recognizing that this is a crucial area for small businesses, over the past three years, the Armed Services Committee and the Small Business Committee have worked together to reduce barriers to entry, create guidance that allows small businesses to compete and facilitates the Department of Defense (DoD) meeting the needs of the warfighter, and ensure that we have a strong small business industrial base. This cooperation has resulted in numerous provisions being enacted into law through the collaboration of our two Committees, with the support of

groups like the National Defense Industrial Association, the Associated General Contractors, the Professional Services Council, the American Institute of Architects, the Minority Business Roundtable, the U.S. Black Chamber, Women Impacting Public Policy, and many others. Further, these initiatives address issues raised in the 2012 report to the House Armed Services Committee by the Panel on Business Challenges in the Defense Industry; led by Mr. Shuster and Mr. Larsen.

Therefore, I am here today to support the inclusion of six small business contracting bills in this year's National Defense Authorization Act. Each of them ties directly to at least one of the Panel recommendations, and I will discuss each of them very briefly.

First, H.R. 4093, the Greater Opportunities for Small Business Act of 2014, a bill I introduced with Mr. Hanna and Mr. Murphy to increase contracting opportunities for small businesses. The bill does this by increasing the small business prime contracting goal from 23% to 25%, instituting a government-wide subcontracting goal of 40 percent, and requiring that prime contracts and subcontracts continue to be tracked separately. This bill is directly linked with Panel Recommendation 2.1, which states that Congress should consider increasing the DOD's small business prime contract and subcontract procurement goals, and increase accountability in the achievement of the procurement goals.

Panel Recommendation 3.7 recommended improving small business consideration in acquisition planning. Overtime, experts have found that certain types of contracts do not work well for certain types of procurements, especially if the contractors are small businesses. For example, the Corps of Engineers has found that reverse auctions for construction services put both the government and small businesses at risk. Likewise, they have found that using a one step design build process precludes small business participation. While these findings are incorporated into acquisition planning at the Corps, unfortunately not all agencies have learned from its expertise. Therefore, I introduced H.R. 2750, the Design Build Efficiency and Jobs Act of 2013, and Mr. Hanna introduced H.R. 2751, the Commonsense Construction Contracting Act of 2013, to implement these best practices government-wide and improve acquisition planning. H.R. 2750 is cosponsored by Mr. Connolly, Mr. Farenhold, Mr. Hanna, Ms. Herrera Beutler, Mr. Meadows, Ms. Meng, Mr. Miller, Mr. Mulvaney, Mr. Paulsen, Mr. Ross, Mr. Schrader, Mr. Terry, Mr. Tipton, and Mr. Welch. Ms. Meng and I cosponsored H.R. 2751.

Recommendation 2.9 says that Congress should ensure that work being reserved for small business performance is actually performed by small businesses. H.R. 2882, introduced by Mr. Coffman and cosponsored by Mr. Miller, Mr. Flores, Mr. Connolly, Mr. Hanna, Ms. Herrera Beutler, Mr. Murphy, Mr. Roe and myself attempts to address fraud, efficiency, and transparency in service-disabled veteran-owned small business and veteran-owned small business contracting. It does so by transferring responsibility for verification of companies from the Department of Veterans Affairs (VA) to the Small Business Administration, which has expertise in these areas. This should provide a smoother, more predictable process for our veterans while freeing up time and resources within VA to assist more veterans.

H.R. 776, the Security in Bonding Act, doesn't directly relate to the Panel's recommendations, but it is in keeping with the spirit of the recommendations. Throughout the Panel Report, there is support for advancing no-cost ideas that encourage greater small business participation in the industrial base. H.R. 776, introduced by Mr. Hanna, Mr. Collins, Mr. Luetkemeyer, Ms. Lujan Grisham, and myself, will make it easier for small businesses to get surety bonds, and thereby compete for construction contracts. Likewise, it helps ensure that small business subcontractors are paid, by insisting that the bonds accepted by the federal government meet commercially applicable standards.

Panel Recommendation 2.10 addresses one of the most important issues for small business – unjustified contract bundling. The Panel recommended that bundling processes be clarified and improved to better identify work likely to be suitable for small businesses and to improve transparency. H.R. 4094, the Contracting Data and Bundling Accountability Act of 2014, which I introduced with Ms. Chu, Mr. Connolly, Mr. Hanna, Ms. Meng, Mr. Mulvaney and Mr. Murphy, seeks to improve the quality of guidance available, as well as the transparency into contract bundling and consolidation. I want to emphasize that I think this is one of the most important areas where we can work if we want to help small businesses compete and save taxpayers money. I urge you to include it in the NDAA.

Finally, I would be remiss if I did not mention subcontracting. Recommendation 2.6 deals with tracking small businesses working as subcontractors. While there is not currently any legislation pending, I appreciate the Committee's efforts to work with the Small Business

Committee on reforms to the Comprehensive Subcontracting Test Program (CSP) to improve transparency into small businesses working as subcontractors, and I hope we will be able to agree upon a solution for inclusion in the National Defense Authorization Act.

With the exception of H.R. 2750, which was referred to the Committee on Oversight and Government Reform, and the CSP, which does not have associated legislation, each of the bills I've just discussed received bipartisan support at the Small Business Committee and passed by voice vote. Each supports the intentions, if not specific recommendations, of the Panel Report produced by this Committee. I am pleased that our two Committees are working so cooperatively, and hope that our legislative solutions for promoting competition by small firms in federal procurement will be incorporated into this year's National Defense Authorization Act.

Thank you. I'd be happy to answer any questions.

Testimony of Chairman Richard Hanna,
Subcommittee on Contracting and Workforce, Committee on Small Business
Before the House Committee on Armed Services
National Defense Priorities from Members for the FY 2015 National Defense Authorization Act
April 9, 2014

Good morning. Chairman McKeon, Ranking Member Smith, and other members of the Committee, thank you for taking the time to listen to me today.

Over the course of almost 30 years in private business, I grew a small firm from the ground up that employed around 450 people over time and successfully completed a myriad of commercial and municipal projects in upstate New York.

Given that experience, I know how important small business construction contracting is. It is an industry where a small business can grow into a large business. Construction contracting builds communities.

However, there are a few areas where the federal government's policy on construction contracting hurts small businesses, taxpayers, and the agencies themselves. This is particularly important given the scope of federal construction contracting. Construction and architect & engineering (or, A&E) contracting represent about 1 in every 6 prime contract dollars awarded to small businesses. That was over \$17 billion in prime contracts in fiscal year 2012.

Therefore, as the Chairman of the Subcommittee on Contracting and the Workforce of the Small Business Committee, I've introduced two bills this Congress, and cosponsored a third bill, intended to bring some commonsense reform to this arena. I'll discuss them briefly, but want to ask you to include them in this year's National Defense Authorization Act.

The first bill, H.R. 776, the Security in Bonding Act of 2013, addresses surety bonding. As construction projects get larger, it becomes harder for small businesses to obtain the necessary bonding to bid on these projects. In these cases, they sometime turn to disreputable sureties who issue worthless bonds that place the taxpayers at risk. This is a no-cost bill that makes it easier for small businesses to get legitimate bonds, and that makes sure that all bonds are worth more than the paper on which they are written. This makes sure agencies get a quality construction job, that taxpayers get what they pay for, and that small businesses get paid.

The other two bills I want to discuss address the way we buy construction and A&E. The first is reverse auctions. While there is evidence that reverse auctions can be a good way to buy commodities, two studies by the Corps of Engineers demonstrated that it doesn't work for construction services contracts. Therefore, I introduced H.R. 2751, the Commonsense Construction Contracting Act of 2013. This bill takes the lessons learned by the Corps and applies them to other federal agencies.

Likewise, the Corps has also led the way on design-build contracting, implementing a two-phase approach to procurements. Given the cost of bidding for design build work, the two phase approach allows more small businesses to compete and saves the government money. Unfortunately, not all civilian agencies have learned from the Corps experience, so I have cosponsored H.R. 2750, the Design Build Efficiency and Jobs Act of 2013. This bill encourages other agencies to adopt the policies in place at the Corps.

While I encourage you to include all of the contracting bills recently marked up by the Small Business Committee, given the significance of construction contracting I hope that you will incorporate H.R. 776, H.R. 2750, and H.R. 2751 into this year's National Defense Authorization Act.

Thank you, and I would be happy to answer any questions.

TESTIMONY

CONGRESSMAN DENNY HECK (WA-10)

“National Defense Priorities from Members for the FY 2015 National Defense Authorization Act”

April 9, 2014

House Armed Services Committee

SUBJECT: The need for transportation improvement programs in and around military installations.

Thank you Chairman McKeon and Ranking Member Smith for holding today’s important legislative hearing, and I thank the committee for allowing me to testify here today about our national defense priorities for the upcoming fiscal year.

As the Member of Congress for the new 10th District of Washington, I represent Joint Base Lewis-McChord, one of the largest military installations in the country. In the vicinity of JBLM is Interstate-5. This highway is the most heavily traveled north-south freight corridor in the state of Washington, carrying 145,000 vehicles per day. Nearly 80 percent of traffic to and from JBLM relies on I-5. Local travelers in neighboring cities have no other option except to use the interstate as an arterial. When incidents occur, it can take hours to recover. Backups of six miles or more starting at 6 a.m. are not rare, rather they are expected.

Take a moment to imagine a van, full of soldiers and civilian workers stuck on I-5. A truck directly behind the van could be full of items, goods waiting to be stocked on the shelves of a local warehouse store. In a car behind the truck behind the van, is a mother with a sick, crying child trying to get to the doctor.

Take these three vehicles, multiple them into miles of traffic and thousands of people. Imagine them not just in my home state of Washington, but also stuck on Florida’s State Route 85, or Interstate 95, 395 or 495 in the Washington DC metro area. The almost daily question has become: “What is the hold up?”

The truth is, military installations are still adapting to base realignment, and short-term growth caused by troops passing through before being deployed. Installation growth has had a significant effect on regional transportation, particularly when an installation is located in or near an urban area. Even acknowledging the potential for drawdowns on military bases, those reductions would not nearly come close to alleviating the problem.

Surrounding roads play an important role in preserving military readiness. Our armed forces need to instantly deploy and we need functional roads in order to do that. If military personnel are caught in a jam, efficiency goes out the door. The domino effect of delays due to congestion impairs our national security.

This leaves not only military activities on base stranded, but also commerce in the community stranded as well. When we don’t have a reliable roadway, economic activity halts. Goods can’t move and companies lose money. This cascading inaction affects productivity and balance sheets, putting strain on business owners and workers alike.

To be clear, the military is not to blame for this. In fact, they’ve done a lot to help mitigate the problem.

They know the opportunity costs involved when their soldiers and civilian workers are stuck in traffic and can't be where they need to be. Bases have come up with innovative approaches to ease the pain, but the problem remains severe and unavoidable without more investment. It is a Band-Aid over a wound that needs stitches.

The only existing DOD program that provides funding for *public* highway improvements is the Defense Access Roads program. However, the DAR program is limited by outdated and restrictive eligibility criteria. In fact, the DAR program began decades ago when it was expected that bases would only be in relatively undeveloped regions.

Because of restrictive eligibility criteria, installations in urban areas, which feel the effects of installation growth more acutely, fail to qualify for DAR funding. Even when DAR applications are successful, it can take years to receive funding. In addition, DAR requires base commanders to choose between on-base projects or local roads. This is not a fair decision.

Something must be done, and I ask that you consider upgrading the transportation infrastructure around these bases as soon as possible as part of the FY15 National Defense Authorization Act. In coordination with state and local entities, the DAR program can be revised to pay for the military's share of road improvements. A separate DOD program should also be established to fund the transit services necessary to meet military needs.

Mr. Chairman, while I've been sitting here talking to you today, think back to the people in those minivans, trucks and cars. Chances are since I've starting speaking with you, they've only moved up about 50 feet or so. They might still be in gridlock when this hearing ends.

I know being stuck in traffic is not something unknown to most Americans. We are all too familiar with the horrible feeling of approaching an unexpected slow crawl on the road. But when this affects our military's ability to get to base, do the job, and be ready for anything, that is when we can't just sit and wait for it to get better. We must do more.

Please consider updating regulations to meet this critical need, or we will need to find another way to address this unsustainable situation.

Thank you for your time.

Chairman McKeon, Ranking Member Smith, I want to thank you and this Committee for the opportunity to share with you some of the national security priorities I hold for the upcoming year on behalf of the Eighth District of North Carolina.

As I have traveled around communities in North Carolina, people have consistently told me that restoring fiscal responsibility is their number one priority, and that they sent me to Washington to force the government to live within its means.

Accordingly, I am committed to cutting spending, reducing the size of government, promoting economic growth, and balancing our budget.

Today, I would like to discuss a number of issues: namely, the challenges that we must face along with our allies and partners; the commitments we have made to our men and women in uniform, and the importance of ensuring accountability and transparency when trying to maintain a strong national defense in a tough budget environment.

While we've seen the gradual reduction of core Al-Qaeda's influence, it's important to remember that we continue to be engaged in a global conflict against increasingly factionalized groups that seek to do us harm, along with the states that support them.

A failure to exercise US diplomatic and military leadership means nuclear states like Iran and North Korea will be able to bully the international system both through direct threats and their proxies.

North Carolina is fortunate to be home to over 700,000 proud veterans, and I am lucky to represent a District that has a strong military presence given its proximity to Fort Bragg. I just returned from a productive visit to Camp Mackall, an extension of Ft. Bragg where some of America's finest train to become part of the special forces, and I am pleased to report on their fine work.

The men and women at Fort Bragg have matchless capabilities and unique missions. I look forward to continuing working with the base to ensure that their priorities are met when it comes to equipment, facilities, and training.

As the United States increases its Special Operations and Airborne operations presence, it is critically important that we support in depth training and techniques, an area where Ft. Bragg continues to excel. I look forward to working with you and this Committee to provide the necessary resources to ensure the utmost success for our dedicated men and women in uniform there.

While I recognize that this committee does not intend to reauthorize or make changes to the Authorization of Military Force this year, I would still like to take a moment to touch on the issue given its continued importance in regards to civil liberties and our ability to effectively prosecute terrorists.

I would like this committee to note that I will not support trading our guaranteed civil liberties for the promise of security. With that said, I also refuse to stand by and allow terrorists to be treated as common criminals. The Administration has taken that stance when it comes to pursuing those involved in the deadly September 11th attack on the U.S. Embassy in Benghazi and we have all seen the failure in results it has led to. Waiving subpoenas in the face of radical militants is simply not the way to protect America's interests.

This approach is also apparent in the Administration's attempt to close the prison in Guantanamo Bay and transfer over a hundred fifty terrorists to American soil or return them to their home nations. I cannot and will not support policies like this that threaten American's around the world.

The United States is a nation built on the premise of liberty and constitutional rights. We preserve a unique separation of powers so that we can ensure not one branch has too much power. The programs in the NDAA, like any other, fall within that system and it is our duty as elected Representatives to ensure it does not violate our privacy or civil liberties.

Thanks to the Committee for the opportunity to speak today and for your efforts on behalf of our nation's warfighters and their families.

**Statement for the Record
Rep. Sam Johnson (TX-03)
Committee on Armed Services, U.S. House of Representatives**

NDAA FY15 HASC Testimony

Chairman McKeon, Ranking Member Smith, Members of the Committee, thank you for the opportunity to present this testimony on the FY2015 National Defense Authorization Act.

As the Committee considers the NDAA, I would like to express my support for 5 specific defense priorities. Before going into further detail, below I have provided a brief overview of these requests:

1. Support full funding for Increment 3 of the P-8A Poseidon aircraft program.
2. Support full funding of the P-8A Poseidon's APY-10 Maritime Radar program.
3. Support full funding of SOCOM's Silent Knight Radar Program.
4. Oppose the Army's plan to divest the Kiowa Warrior modifications, line 24, in order to maintain a viable armed reconnaissance aviation platform.
5. Direct the U.S. Army to maximize the use of existing EPLRS Radios while pursuing a modernization strategy initially focused on non-digital combat teams.

P-8A Poseidon Multi-Mission Maritime Aircraft

Mr. Chairman, I would like to express my strong support for the P-8A Multi Mission Maritime Aircraft which will replace the aging P-3 aircraft. Specifically, I would like to express my support for Increment 3 of this program. The P-8A MMA program is a joint U.S. Navy-Australian development program, and based on an evolutionary acquisition strategy consisting of sequential increments that will retain aircraft and systems effectiveness throughout the acquisition.

While both Increment 2 and Increment 3 are in development today, they are independent programs with separate capabilities. Increment 2 is integrating mature technologies into the P-8 for an Initial Operational Capability (IOC) in 2016. Increment 3 is developing new technology that will be part of a suite of capabilities with a planned IOC of 2020. Both Increments are part of the P-8A modernization roadmap.

Increment 3 is focused on implementing a common, commercial off the shelf based, onboard central processor and data storage infrastructure. Increment 3's formally defined requirements are contained in a Capability Development Document (CDD 815-88-10) which was approved by Joint Requirements Oversight Council (JROC) in June 2010. The program directly supports OSD Better Buying Power directives the implementation of open architectures that break vendor lock and enable affordable competitions for best of breed solutions. The system must be compliant with DoD open architecture requirements and is planned for installation in all P-8A variants. The stated purpose of the program is to achieve substantial cost savings and enable Rapid Capabilities Insertion (RCIs) and Legacy Subsystem Migrations from single purpose computers or stove-piped unique data storage devices. The P-8A Increment 3 program lays the foundation for a rapidly reconfigurable, open architecture aircraft mission system able to affordably keep pace with our warfighters needs. The program currently is on track to develop acoustic sensor enhancements required to meet modern submarine threats, and eventually deliver fifteen critical capabilities to the U.S. Navy and to the Australians.

Raytheon is one of four prime contractors who was awarded a study phase contract and has submitted a prime proposal for the System Development phase of Increment 3, which is expected to start in the 4th quarter of FY14. The Raytheon led team includes Northrop Grumman, GD/AIS, L-3 and Rite Solutions Inc, a SDVOSB. Reduction in funding would result in a suspension or significant delay of Increment 3 activities in FY15 and a costly multiple year delay as the program is stretched out or restarted in FY16. Overall, there would be a multi-year delay in providing critical operational capabilities to the U.S. Navy, a reduction in the potential effectiveness of the P-8A platform in several mission areas, including for our Australian partners. Full funding in FY15 is required to continue the System Development phase and achieve predicted cost savings during Rapid Capability Insertions through best of breed competitions independent of the platform prime which Increment 3 enables.

In summary, I support the President's budget request for the P-8A Poseidon including full funding for Increment 3, in order to continue development. Thank you for your consideration of this request.

P-8A Poseidon APY-10 Maritime Radar

Mr. Chairman, I would also like to express my strong support for the P-8A Multi Mission Maritime Aircraft which will replace the aging P-3 aircraft. Specifically, I would like to express my support for the President's budget request for the P-8A APY-10 Maritime Radar.

The P-8A Poseidon, formerly known as the Multi-mission Maritime Aircraft (MMA), is based on the 737-800 ERX developed by The Boeing Company. P-8A is the replacement system for the P-3C, Orion. The P-8A system will sustain and improve the armed maritime and littoral intelligence, surveillance, and reconnaissance (ISR) capabilities for U.S. Naval forces in traditional, joint and combined roles to counter changing and emerging threats. The P-8A program is structured on an evolutionary systems replacement approach that aligns the processes employed for requirements definition, acquisition strategy, and system development into a dynamic and flexible means to attain the strategic vision for tomorrow's Naval forces.

The P-8A program reached initial operating capability (IOC) in November 2013. The first squadron, Patrol Squadron-16 (VP-16), deployed with six Poseidons to Kadena Air Base, Okinawa, Japan. The 7th Fleet Commander, Vice Admiral Robert Thomas, and the Navy Pacific Fleet Commander, Admiral Harry Harris, cited the aircraft's success during its ongoing maiden deployment. The Full Rate Production decision was announced by NAVAIR on January 3, 2014.

Through system design and development phase, Raytheon developed the Poseidon's APY-10 radar, which is largely a redesign of the APS-137 system currently operational on the P-3C. With the approval of Full Rate Production, Raytheon will produce future years' radars and supply directly to the Navy.

Maintaining the current yearly production rates allow economies of scale that will be lost if there is a reduction quantity or funding. Current budgeted quantities are below:

P-8A Aircraft	Prior	2013	2014	2015	2016	2017	2018	Remaining	POR
PB FY14 Plan	24	13	16	16	16	14	10	8	117

In summary, I support the President's budget request for the P-8A including full funding the P-8A APY-10 Maritime Radar. Thank you for your consideration of this request.

SOCOM Silent Knight Radar System

I write to express my strong support for SOCOM's Silent Knight Radar program, and the President's budget request for this system. In order to maintain the production schedule for this program, funding must stay secure.

The Silent Knight radar, Raytheon's AN/APQ-187, addresses obsolescence issues for today's legacy radar system on the MH-47G Chinook and the MH-60M Blackhawk aircraft. The Silent Knight Radar is the next generation Multi-Mode Radar (MMR) providing Terrain Following/Terrain Avoidance (TF/TA) capabilities. This MMR provides Special Operations Forces safe low-level flight, and safe ingress and egress in adverse environments. Silent Knight builds upon proven TF/TA lineage and incorporates next generation capabilities such as navigation support, ground mapping and weather information. The Silent Knight MMR provides safety, speed and surprise for airborne Special Operations Forces. Initial installation is targeted for the MH-47G & MH-60M platforms, with future installations planned for the CV-22 Osprey and MC-130 Combat Talon platforms. The total planned procurement is for 240 Silent Knight Radars.

In July 2013, SOCOM held a successful Milestone C, and has since engaged Raytheon for the first low rate initial production (LRIP) build for six Silent Knight Radars. Those six radar units are currently in production at Raytheon's Consolidated Manufacturing Center in Forest, Mississippi. The two year development phase continues toward its completion in April 2014. The progress toward tuning the radar's capability and functionality remains solid. In summary, I support the President's budget request for SOCOM's Silent Knight Radar Program.

OH-58D/F Kiowa Warrior Helicopter Program

Additionally, Mr. Chairman, I would like to express my strong support for the Army Kiowa Warrior OH-58D/F Helicopter Program. The Kiowa Warrior OH-58D is the Army's only light weight armed reconnaissance / scout helicopter. The OH-58D is the most utilized aircraft in combat today. It has the highest operations tempo (flight hours per aircraft per month) than any other Army helicopter and maintains the highest operational readiness rates (~85%). The Cockpit and Sensor Upgrade (CASUP) program is upgrading the Army's OH-58D Kiowa Warrior fleet of rotary wing aircraft with more capable, more reliable and more supportable sensors and cockpit avionics including Raytheon's Common Sensor Payload (CSP). The upgraded OH-58F First Flight was successfully completed in April 2013, and additional flight testing is now underway. The Army planned to upgrade 368 aircraft between FY14 and FY25 per requirements and planned operation of the Kiowa fleet until 2036.

Recent Army analysis explaining the KW Divestiture Option appear to overstate near term cost avoidance without considering the cost increases due to the higher operational and support costs of the Apache versus the KW. Army states there is a \$6.96B cost avoidance for a KW Service Life Extension Program (SLEP) and Upgrade which equates to \$18.9M per platform versus previously approved estimates of \$7.0M per platform. \$3B. The Army also has implied that the Apache AH-64E is already a sunk cost; however, the AH-64E upgrade has only been in production for less than 3 years and is budgeted as a yearly procurement well into the future. The annual operational cost per aircraft of an Apache is ~\$3.1M versus \$2.1M for a KW and the Apache requires more personnel to support. The 20 year life cycle cost of operating Apaches versus the KWs results in a cost increase of \$4.9 billion over divestiture of the KWs.

The KW is also much more deployable than the Apache. It can be rapidly deployed in a C-130 transport aircraft while the Apache cannot, which requires time consuming disassembly and re-assembly. Overall the KW's deploy-ability makes it the ideal choice for quick reaction type missions that are highly likely in

the future. In summary, I oppose the Army plan to divest the Kiowa Warrior fleet and recommend continuing to fund the Kiowa CASUP program under the Army's Kiowa Warrior modifications, line 24, in order to maintain a viable armed reconnaissance aviation platform. Thank you for your consideration of this request.

Enhanced Position Location Reporting System (EPLRS) Radio

Mr. Chairman, I would also like to express my strong support for the Army's EPLRS radio system. EPLRS continues to provide a critical tactical network capability for all DoD services and for Canada and Australia.

EPLRS provides the backbone data carrying capability for much of the USAF, the US Navy's Amphibious Assault Direction System, and the armies of Canada and Australia, two of the United States' most important allies in the Pacific Rim. Further, the EPLRS waveform was developed to counter the Electronic Warfare effects expected from a peer adversary, including heavy jamming and GPS denial in a contested A2/AD environment. It is the only Army lower tier waveform in the inventory designed to do so. EPLRS fits within the established Army networking architecture's lower tier, has authorized radio frequency spectrum and is already installed on vehicles within 15 Army brigade combat teams. EPLRS recently completed a \$20M cryptographic modernization and modern cryptographic keys are used by Army units in Korea and Afghanistan.

The Army's tactical radio strategy to divest EPLRS raises concerns given DoD has invested over a billion dollars to develop the capabilities found in EPLRS today. In the current budget constrained environment the Army should consider a bridging strategy to allow modernization of non-EPLRS equipped BCTs with JTRS HMS capability while continuing use of the EPLRS networking capability which DoD has already invested. Such an approach would maximize the DoD investment in EPLRS and JTRS while providing networked capabilities to a greater number of brigade combat teams.

Maximizing the use of existing EPLRS radios the Army owns today would provide a \$480M cost savings to DoD while affording greater capability across the Army by allowing the Army to peruse its network modernization strategy beginning with non-networked brigade combat teams. In summary, I recommend the US Army maximize the use of existing EPLRS radios while pursuing a modernization strategy initially focused on non-digital combat teams. I believe this approach will yield the greatest amount of capability for the Army at the lowest cost.

Thank you again for the opportunity to present my testimony on the FY2015 NDAA, Mr. Chairman. I look forward to working with the Committee to craft legislation that addresses these issues and supports our national security interests. Thank you again for your consideration.

Congressman Alan Lowenthal
Testimony
House Committee on Armed Services
April 9, 2014

Chairman McKeon, Ranking Member Smith, and Members of the committee, thank you for allowing me this time to discuss with you the importance of STEM education for the Department of Defense, specifically the STARBASE program.

Providing Science, Technology, Education and Math education to America's youth is critical to the global competitiveness of our nation. The STARBASE program engages local fifth-grade elementary students by exposing them to STEM subjects through an inquiry based curriculum and is currently active in 56 Congressional Districts throughout the country. The program is carried out by the military services because **the lack of STEM educated youth in America has been identified as a future national security issue by the DoD**. Last year both the House and Senate rebuked the Office of Management and Budget's (OMB) proposal to terminate this critical program.

And today I ask that you join me to again restore the STARBASE program at a modest funding level of \$30 million.

The DoD STARBASE program is one of the most cost-effective programs across all of the federal government, costing an average of only \$343 per student. Last year 3,062 classes were conducted in 1,267 schools, among a diverse 413 school districts, across the country. More than 70,000 students attended the program, bringing the total to 825,000 since its inception in 1993. STARBASE is one of the most educationally effective STEM programs as well. Studies show pre- and post-STARBASE youth demonstrate an undisputed improvement in STEM fields. Just as crucial is the positive disposition change the youth experience after participating in the exciting, hands-on, experiment-based program. Changing our children's' attitudes on math and science from negative to positive is a paramount achievement. Research shows that students begin to lose interest in STEM subjects as early as fourth grade and as a result, are not motivated to select the necessary high school courses that will allow them to pursue STEM careers in college.

As a member of Congress, I fully appreciate OMB's desire to consolidate STEM programs across the spectrum into one funding line. However, this is a national

defense issue and has been identified by the joint chiefs as such. STARBASE was created under the auspices of the Department of Defense to meet its critical needs in STEM-related fields. Fully, 67 percent of all those who entered the fields of science and engineering in the U.S. between 1995 and 2006 were immigrants. And many immigrants cannot acquire the national security clearances necessary to work on vital defense projects.

Again, I respectfully request that this committee reinstate the STARBASE program and authorize it at \$30 million for this and for future years to come.

STARBASE inspires America's youth to discover technical career fields that are imperative for future national security challenges. We cannot lose this battle and concede our technical edge to the rest of the world.

Thank you.

**Statement by U.S. Representative Cynthia M. Lummis
National Defense Authorization Act for Fiscal Year 2015
For the House Committee on Armed Services**

Chairman McKeon and Ranking Member Smith, thank you for providing members with the opportunity to submit testimony to the House Armed Services Committee about the Fiscal Year 2015 National Defense Authorization Act. I have tremendous respect for the task in front of you, especially considering the challenges our country faces during a period of ongoing fiscal constraints. Today I am here to offer my comments on issues I consider extremely important to the security and integrity of our great nation.

I believe America is a great nation, the greatest, in fact. Throughout our history, from its founding to the present, the strength of our nation has been continuously tested. And, as a nation, we have always risen to meet whatever challenges come our way.

These are difficult times. China's nuclear arsenal is expanding. Russia and other nuclear states like Pakistan are modernizing. Russia's ongoing aggression in Ukraine and North Korea's continued provocations against its neighbor and our ally South Korea are reminders that we continue to face geopolitical challenges and threats. We must be vigilant in our determination to protect the U.S. and our capabilities.

I realize that this discussion is framed by an unfortunate reality: that one of the greatest threats to our national security comes from within—our growing seventeen trillion dollars of national debt. In 2011, concern about our nation's massive debt led to enactment of the Budget Control Act and implementation of sequestration. Sequestration has created some very tough choices, especially for our nation's military. What is especially frustrating about the current situation is that no amount of discretionary cuts alone will solve our debt problem. Unless we get entitlement spending under control, those programs will continue to grow and constrict the rest of our budget until nothing remains.

Your committee faces no small task in determining how to provide for our nation's national security amidst this environment. Against the backdrop of these external and internal realities, it becomes even more important to use limited resources strategically, which leads me to the first area I would like to discuss. It is one I believe to be of particular concern to our long-term security and military capabilities.

1. Fiscal Year 2015 Air Force Budget Proposal

As you know, the Fiscal Year (FY) 2013 National Defense Authorization Act (NDAA) established a National Commission on the Structure of the Air Force (Commission) to assess future Air Force structure requirements and determine the right force and capability balance. The Commission's recommendations, which were released in January of this year, are intended to inform decisions regarding the future force structure of the Air Force. The Commission itself states that its "findings, conclusions, and recommendations for legislative and administrative

actions...will enable the Air Force to best fulfill current and anticipated mission requirements...” That is why I am so concerned that the FY15 Air Force budget does not take into account the Commission’s recommendations.

The Commission specifically recommends a greater reliance on the Air National Guard and Air Force Reserves, increasing integration of our Guard, Reserve, and Active Component Airmen, and increasing active associations, because doing so “will lead directly to improved processes and more effective and efficient employment of the Total Air Force.” Additionally, the Commission also recommends ensuring the concurrent modernization and recapitalization of equipment across the Guard, Reserves, and Active Components.

However, the FY15 Air Force budget request proposes doing the exact opposite of what this congressionally-established Commission determined would be the best strategy moving forward. Specifically, the FY15 Air Force budget proposes closing all C-130 Active Associate Units and divesting a number of C-130H Aircraft, which reside exclusively in the Guard, including Wyoming’s 30th Airlift Squadron, which is one of the oldest and most successful active association wings.

The Air National Guard provides 40 percent of the C-130 fleet and airlift capability. Forty percent: that represents a significant contribution to the Air Force total force capability. Yet, the Air Force budget includes no plan to support the modernization and recapitalization of the Air National Guard C-130 legacy fleet. This proposal contravenes the Commission’s recommendations and would have long-term negative consequences for our nation’s total airlift capability.

I would like to highlight one of the Commission’s many recommendations. To directly quote from the Commission’s report, “As the Air Force acquires new equipment, force integration plans should adhere to the principle of proportional and concurrent fielding across the components. This means that, in advance of full integration, new equipment will arrive at Air Reserve Component units simultaneously with its arrival at Active Component units in the proportional share of each component. As the Air Force Reserve and Active Component become fully integrated, the Air Force should ensure that the Air National Guard receives new technology concurrent with the integrated units.”

Congress established this Commission to guide us in making informed decisions regarding the best force structure for the future. We should follow the Commission’s recommendations to strengthen our Total Force rather than proceed with premature proposals that will do nothing but harm our air force capability. Therefore, I respectfully request that the House Armed Services Committee include the following language requests in the Fiscal Year 2015 National Defense Authorization Act (NDAA):

REQUEST 1:

TITLE: Air National Guard C-130 J-Model Recapitalization

BILL LANGUAGE: Authorization for Funding and Proportional and Concurrent Fielding of C-130Js to the Air National Guard

C-130J FIELDING REQUIREMENTS –

- a) *The Department of the Air Force is required to plan for, fund and field the Air National Guard with C-130J aircraft proportionally and concurrently as the Air Force fields them.*
- b) *Within 180 days of enactment, the Secretary and Chief of Staff of the Air Force are required to provide to the House Committee on Armed Services a modernization plan for the C-130H fleet and a full analysis and fielding plan for the C-130J to the Reserve Components in accordance with the National Commission on the Structure of the Air Force report.*
- c) *Until such time as the Secretary and Chief of Staff of the Air Force articulate a plan to concurrently modernize the Air National Guard, any delivery of C-130J aircraft after enactment of this Act will be to the Air National Guard.*

REPORT LANGUAGE:

The Secretary has not articulated to the committee a coherent plan for fleet-wide recapitalization of the C-130H fleet or how the Air Force plans to maintain medium-sized intra-theater airlift capacity and capability within both the Active and Reserve Components. The Committee is concerned that the Fiscal Year 2015 Air Force budget request fails to incorporate recommendations made by the National Commission on the Structure of the Air Force (Commission) regarding force structure and capability requirements. The Commission specifically recommends the concurrent fielding of equipment among the Guard, Reserve and Active Components. The Committee believes the FY15 Air Force budget does not provide for the continued support of the C-130 Fleet across all components. Therefore, as required by this Act, until such time as the Department of the Air Force articulates a plan to concurrently modernize the Air National Guard, any delivery of C-130J aircraft after enactment of this Act will be to the Air National Guard.

REQUEST 2:

TITLE: C-130 Active Associate Units

BILL LANGUAGE: Directing the Air Force to maintain the Active Associate Units

C-130 ACTIVE ASSOCIATE REQUIREMENTS –

- a) *The Department of the Air Force is required to continue to plan for, fund and support the Active Associate Units.*
- b) *Within 180 days of enactment of this Act, the Secretary and Chief of Staff of the Air Force are required to provide to the House Armed Services Committee a full analysis of the recommendations made by the National Commission on the Structure of the Air Force regarding integration of*

Active Associates as important to strength of the Total Force as they pertain to C-130 Active Associate Units.

- c) *Until such time as the Secretary and Chief of Staff of the Air Force provide to the House Armed Services Committee an analysis that indicates divestiture of C-130 Active Associate Units is appropriate, the Air Force shall take no action to reduce planning for, funding, or support of any C-130 Active Associate Unit currently functioning.*

REPORT LANGUAGE:

The Secretary has not articulated to the Committee a coherent plan for continued support of Total Force Integration within the Air Force. The proposal to draw down all C-130 Associate Units is contrary to the recommendations of the National Commission on the Structure of the Air Force. The Committee agrees with the Commission that Associations within the Air Force serve to strengthen the Total Force. Therefore, as required by this Act, the Committee requires the Secretary and Chief of Staff of the Air Force to provide to this Committee a full analysis of those recommendations as they pertain to C-130 Active Associate Units within 180 days of the enactment of this Act. As also required by this Act, until such time as the Secretary and Chief of Staff of the Air Force articulate to the satisfaction of the Committee an analysis that would indicate divestiture of C-130 Active Associate Units is appropriate, the Air Force shall take no action to reduce planning for, funding, or support of any C-130 Active Associate Unit currently functioning.

2. Detainee Provisions

Our Founding Fathers fully understood the importance of individual rights and liberty, considering them so fundamental to the core foundation of our country that those values are enshrined in our nation's guiding document, the U.S. Constitution. Indeed, our commitment to our constitutional rights is what makes this country so exceptional. That is why I continue to have serious concerns regarding the detainee provisions included in the FY12 NDAA (H.R. 1540), which authorizes the indefinite, military detention of American citizens.

Section 1022 of H.R. 1540 mandates military detention for foreign terror suspects. This provision specifically exempts American citizens. *Section 1021*, however, reaffirms and expands Congress' post-9/11 authorization of force. This provision authorizes the use of military force, including indefinite military detention, against anyone who was part of or "substantially supported" Al-Qaeda, the Taliban, or "associated forces" who target the U.S. or our coalition partners. This provision does not exempt American citizens, nor does it address the due process rights of American citizens who are suspected of terrorism and arrested on U.S. soil.

The fight against terrorism is both foreign and domestic, raising difficult questions about the President's war powers and the due process rights of American citizens suspected of terrorism. The existing language muddies the water in respect to citizens' due process rights, while at the same time authorizing sweeping detention authority for the President. To put it simply, an American citizen apprehended on U.S. soil should not be indefinitely detained without knowing

the charges. Our Founding Fathers separated power among the three branches of government precisely for times like these, when the temptation to consolidate executive power is most appealing.

I believe the process of preparing the FY15 NDAA provides Congress with the opportunity to clearly protect the rights of our citizens by expressly prohibiting indefinite detention without charge as far as U.S. citizens and lawful residents are concerned. The Senate passed an amendment to do exactly that during consideration of its FY13 NDAA (S.3254). That language clarified that, even if U.S. citizens and lawful residents are suspected of terrorism, they can only be detained if they are charged with an actual crime. This in turn triggers certain constitutional rights such as the right to a speedy trial and the right to a jury trial. Confirming the constitutional rights of U.S. citizens and lawful permanent residents would not jeopardize our ability to detain and interrogate foreign terrorists. Therefore, I respectfully request that the Committee include the following language in the FY15 NDAA:

REQUEST 1:

Prohibition on the Indefinite Detention of Citizens and Lawful Permanent Residents

Section 4001 of title 18, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b)(1) An authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States, unless an Act of Congress expressly authorizes such detention.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of enactment of the National Defense Authorization Act for Fiscal Year 2015.

(3) Paragraph (1) shall not be construed to authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”

Thank you Chairman McKeon and Ranking Member Smith for allowing me the opportunity to share my thoughts, concerns, and ideas. I would like to express my willingness to work with any Member to address these issues.

**House Armed Services Committee
National Defense Authorization Act for Fiscal Year 2015
Wednesday, April 9, 2014
2118 Rayburn House Office Building
Statement for the Record by Congresswoman Cathy McMorris Rodgers**

I appreciate the opportunity to submit testimony to the House Armed Services Committee. While America stands at a crossroads, our commitment to freedom, security, and to our service men and women and their families who have and continue to protect our nation must remain. As such, the National Defense Authorization Act for Fiscal Year 2015 must continue to further these commitments.

Afghanistan and the Middle East – along with turmoil in the Asia-Pacific region, Africa, and Eastern Europe – demonstrate the need to ensure that our total force has the tools they need to remain successful. This includes support for the National Guard members and Reservists who play an instrumental role in our nation’s military strategy. We also need to translate these successes here at home – strengthening TRICARE, increasing support for spouses and children, and providing support to our veterans who have honorably served. We need to remember that when a service member joins the military, it is not just a job – it’s a family commitment to our country.

In my district, there is no better example of these contributions and needs than Fairchild Air Force Base. Home to more than 4,700 military members and 1,100 civilian personnel and their families, Fairchild houses the Air Force’s 92nd Air Refueling Wing and the Washington Air National Guard’s 141st Air Refueling Wing. As such, Fairchild is vital to our nation’s aerial refueling effort and a key component to the Air Force achieving global-level reach. Additionally, over time, the aviation missions at Fairchild have been complemented by the development of the Air Force Survival, Evasion, Resistance and Escape (SERE) school and the Joint Personnel Recovery Center.

Recently, I have had the privilege of meeting with members of Fairchild Air Force Base, military and community stakeholders to discuss future needs. In the course of these meetings, the following key issues have been emphasized.

First, the importance of authorizing funding for the KC-46 refueling tanker program. The Air Force currently maintains two refueling tankers, the KC-135 and KC-10. A recent inventory conducted by Air Mobility Command reveals that the newest of the Air Force’s KC-135 were delivered in 1965, nearly *fifty* years ago. We know that refueling tankers play an integral role in our military operations, allowing the Air Force to achieve global-reach, and asking the current tanker fleet to support a 21st century defense operation is unacceptable.

While the Air Force and the Department of Defense will continue to operate in a restrained fiscal climate for the upcoming fiscal year, the importance of funding key modernization programs cannot be understated. The KC-46 refueling tanker program is the Air Force’s first step to recapitalize the aging KC-135 fleet. It is the Air Force’s number one acquisition program. Additionally, the Air Force has worked closely with the contractor to ensure that the program remains on schedule and the fixed-price incentive firm contract continues to be a model of a sound fiscal approach to an acquisition program of

this magnitude. Therefore, I urge the Committee to authorize funding for this program at a sustainable level in the National Defense Authorization Act for Fiscal Year 2015 to ensure that our air mobility operations remain superior.

Second, the importance of maintaining the Air National Guard (ANG). The ANG has and continues to play a critical role in our air operations – particularly as it relates to national security and emergency response operations. Members of the ANG have served and continue to serve on the front lines of our overseas military operations, at the same time responding to the needs of their local communities. I urge the Committee to continue to examine the contribution and cost savings associated with the ANG and provide appropriate authorization levels.

Third, the importance of investing in the Air Force SERE school. The 336th Training Group, located at Fairchild Air Force Base, is home to the Air Force's *only* SERE school. The SERE School offers 22 different courses to 20,000 students each year.

The SERE school also houses the 36th Rescue Flight which services two purposes. First, the 36th Rescue Flight provides additional training to more than 3,000 students, including live rescue hoist training, para drop demonstrations, and combat rescue procedures training for students in the basic Combat Survival Course. Additionally, an aircraft and crew are on stand-by twenty-four hours a day, six days a week to provide medical evacuation coverage for students and instructors.

The 36th Rescue Flight also supports the National Search-and-Rescue (SAR) plan by conducting SAR and medical evacuation missions in a four state region (Washington, Northern Oregon, Idaho, and Western Montana). The unit utilizes the *only* hoist-equipped aircraft and Night Vision Goggle-qualified aircrews in the Inland Northwest. On average, the unit responds to 15-20 calls for assistance each year and has been credited with saving over 650 lives since its inception in 1971. I urge the Committee to continue its efforts to support the SERE school and the 36th Rescue Flight.

While I recognize the need to reduce costs, I do not believe the reduction should come at the expense of maintaining a strong national defense. I appreciate your consideration of these issues.

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CONTRACTING AND WORKFORCE
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SUBCOMMITTEE ON
MIDDLE EAST AND NORTH AFRICA



Grace Meng
Congress of the United States

Sixth District, New York

April 9, 2014

**CONGRESSIONAL ASIAN PACIFIC
AMERICAN CAUCUS**
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CHAIR
TASK FORCE ON
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Statement on: FY2015 NDAA: Design-Build Efficiency and Jobs Act of 2013, H.R. 2750; Security in Bonding Act of 2013, H.R. 776; Commonsense Construction Contracting Act of 2013, H.R. 2751

Chairman McKeon, Ranking Member Smith, and Members of the Committee:

Thank you for allowing me to testify on three bipartisan pieces of legislation that have the support of the House Small Business Committee. These commonsense proposals would increase the level of fairness that should be expected in any programs the government is involved in.

Combined, they help small businesses avoid unnecessary expenses when seeking a government contract, ensure the federal government is not being ripped-off, and most importantly, remove from the federal procurement system the bad actors who corrupt it for those playing by the rules.

Since I have only a few minutes, and three bills to cover, my remarks will be brief. The Design-Build Efficiency and Jobs Act of 2013, H.R. 2750, would clarify when agencies should use a two-step process to buy design-build services. Design-build contracts offer well documented benefits to the government, but can be very expensive to bid on, especially if the team is led by a small architect or engineer.

Indeed, submitting a full proposal on one of these contracts routinely costs over a quarter million dollars. Given that most architects make less than a million each year, this excludes well qualified firms from bidding – some have joked that they would be better served by taking the money to a casino.

H.R. 2750 addresses this problem by allowing any qualified company to submit a technical proposal, which is significantly less expensive than a full blown proposal. After the agency evaluates these technical qualifications, only the top 5 firms will be asked to submit a full proposal – therefore, they aren't wasting bid and proposal dollars and time on contracts they have no chance of winning. The government also benefits from this approach, which has already been adopted by the Corps of Engineers. By having more companies submit initial proposals, the government gets a better pool of initial competitors. However, since the government only needs to evaluate 5 full proposals, the government saves time and effort overall. This is truly a win-win approach.

The Security in Bonding Act of 2013, H.R. 776, addresses abuses of the surety bond process. Surety bonds are required whenever a company is doing construction work for the federal government, and these bonds ensure that the work is completed properly and that all subcontractors are paid. Unfortunately, there are well-documented cases where bad actors do not have the resources necessary to back the bonds they issue, placing both the government and small subcontractors at risk. H.R. 776 requires that bonds be worth the paper they are printed on, and that small businesses have access to quality surety bonds. This is a zero cost solution that protects all parties to federal construction projects.

The Commonsense Construction Contracting Act of 2013, H.R. 2751, improves the use of an often-abused procurement method: reverse auctions. Although reverse auctions may be acceptable for commodities or small items, several Corps of Engineers studies show that they are unacceptable in the construction industry. The practice should be ended immediately.

The legislation is supported by subcontractors and prime contractors alike, and would result in a higher quality project for any federal agency. Reverse auctions are a prime example of failing businesses competing in a race to the bottom. They will bid on projects at impractical levels in an attempt to keep the business afloat for a few more months. The projects, if completed, are shoddy. The Army Corps of Engineers has stopped using reverse auctions for construction services, but this legislation would ensure that ban is in place among all the federal agencies.

Thank you for your consideration of these bills. I hope you will strongly consider them for inclusion in this year's Defense Authorization.

DEVIN NUNES
22ND DISTRICT, CALIFORNIA

COMMITTEE ON WAYS AND MEANS

CHAIRMAN, SUBCOMMITTEE ON TRADE
SUBCOMMITTEE ON HEALTH

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**Statement for the Record
Rep. Devin Nunes
Hearing before the House Armed Services Committee
U.S. House of Representatives
On
The FY15 National Defense Authorization Act
April 9, 2014**

Chairman McKeon and Ranking Member Smith,

Thank you for this opportunity to testify.

Before I begin, I'd like to submit a GAO report for the record, titled "Defense Headquarters DoD Needs to Reassess Options for Permanent Location of US Africa Command."

Amid the challenging budgetary situation now facing the U.S. military, opportunities for significant cost savings have been identified in AFRICOM's operations.

I am proposing the relocation of AFRICOM headquarters stateside. The Government Accountability Office (GAO) reported that the transfer would save \$60 million – \$70 million annually. Additionally, the GAO estimated that the move would create more than 4,300 U.S.-based jobs and infuse \$350 million – \$450 million into the local economy. The office found no substantiating evidence or rationale for the DoD's decision to keep AFRICOM headquarters in Germany.

In fact, the placement of AFRICOM's headquarters in Germany was supposed to be temporary, and was done merely out of convenience since it was spawned out of EUCOM. My proposal would move AFRICOM stateside and have it operate much like CENTCOM and SOUTHCOM, which have their headquarters stateside with forward operating locations near the theater of operations.

In conjunction with this transfer, the Lajes Field air base should be designated as AFRICOM's forward operating base. Located on Portugal's Azores island chain in the mid-Atlantic, Lajes would be an exceptional staging ground for troop movements and training. Crucially, terrorist hot-spots in western Africa can all be reached from Lajes in less than five hours with few if any over-flight concerns, and ten of the eighteen African countries that hold State Department Travel Warnings can be reached within six hours.

To achieve additional consolidation and cost savings, the Special-Purpose Marine Air-Ground Task Force Crisis Response should be transferred to Lajes from Moron Air Base, Spain. In its current location in Moron, Spain, the readiness and effectiveness of the Task Force's troops is hindered by the lack of infrastructure to house, train and equip them. The base would likely require hundreds of millions of dollars in upgrades to make it a suitable location. By contrast, Lajes Field has implemented more than \$150 million of major infrastructure upgrades over the past 12 years to improve the quality of life, upgrade communication capabilities, bolster security, and enhance military operations.

It is in the national interest of the United States to save tens of millions of dollars annually and to bring thousands of jobs to the United States by moving AFRICOM headquarters from Stuttgart to the continental United States, and to create a dedicated forward operating base at Lajes that ensures the strategic reach required for AFRICOM's operations.

Thank you for your time today. I'd be happy to answer any questions you have.

Statement of Representative Beto O'Rourke (TX-16)
April 9, 2014
Armed Services Committee

Chairman McKeon and Ranking Member Smith, thank you for this opportunity to testify on the FY2015 National Defense Authorization Act (NDAA). I would also like to thank the Chairman, Ranking Member and their respective staffs for all their work in preparation of bringing the NDAA to the House floor in the coming months.

I have the distinct honor of representing the 16th Congressional district of Texas, which is home to Fort Bliss and the Army's 1st Armored Division. 29,000 soldiers and their families call Fort Bliss and El Paso home. The City of El Paso and surrounding community go above and beyond in their steadfast support of our Soldiers and their families and I am honored to represent them here in Washington, DC.

The relationship that Fort Bliss shares with White Sands Missile Range (WSMR) and Holloman Air Force Base makes the area one of the most important for our armed forces. The three installations encompass more than 3.3 million acres and nearly 10,000 square miles of airspace. As the largest open-air test range in the continental United States, WSMR serves as the preeminent research, development, testing, and evaluation mission for the military. Concurrently, WSMR provides training opportunities for the F-16 and MQ-9 Reaper and MQ-1 Predator training missions stationed at Holloman Air Force Base while also allowing the 1st Armored Division at Fort Bliss to engage in live-fire weapons qualification, combat skills training, and off-road vehicle maneuvers. Together, Fort Bliss, WSMR, and Holloman Air Force Base provide an unrivaled strategic advantage to our military for its training and testing and evaluation needs, an advantage that cannot be replicated elsewhere in the nation.

I would like to testify about four things today: (1) the budget situation facing the Army beyond 2015 and the ability of Fort Bliss and the surrounding community to adapt to the changing needs of the Army; (2) the importance of the Fillmore Canyon land transfer to Fort Bliss; (3) ongoing construction of the new William Beaumont Army Hospital on Fort Bliss and the need to ensure the three remaining increments of the project will be completed; (4) challenges Service Members face as they transition from the Department of Defense to Department of Veterans Affairs.

The Budget Situation

The two-year budget deal eliminates some of the uncertainty associated with funding levels in FY 2014 and 2015 and brings partial relief to our military. However, mandatory budget cuts remain in effect starting again in FY 2016. These cuts will impact Army readiness and place the 11,000 civilian employees at Fort Bliss and thousands more around the country at risk of furlough or job loss.

Even if a long-term budget compromise rolling back sequestration can be reached, the reality is that the Army will continue to reduce its active-duty end strength. By 2015, the

Army will reduce its end-strength to 490,000 Soldiers and complete its Brigade Combat Team (BCT) Restructure plan, bringing the total number of active-duty BCTs to 32. This reduction should be carried out in a way that avoids a hollowing out of the force, while simultaneously enhancing readiness, balance, and flexibility. Fort Bliss is well suited to help the Army meet those objectives. And, as the largest power projection installation in the nation, Fort Bliss demonstrates daily its ability to deploy and redeploy Soldiers wherever they are needed. To echo the words of Former Secretary of Defense Leon Panetta when he visited the installation, “let me be clear – Fort Bliss is the premiere post in America.”

Additionally, the El Paso region and the entire Fort Bliss community remain steadfast in support of our Soldiers and their families, investing heavily in improvements to infrastructure, quality of life projects, and education. We invested over \$2 billion in highway projects, new schools, and a children’s hospital alone. Recently we agreed to tax ourselves to pay for additional quality of life projects around Fort Bliss. The community’s support of this Army post is second to none. The recent \$5 billion of federal investment into the growth and expansion of Fort Bliss will also ensure that both the Army and surrounding community continue to benefit from this relationship well into the future.

During a time of difficult budgets, Fort Bliss offers the Army opportunities to adapt, innovate, and achieve its near term readiness priorities. Fort Bliss, in partnership with the community, built the largest in-land water desalinization facility in North America to meet the water needs of the installation for the foreseeable future. Building on that commitment to sustainability, the installation has committed itself to achieve “Net Zero” waste, water, and energy by December 31, 2018. Over the next four years, Fort Bliss is targeting to have up to 70 megawatts of renewable power. The installation will equip 4,700 homes with solar panels that will generate 13.2 megawatts of power by 2017 and has incorporated xeriscaping practices into its housing units. Fort Bliss is also investigating in other renewable technologies including wind turbines and geothermal wells that will provide the installation with additional power. The savings generated within the Operations and Maintenance (O&M) account as a result of Net Zero will provide the Army the added flexibility to direct those resources to other critical O&M needs such as training and equipment maintenance.

Fort Bliss has always responded swiftly when the needs of the Army have changed. In 2005, the post quickly adapted itself into a new, world-class home for “Old Ironsides,” the 1st Armored Division, providing nearly 1 million acres of maneuver area for this division to train. This transition from an air defense mission to a heavy armor mission serves as proof that Fort Bliss is capable of training virtually any type of unit in the Army force structure. Along with the re-stationing of the 1st Armored Division, the post also seamlessly received several brigade combat teams and numerous supporting units. This committee can be confident that Fort Bliss will continue to play a critical role in our country’s national defense for decades to come.

Fillmore Canyon Land Transfer

The Department of the Army has identified the Fillmore Canyon land transfer as a high priority “must have” in the NDAA. The proposal will ensure that Fort Bliss and WSMR are protected from encroachment and have the buffer necessary to continue their training missions in the area. This proposal would transfer the Fillmore Canyon to the jurisdiction of the Bureau of Land Management (BLM) and withdrawal BLM land on the south and west boundaries of the Fort Bliss Dona Ana training areas and Firing Range Complex from disposal to a third party such as a private development company.

Noise analyses performed by the U.S. Army Public Health Command indicate that noise from the Dona Ana tank gunnery and artillery range complex will travel off the installation into the Chaparral, New Mexico area to the south. It will also impact areas to the west, especially during periods of increased operations tempo. Projected noise levels are expected to be reached roughly 300 nights a year and are therefore incompatible with most potential development of the area, which could occur if the BLM land were to be disposed of in the future.

In addition, the withdrawal of this land from disposal by BLM will also avoid increased traffic and safety issues on War Road (Highway 213), a two lane rural road used by Fort Bliss units accessing the ranges and White Sands Missile Range employees who commute from El Paso.

Disposal to a third party of the BLM land proposed for withdrawal would likely result in encroachment and could ultimately result in training restrictions and impacts to the mission if developed for additional residential or other incompatible land uses. This jeopardizes the \$300 million investment recently made by the Department of the Army in Fort Bliss ranges.

I urge the support of this Committee for the inclusion of this land transfer authority.

Beaumont Hospital

Service members and their families depend on top quality health care from the Army. Thanks to the past work of this committee, the new William Beaumont Medical Center stands to fill this role. The hospital complex is now under construction and will have a seven-story hospital building with 135 private rooms; two, six-floor buildings with 30 specialty clinics; and a four-story administration building. Along with the generation of nearly 3,000 civilian and contractor jobs, the hospital is designed to last for the next 50 years. This timeline guarantees that the Army will have access to state of the art equipment and medical care well after we have all left Congress. The facility is expected to set a new bar in patient care through the combination of best strategies in hospital construction and patient care, including evidence-based design, the Leadership in Energy and Environment Design guidelines (or LEED), and the military’s new gold standard for medical facilities, “World-Class design.”

A large amount of the infrastructure has already been completed, including grading, utilities, parking, and roads to include a new overpass with access to the highway. The hospital has three remaining phases of construction and the timely completion of the new hospital is critically dependent on the funding of future increments. Specifically, these three remaining increments include:

1. Increment 5 – \$100 million for FY 14
2. Increment 6 – \$131.5 million for FY 15
3. Increment 7 – \$84.366 million for FY 16

As a result, I urge this committee to continue to support this project and remaining increments so that our Soldiers and their family members can continue to carry out their mission.

Transition of Service Members from DoD to VA

The El Paso region is home to over 80,000 veterans, and that number continues to grow as troops have returned home from Iraq and continue to do so from Afghanistan. As a member of the House Veterans Affairs Committee, I am focused on resolving discrepancies that arise during the transition from active duty to veteran status. One of my top priorities involves resolving the backlog of claims in the Integrated Disability Evaluation System (IDES). Other goals include finalizing an Integrated Electronic Health Record (IEHR); improving initiatives under the Transition Assistance Program (TAP); and implementing an Integrated Mental Health Strategy to increase continuity of high-quality mental healthcare.

Service Members transitioning under IDES currently wait for their ratings well beyond the program's stated goal of 295 days. At the Fort Bliss Warrior Transition Unit in El Paso, Service Members' claims languish, leaving them in limbo and unable to plan for their futures, seek jobs or attend college. While both DoD and VA share responsibility for the delays in IDES claims responses, Service Members transitioning in IDES wait an additional 185 days due to VA's failure to meet its benchmarks for the Ratings and Benefits phases of the process. I have asked VA to use any means available to prioritize clearing the IDES backlog immediately so injured Service Members waiting in limbo can move on with their lives, and hope DoD will similarly prioritize this crucial program.

I also urge this Committee to consider including in the FY15 NDAA a proposal I introduced this Congress that would further support Service Members as they transition out of DoD and into the VA. My bill, the Healthy Transitions for Veterans Act (H.R. 3045), would require the Department of Defense to perform two simple and common sense tasks:

1. Provide a comprehensive physical examination to all Service Members of the Active, Guard, and Reserve components who are separating from military service; and
2. Provide separating Service Members with a copy of their complete medical records electronically.

Service Members of the Guard and Reserve are currently not required to have physical examinations when separating from military service. As a result, Service Members of the Guard and Reserve who file disability claims with the VA are four times more likely to get an unfavorable decision than their active duty counterpart.

Until a fully functioning Integrated Electronic Health Record system can be implemented, giving all Service Members the ability to take ownership of their complete health record will allow them to transition from the military with the confidence that their health needs are expeditiously met in the VA.

H.R. 3045 has been endorsed by 14 Veterans Service Organizations, and is sponsored by six members of this committee- 4 Republicans and 2 Democrats. I encourage this Committee to consider this proposal for inclusion in the NDAA.

While I don't serve on the committee, I have a very keen interest in seeing these priorities carried out in FY 15. Thank you for the opportunity to testify.

Statement for the Record
Congressman Bill Pascrell, Jr.

National Defense Authorization Act for Fiscal Year 2015 Member Priorities
April 5, 2014

As Co-Chair and Co-Founder of the Congressional Brain Injury Task Force, I have spent the last thirteen years fighting for patients with brain injuries, both on and off the battlefield. We all know that traumatic brain injury (TBI) is the signature wound of the conflicts in Iraq and Afghanistan, and while we made great progress on ensuring our soldiers have the best care, there is still more work to be done.

The high rate of TBI and blast-related concussion events resulting from current combat operations directly impacts the health and safety of individual service members, and subsequently the level of unit readiness and troop retention. The Department of Defense (DoD) is actively seeking strategies to prevent, mitigate, and treat blast-related injuries, including TBI.

The DoD's Peer-Reviewed Psychological Health and TBI Research Program conducts extensive research on TBI; however, little is known about primary blast injury and its connection to TBI. Primary blast injury occurs when an explosion generates a blast wave traveling faster than sound and creating a surge of high pressure immediately followed by a vacuum. Studies show that the blast wave shoots through armor and soldiers' skulls and brains, even if it doesn't draw blood. Researchers still do not know the exact mechanisms by which primary blast injuries damages the brain's cells and circuits. However, the blast wave's pressure has been show to compress the torso, impacting blood vessels, which then send damaging energy pulses into the brain. The pressure can also be transferred partially through the skull, interacting with the brain. Understanding how a primary blast injury affects the brain is imperative to developing appropriate prevention measures, including ensuring proper equipment.

I recommend that the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015 direct the Department of Defense to conduct a study on blast injury mechanics covering a wide range of primary blast injury conditions, including TBI, in order to accelerate solution development in this critical area.

Another issue I would urge the Committee to address in the NDAA for FY 2015 is the establishment of public-private partnerships to address TBI. Fortunately, the government agencies and for-profit and non-profit entities working to address TBI are wide-ranging. Unfortunately, this often leads to these entities operating in silos with limited collaboration or exchange of information and resources. This is particularly pronounced between entities that work on TBI among the civilian population and those that work on TBI among the military population. Increasing collaboration and cooperation between agencies doing work on civilian and military TBI not only furthers our shared goal of ensuring proper prevention, diagnosis, and treatment of TBI, but is also an efficient use of limited government resources.

The Internet has been an important tool in reaching TBI survivors and their families. Public-private partnerships have provided millions of families with access to information, resources, and the latest developments in the area of TBI diagnosis and treatment. Unfortunately, one of the most successful, BrainLine.org, recently came to an end. One of the most important things I've learned since I began working on this issue is that TBIs do not discriminate. They impact people from all walks of life, at all different stages of life. But many of the experiences are the same.

I recommend that the NDAA for FY 2015 direct the Defense and Veterans Brain Injury Center at the Defense Centers of Excellence to enter into a public-private partnership to create a national online resource for civilian and military TBI survivors offering information and resources about preventing, treating, and living with traumatic brain injury.

I hope that going forward, these recommendations will be factored into the research and funding undertaken by the DoD. With continued work and adequate funding for research and treatment for PTSD and TBI, I know our service members will be able to attain improved health outcomes, live more productive and satisfying lives, and ultimately, save our nation millions of dollars in future care costs.

Member Testimony Submission
Representative Scott Perry (PA-4)
House Armed Services Committee
National Defense Authorization Act for Fiscal Year 2015
Wednesday, April 9, 2014

Mr. Chairman and Members of the Committee:

Thank you for holding this hearing today and for receiving testimony on the National Defense Authorization Act (NDAA) for Fiscal Year 2015. This critical legislation will chart the path for our military in terms of policy and funding. To be sure, in setting this course, Congress will need to make difficult decisions on a variety of issues to reflect the reality of shrinking budgets and the possibility of sustained sequester funding levels in out-years. Today, I'll focus my remarks on one particular decision that has raised significant concern with many of our fellow Members of the House: the Army's proposed "aviation restructure initiative" and its negative impacts on our National Guard.

As reflected in its FY15 budget request, the Army has begun a comprehensive restructuring of its aviation assets to "optimize their efficiency and utility at home and abroad." Under the terms of this restructuring, the Army will divest all single-engine rotary wing aircraft (for example, OH-58D/Kiowa Warriors) from its inventory, transfer all National Guard AH-64/Apaches to the active component, and replace them with 111 UH-60/Blackhawks. The Army alleges that this restructuring is necessary to generate savings and make more affordable the remaining aviation fleet. But the question remains, Mr. Chairman, savings at what cost?

Since 9/11, the National Guard repeatedly has risen to the occasion. They've answered the call and fought bravely in both Iraq and Afghanistan, as well as myriad missions around the world. At the height of these wars, nearly fifty percent of the Army's total force was a mix of reserve component personnel. The Pennsylvania Army National Guard alone contributed more than 21,000 overseas deployments. To meet these needs, the National Guard has transitioned from a strategic reserve to a fully operational force. They've partnered with and fought side-by-side their active component personnel, all while continuing to execute their missions domestically. As the National Governors Association recently put it best, the modern National Guard has become "a highly experienced and capable combat force and an essential State partner in responding to domestic disasters and emergencies."

Unfortunately, the Army's proposed aviation restructure initiative will have devastating impacts on all that the National Guard has achieved during these years of war. It will leave the National Guard deeply hollowed and much less capable. Notably, by stripping the National Guard of all of its Apache aircraft, the Army is ensuring that the National Guard will be less combat-ready and, most importantly, less able to provide operational depth. This consequence represents a fundamental shift in the nature and role of the National Guard and runs counter to the wisdom and preference of many members of Congress and their constituents.

H.R. 3930, the National Commission on the Structure of the Army Act of 2014, which was introduced this past January by Congressman Joe Wilson [SC-2], provides an excellent

framework for the Committee to work from in crafting this language. Notably, the bill freezes the transfer and divestiture of Army aircraft and maintains the National Guard end strength at 350,000 while a commission undertakes a “comprehensive study of the structure of the Army to determine the proper force mixture of the active component and reserve component, and how the structure should be modified to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and estimated future resources.” Among other things, the commission is tasked with “giving particular consideration to meeting the current and anticipated requirements of the combatant commands, achieving cost-efficiencies between the regular and reserve components, and determining a structure that maximizes and appropriately balances affordability, efficiency, effectiveness, capability, and readiness.” The members of the commission would be appointed by the President and the Chairman and Ranking Members of the House and Senate Armed Services Committees, and they would submit their findings, conclusions, and recommendations not later than February 1, 2016.

More than 150 of our colleagues already have declared their support for this considerate and deliberate approach. The independent commission model that it proposes has been endorsed by all fifty state governors. Without a doubt, this significant show of support makes it clear that the decision about whether and how the Army force should be restructured requires due deliberation and cannot be rushed. By including H.R. 3930 in this year’s NDAA, the Committee can ensure that result, and for that reason, I respectfully request such language is included in the final bill.

Again, I thank you for the opportunity to address the Committee about this important issue.



Congressman Pedro R. Pierluisi
Statement as Prepared for Delivery
Member Day Testimony on the Fiscal Year 2015 National Defense Authorization Act
House Armed Service Committee
April 9, 2014

Chairman McKeon and Ranking Member Smith:

Thank you for the opportunity to testify. I have two requests, which I will summarize.

Cleanup of Culebra, Puerto Rico (Title III)

First, I want to thank the Committee for ensuring that the report accompanying the 2014 National Defense Authorization Act (NDAA) encourages the Department of Defense (DOD) to make public all of its historic documents related to its training activities on the Puerto Rico island municipalities of Vieques and Culebra. I recently led a letter to Secretary Hagel, joined by 16 members of the House and Senate, requesting an update about how DOD will implement this language, and urging DOD to publish the relevant documents on the Internet in a single location.

While I am grateful to the Committee for urging DOD to be transparent about the *past*, congressional action is still required to address the significant *present* threat to public safety on Culebra. DOD has interpreted a 1974 law to deny funding to decontaminate a 570-acre parcel in Culebra—400 acres of which were conveyed to the government of Puerto Rico in 1982—that

constitutes the former bombardment zone. As a result, Culebra is the only former defense site, of several thousand across the United States, that DOD contends it is barred by statute from decontaminating.

In the last several years, DOD and some Members of Congress have opposed bicameral efforts to repeal or relax the relevant provision of the 1974 law. This opposition flies in the face of well-established federal policy that DOD is responsible for funding remedial action on property contaminated by its training activities. It is also difficult to understand, since CBO confirms that effective cleanup could be conducted over a period of years for a total cost of only \$6 million.

The current state of affairs on Culebra is a disaster waiting to happen, because the parcel in question includes popular beaches, pedestrian walkways and campgrounds. Since 1995, there have been over 70 incidents in which members of the public encountered unexploded munitions that could have caused grave harm. Indeed, in January, local authorities had to close a beach when they discovered a 100-pound unexploded bomb underwater close to shore. This past Friday, the Corps of Engineers issued a press release warning spring break visitors to Culebra to “exercise caution during their stay” and to “be on the lookout for any items that could be potential munitions, noting that “[t]he likelihood of encountering munitions on Culebra . . . is relatively high.”

In the 2010 NDAA, the House repealed the relevant provision in the 1974 law to authorize cleanup of the parcel, but receded in conference. In the 2012 NDAA, I offered a successful floor amendment expressing the sense of the House that the 1974 law should be relaxed or repealed if

the parcel could be cleaned at reasonable cost—which it absolutely can—but, yet again, the final bill was silent on the issue. I respectfully ask the Committee to again include language to modify the 1974 law and to defend this provision in conference. Mr. Chairman, I would like to work with you, Ranking Member Smith and Chairman Wittman of the Readiness Subcommittee to accomplish this goal—because I cannot and will not rest until this threat is properly addressed. The stakes are too high for my constituents and for the thousands of people who visit Culebra every year.

Drug Interdiction and Counter-Drug Activities to Combat Trafficking and Related Violence in Puerto Rico (Titles X, XIV)

My second request relates to the budget line for drug interdiction and counter-drug activities. No U.S. jurisdiction is more affected by transnational criminal organizations (TCOs) and drug trafficking organizations (DTOs) than Puerto Rico, which is a major transshipment point for drugs produced in Latin America and destined for the U.S. mainland. Drug consumption in Puerto Rico is also exceptionally high. The murder rate in Puerto Rico is far worse than any state, and most of the violence is linked to narcotics.

At my urging, the Defense title of the *2014 Consolidated Appropriations Act*, approved in January, expresses concern about the level of drug-related violence and Puerto Rico and requires DOD to brief Congress on the counter-drug activities it is taking—and intends to take going forward—to support law enforcement operations in and around the U.S. territory.

I am concerned that DOD has requested only \$719 million for drug interdiction and counter-drug activities in FY2015, compared to an FY2014 funding level of \$895 million. DOD is the lead

U.S. agency responsible for detecting drugs entering the U.S., including its territories, but it must request and receive more robust funding if it is to adequately perform that mission. General Kelly, the commander of SOUTHCOM, testified that, with its current fleet of boats and planes, the federal government is interdicting less than 20 percent of all illegal drugs being transported within the A-O-R. That has a direct impact on public safety throughout the nation, and especially in Puerto Rico.

Accordingly, I urge the Committee to provide increased funding for this budget line so that SOUTHCOM has more of the maritime and aviation assets it needs to prevent major shipments of narcotics from entering U.S. territory and destroying the lives of American citizens.

Thank you.

Testimony of Rep. Bill Posey (FL-08)
House Armed Services Committee
April 9, 2014

Dear Chairman McKeon and Ranking Member Smith,

Thank you for the opportunity to testify this morning. I appreciate the work you do in crafting the National Defense Authorization Act. This is no small task, and your work is crucial in ensuring the national security of the United States, which is by far the most important Constitutional responsibility of the federal government.

In addition to this testimony, I also submit a letter outlining priorities I believe are worthy of your consideration. Please allow me to highlight a few of these for you today.

First, I would like to thank the Committee for recognizing the “national importance of having a safe, secure, reliable, and modern space launch range infrastructure to support the national security space mission” in the FY2014 NDAA. Last year I testified on the importance of urging the Air Force to take steps to ensure that the Range Communications Building—also known as the “XY” Building—at Cape Canaveral Air Force Station is in sufficient shape to support our nation’s space launches. The deplorable condition of this building—with its structural problems, flooding issues, and outdated vacuum tube technology—must be addressed. I understand the Air Force rates this as the number one current mission MILCON priority for FY2013-2016. Please continue to urge the Air Force to prioritize resources, as appropriate, to modernize this vital launch infrastructure.

Second, I would ask the Committee to include in the NDAA a common sense provision that passed the House last year on a voice vote as part of an “en bloc” amendment relating to Space Available military transport. Unfortunately, this provision did not make it through the Senate or the conference process. The provision simply allows nonprofit organizations to ship

items to U.S. service members serving overseas on a space available basis. A similar policy is in place for sending cargo to foreigners under the Denton program. This provision, previously adopted by the House, gives the Secretary of the Defense the authority to do this for our own troops.

Next, I understand that there may be requests to the Committee that would require the Army to execute FY2014 appropriated funds for an additional non-competitive procurement for the Army's Joint Tactical Radio Handheld, Manpack, and Small Form Fit program (JTRS HMS). Without getting too technical, I would urge the Committee to instead continue the successful approach of the last few years and promote competition in the procurement process. Competition saves money in this case and drives competition. Sole source does neither.

In closing, I would ask the Committee to support the Army's network modernization with the Small Airborne Networking Radio (SANR) program; the continuation of a successful J-STARS fleet with the T-3 test aircraft; and proper utilization of the Kiowa Warrior in its last years of availability for the warfighter, including upgrades to ensure that if called into action our troops would have the best equipment possible.

Thank you for your consideration of these requests.

Testimony for National Defense Authorization Act for Fiscal Year 2015
Congressman Nick J. Rahall, II
April 9, 2014

Chairman McKeon and Ranking Member Smith,

Thank you for the opportunity to testify in advance of the House Armed Services Committee's consideration of the Fiscal Year 2015 National Defense Authorization Act. I urge the Committee to include H.R. 2841, the Guard and Reserve Equal Access to Health Act, in this year's bill.

H.R. 2841 is a top legislative priority for the American Legion and has also garnered the support of the Reserve Officers Association (ROA), the National Guard Association of the United States (NGAUS), the Association of the United States Navy (AUSN), and the Veterans of Foreign Wars (VFW). As well, H.R. 2841 has 44 bipartisan cosponsors, including the following Members of your Committee: Reps. Walter B. Jones, Joseph J. Heck, Steven M. Palazzo, David Loebsack, Niki Tsongas, Colleen W. Hanabusa, Ron Barber, William L. Enyart, and Marc A. Veasey.

H.R. 2841 would authorize a member of the Reserve Component to request a physical 90 days prior to their separation from the service. Further, the bill requires the Department of Defense to provide the servicemember with a copy of the records from the physical.

Separation physicals provide a vital record for the Department of Veterans Affairs (VA) to establish a service-connected disability, which is why Title 10 requires that members of the Active Component receive a physical upon separation from the service. However, the law does not apply equally to members of the Reserve Component. There is no option for Reserve Component servicemembers to obtain a physical at the end of their service obligation. As a result, disability claims submitted by veterans of the Reserve Components are denied by the VA at a disproportionate rate compared to their Active Component counterparts.

Currently, the physicals administered to Reservists by the Department of Defense occur at the time of demobilization, but such physicals are insufficient for determining a service-connected disability.

Keep in mind that when servicemembers return from their period of active duty, they are still in active service in the Reserve Component for the remainder of their service obligation or retirement. Therefore, many disabilities develop over a period of months, and even years, well after the demobilization examination but before a member of the Reserve Component leaves the military service. Also, Reserve Component servicemembers might be reluctant to report their symptoms at the time of demobilization, if they feel that doing so could impede them from returning home to family and friends, or would hinder their military advancement.

My bill aims to create parity between and the Active and Reserve Components. The men and women who volunteer to serve in the Guard and Reserve are given a physical to determine

their eligibility for service, and so they should be afforded the same opportunity as their Active Component counterparts to document their physical condition upon leaving the service.

I appreciate your consideration of my request.

Testimony of Representative Reid J. Ribble (WI-8)
Before the House Armed Services Committee
April 9, 2014

Mr. Chairman, Thank you for allowing me the opportunity to testify this morning. I appreciate the amount of work that your committee has before it and I commend you and your members for successfully completing your work every year. However, I know that the timetables of Congress can be challenging, so I thank you for setting aside this time for this hearing.

As you undertake your work on the FY15 National Defense Authorization Act, I felt it important to express my strong support for continuing the production of the Littoral Combat Ship, the LCS, at a rate of four vessels for FY 2015. This level of production was originally budgeted and in place per the 2010 Department of Navy's Dual Block Buy Acquisition Strategy.

The LCS is the rare military program that has seen costs actually decrease instead of increase over time. The LCS has adhered to stringent contractual and budgetary constraints and is locked into fixed-price contracts and a congressionally mandated cost cap. Littoral Combat Ships are being built today at an average cost of \$350 million per hull, well under the Cost Cap and at half the cost of the first ships of class.

Maintaining the original plan of four vessels in FY15 secures these savings and the negotiated block buy pricing. It also preserves the outstanding learning and efficiency curves at both of the LCS shipyards.

According to the Navy, the LCS is the most affordable ship in its fleet. Why then, while other shipbuilding programs continue to spiral out of control in cost and schedule, is the LCS program being considered for penalization in today's fiscally constrained environment?

If the current block buy is broken in FY15, the Navy will not only pay significantly more for ships currently under contract, but will lead to significant cost growth in the FY 15 - FY 19 vessels. The cost growth would be associated with changes in overhead absorption by spreading fixed overhead over a smaller production base, lost economies of scale, lost labor synergy, severance costs associated with reduction in labor force, and the potential exposure tied to the ability to recover the remaining book value of capital assets. Spending more, to get less, is not a sound fiscal or defense strategy and this committee should not go down that path.

A large portion of the production efficiencies which have driven down ship costs are attributable to industry's investment in both yards...in Marinette, Wisconsin as well as Alabama. This is private investment, unlike the public taxpayer investment in other Navy Ship Yards. These private investments were made on a commitment of two ships per year, per shipyard. Backing away from this commitment acts as a disincentive to private investment, and comes at an additional cost to the U.S. taxpayer.

I believe this is an important point to convey, Mr. Chairman...our government, by way of the Navy, has made a commitment to these shipyards. And these businesses took the government at its word and have moved forward with significant investment. The government should not break its promise to these workers and contractors.

There is an additional, critical, component to why this Committee should continue to support the construction of four vessels in FY15...both variants of the LCS continue to fill a strategic role the Navy repeatedly states it needs, both in brown and blue water scenarios.

A recently concluded Navy War Game underscores the relevance of the LCS today and in the future. The wargame highlighted the effectiveness, lethality and survivability of the LCS and its ability to fill a role not presently served by any other vessels in the fleet. Rear Admiral Thomas Rowden, the Navy's Director of Surface Warfare was quoted as saying, "They (LCS) can give the enemy a helluva hard time."

Rear Admiral Rowden also states that the LCS fits well with the current fleet: "The whole is significantly greater than its parts, the LCS could be tasked to do some destroyer-type missions to free up the DDGs for other jobs." He says, when used the correct way – the way the ships were envisioned -- they can take a punch and deliver one. This is not a vessel to scale back. We shouldn't be using Arleigh Burke Destroyers for tasks that can be done with less costly, more appropriate vessels. Each vessel has its place and purpose and that is certainly true for the strategic hole that the LCS is exceptionally capable of filling.

Echoing Rear Admiral Rowden's sentiments, Admiral Jonathan Greenert, Chief of Naval Operations, stated in a recent Senate hearing that, "The LCS is an important small surface combatant the Navy needs now and in the future."

We in Congress should listen to those who are tasked with managing these programs, those who know them best, and those who use them daily. We should stand with the Navy and continue to support the Navy's requirements for Littoral Combat Ships as originally planned.

I urge you to continue supporting the LCS program at a rate of four ships per year through Fiscal Year 2015. Thank you again, Mr. Chairman, for the opportunity to testify this morning.

Rep. Roby Testimony for HASC*Submitted for the Record*

9 April 2014

Rightly or wrongly, Congress has imposed on our military certain budget constraints that will require our commanders to make very tough decisions. Congress has asked them to do more with less, and to maintain a delicate balance of readiness, end-strength, and modernization.

I believe that the United States Army is endeavoring to do just that, and I want to recognize Army leaders for their efforts.

As you know, Army aviation provides critical capabilities to our commanders in the field. Army helicopters directly engage the enemy with devastating force. They move critical cargo and troops to the frontlines. And, when every second counts, they offer lifesaving transportation for our wounded warriors.

In response to budget cuts, the Army set out to review its aviation strategy in order to exploit efficiencies without compromising operational capability. The starting point was the reality that, in a time of smaller budgets, the number of combat air brigades must decrease. The end result is the Aviation Restructure Initiative, or ARI.

I have closely monitored the development of ARI since last fall, and I believe it is the right solution for Army Aviation given current fiscal constraints. ARI ensures that the Army is able to retain its most modern, capable, and survivable aircraft, while divesting legacy helicopters that are increasingly more expensive to operate and maintain. With the growth of unmanned aircraft capabilities, ARI also allows the Army to capitalize on new technology and harness the potential of teaming man helicopters with unmanned systems. This partnership will play a growing role in the future of Army Aviation.

ARI reduces the aviation fleet by almost eight hundred aircraft, with approximately eighty-six percent of those coming from the active duty component. Furthermore, by reducing the Army aviation fleet from seven to four types of aircraft, ARI will save money that can be redirected to modernizing our best utility, attack, and cargo helicopters. Importantly, ARI also enables the Army to continue the development of aviation programs such as Future Vertical Lift.

These are, however, benefits beyond simple cost savings.

As the Army Aviation Center of Excellence, Fort Rucker trains hundreds of new army aviators on an annual basis. These pilots—the best in the world—are the most important assets that an Army aviation brigade takes into battle.

Today, new students at Rucker begin their training on old, civilian style helicopters that have been flying since Richard Nixon was President. Tomorrow, under ARI, students at Rucker will immediately begin training in modern aircraft, complete with glass cockpits and dual turbo shaft engines. These aircraft operate much more similarly to the Apaches, Blackhawks, and Chinooks that Army aviators fly in operational units. The result is better training and likely a reduction in overall training time.

Given the reality of the situation, I believe that ARI is a logical answer to a difficult question. It will provide Army Aviation with the most capability while mitigating sustainment cost. It also ensures that the Army has the most flexible aviation force to accomplish the mission when our nation calls.

Thank you.

The Honorable Peter J. Roskam of Illinois
Testimony on U.S.-Israel Missile Defense Cooperation
House Armed Services Committee
April 9, 2014

Chairman McKeon, Ranking Member Smith, distinguished Members of the Committee: thank you for the opportunity to submit testimony for this critical hearing on our national defense priorities for the Fiscal Year 2015 National Defense Authorization Act.

Mr. Chairman, a cornerstone of the historic relationship between the United States and Israel is our cooperative missile defense systems. An increasingly volatile Middle East highlights the urgent need for these advanced defense capabilities. Iran's continued pursuit of nuclear weapons threatens regional and global security, while its terror proxies— Hamas, Hezbollah, and others—pose a growing threat to not only Israel, but our servicemen and women overseas. And the destabilizing impact from ongoing political upheaval in Egypt and Syria's bloody civil war represent new security challenges for the United States and our regional allies.

Tens of thousands of rockets are pointed at Israel at any given time, not including increasingly sophisticated missiles from Iran and its allies. We know the nature of these threats all too well. Just last month, Israeli naval forces intercepted a Gaza-bound arms cache from Iran that included Syrian-made M302 rockets and 80 mortar shells. Days later, Palestinian Islamic Jihad in Gaza launched dozens of rockets into southern Israel—the largest barrage in over two years. While the attack fortunately yielded no casualties, it underscores the very real dangers Israel continues to face from its neighbors.

We are all familiar with the unprecedented success of Iron Dome, which has intercepted hundreds of short-range rockets with near-precision accuracy since its deployment in 2011. With help from the United States, Iron Dome has saved countless innocent lives and prevented conflict escalation on numerous occasions. In 2013, the United States agreed to begin co-producing Iron Dome with Israel. In order to meet production needs, Congresswoman Grace Meng and I sent the Appropriations Subcommittee on Defense a programmatic request seeking \$350.9 million for Iron Dome in Fiscal Year (FY) 2015—an increase of \$175 million from the Administration's budget and \$115.9 million above FY 2014 funding. This partnership—between Israel's Rafael and American subcontractors—is creating jobs in the United States and providing us with a share in the advanced missile defense production technologies.

In addition, the United States and Israel are co-developing the David's Sling and Arrow 3 anti-missile defense systems. While the Arrow Weapons Systems has been operational since 2000 and targets medium-range ballistic missiles, David's Sling and Arrow 3 are expected to be deployed within the decade and will intercept multi-range ballistic and cruise missiles, including intercontinental, exo-atmospheric missile threats. These critical systems will help Israel defend itself against evolving missile threats from those who seek its destruction. Therefore, I requested \$268.7 million for FY 2015 funding the Arrow, Arrow 3, and David's Sling systems to sustain FY 2014 levels.

Mr. Chairman, during these challenging budgetary times we can and must prioritize federal funding for the programs where federal involvement can have the greatest impact on people's lives. These cooperative programs are without question one of these worthy priorities in need of our support. We all hope for a day when these systems are no longer necessary. But the tragic reality is that they are absolutely essential for our close ally Israel and for U.S. national and international security interests in an extremely volatile part of the world. I want to thank the Committee for its past support and I look forward to working with you to sustain and advance this partnership. Thank you again for the opportunity to submit this testimony.

Congress of the United States
Washington, DC 20515

April 9, 2014

FY15 National Defense Authorization Act – Member Testimony
Fulfilling our Promises

Thank you for allowing Members the opportunity to provide some input to the House Armed Services Committee about this year's annual National Defense Authorization Act (NDAA). My district in Central Florida has two VA hospitals in our backyard as well as the MacDill Air Force Base – home of the 6th Air Mobility Wing and 39 'Mission Teamates' including the United States Central Command and the United States Special Operations Command.

As the Representative of a community with such a strong military presence, I have had the honor to be advised by a number of active Veterans and military leaders.

Recently, I sat down with 12 retired General officers and eight Colonels who have had extensive experience at the highest strategic operational levels of the Department of Defense (DOD) and the Pentagon. This group also included four senior enlisted personnel and several military spouses. These constituents represent the sentiments of the Veterans, active duty servicemembers, and their families living across my District.

They made it clear to me that Congress must stop trying to balance our nation's fiscal problems on the backs of Veterans and active duty personnel. Congress must also stop using these proud men and women as political pawns.

Our servicemembers and Veterans have accepted recent cuts with honor and dignity – but that does not make what has happened right. Perception is reality. The men and women who took the oath to lay down their lives in the defense of our country should not see their earned benefits on the chopping block.

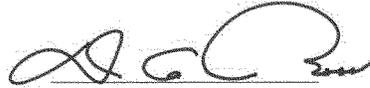
Unfortunately, on March 4, 2014, Secretary of Defense Chuck Hagel released his Fiscal Year 2015 budget request for the DOD, which included the proposed closures of commissaries, excessive increases in TRICARE payments, and reduced pay raises.

Service members and Veterans must be assured that their benefits will not be bargaining chips during future budget and policy negotiations. An NDAA that protects these benefits would send a clear message that this nation cares about those who sacrificed to serve. These benefits were earned with blood, sweat, and tears. They are not a handout that can be cut, and changes to current working-age military retiree's pension benefits should not be considered again.

Additionally, I have grave concerns about the Secretary's proposal to reduce the Army's budget and cut their force strength to pre-World War II levels. These cuts would negatively affect the Florida National Guard - leaving our state vulnerable in the event of a disaster such as a hurricane.

Fortunately, Congress has the ability to prevent these misguided reductions during this important NDAA process. Our military is the most advanced and well trained that the world has ever seen not just because of the latest in technology and weapons systems, but because of those men and women who volunteer to stand in defense of our country. You can be sure I will continue to share their recommendations and those of the Veterans who served before them as I fight to protect their benefits.

Finally, while I had planned on delivering this testimony in person, I am instead traveling to Fort Hood to pay my respects to the victims of the recent tragic shooting, including Sgt. First Class Danny Ferguson, of Mulberry, Fla., who grew up in my district. Sgt. First Class Ferguson courageously gave his life to save numerous military personnel. My thoughts and prayers go out to all of the friends and family of Sgt. Danny Ferguson as well as everyone else affected by this tragedy.

A handwritten signature in black ink, appearing to read "D. A. Ross", written over a horizontal line.

Rep. Dennis A. Ross (FL-15)

**Member Testimony Submission
Representative Keith Rothfus (PA-12)
House Armed Services Committee
National Defense Authorization Act for Fiscal Year 2015
Tuesday, April 8, 2014**

Chairman McKeon, Ranking Member Smith, and Members of the Committee:

Thank you for holding this important hearing today and for receiving testimony on the National Defense Authorization Act (NDAA) for Fiscal Year 2015. This important legislation will chart the path forward for our military in terms of policy and funding. To be sure, in setting this course, Congress will need to make difficult decisions on a variety of issues.

1. Army Aviation Restructure Initiative

This morning, I would like to focus my remarks first on one particular decision that has raised significant concern with many of my fellow Members of the House: the Army's proposed "aviation restructure initiative" and the negative impacts that it will have on our National Guard.

As reflected in its fiscal year 2015 budget request, the Army has begun a comprehensive restructuring of its aviation assets to "optimize their efficiency and utility at home and abroad."¹ Under the terms of this restructuring, the Army will divest all single-engine rotary wing aircraft (for example, OH-58D Kiowa Warriors) from its inventory, transfer all National Guard AH-64 Apaches to the active component, and replace them with 111 UH-60 Blackhawks. The Army has stated that this restructuring is necessary to generate savings and make the remaining aviation fleet more affordable. But the question remains, Mr. Chairman, savings at what cost?

Since 9/11, the National Guard has repeatedly risen to the occasion. They have answered the call and fought bravely in both Iraq and Afghanistan. At the height of these wars, nearly fifty percent of the Army's total force was a mix of reservists and members of the National Guard. The Pennsylvania Army National Guard alone contributed more than 21,000 overseas deployments. To meet these needs, the National Guard has transitioned from a strategic reserve to a fully operational force. They have been partners and fought side-by-side with the active component, all while continuing to achieve their important mission here at home. As the National Governors Association recently put it best, the modern National Guard has become "a highly experienced and capable combat force and an essential State partner in responding to domestic disasters and emergencies."²

Unfortunately, the Army's proposed aviation restructure initiative will have devastating impacts on all that the National Guard has achieved during these years of war. It will leave the National Guard deeply hollowed and much less capable. Notably, by stripping the National Guard of all

¹ News Briefing on President Obama's Proposed Fiscal 2015 Budget Request for the U.S. Army, presented by Major General Karen Dyson, Director, Army Budget, and Davis Welch, Deputy Director, Army Budget, on March 4, 2014.

² National Governors Association, Letter to the President Obama, February 28, 2014.

of its Apache helicopters, the Army is ensuring that the National Guard will be less combat-ready and less able to provide operational depth. It will also deprive our nation of an operational reserve for these aircraft, which is essential to retention and management of talented aircrews. This represents a fundamental shift in the nature and role of the National Guard. It runs counter to the wisdom and preference of many members of Congress and their constituents.

This issue is particularly important in Pennsylvania and to the 1-104th Attack Reconnaissance Battalion. Based in Johnstown, these highly-trained airmen and ground crew played an invaluable aerial support role while they were deployed in Afghanistan where they flew their Apache helicopters and fought alongside the active component. The Army now proposes to take all of these Apaches away and to replace them with a smaller number of older version Blackhawks that may or may not meet the standard of what active duty aircrews are flying. This reduction will deprive the National Guard of both highly-trained personnel (pilots and ground crew) and equipment. It will also result in the National Guard being less effective, less combat-capable, and less able to heed the call to defend this nation, both at home and abroad. Major General Wesley E. Craig, Adjutant General, Pennsylvania National Guard, summarized this well when he recently stated that this sort of result “does not make sense for our community, commonwealth, or country.”³

Of course, the 1-104th is only one example among many when examining the widespread negative impacts that will result from the Army’s aviation restructuring initiative. That is why we, as a country, need to take a hard look at the Army’s proposal and potential alternatives. When faced with similar circumstances, the Air Force successfully relied on an independent commission. I strongly believe that the Army should adopt a similar approach and would request the Committee include language to that end in this year’s NDAA.

H.R. 3930, the National Commission on the Structure of the Army Act of 2014, which was introduced this past January by Congressman Joe Wilson [SC-2], provides an excellent framework for the Committee to work from in crafting this language. Notably, the bill freezes the transfer and divestiture of Army aircraft and maintains the National Guard end strength at 350,000 while a commission undertakes a “comprehensive study of the structure of the Army to determine the proper force mixture of the active component and reserve component, and how the structure should be modified to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and estimated future resources.” Among other things, the commission is tasked with giving particular consideration to meeting the current and anticipated requirements of the combatant commands, achieving cost-efficiencies between the active and reserve components, and determining a structure that maximizes and appropriately balances affordability, efficiency, effectiveness, capability, and readiness. The members of the commission would be appointed by the President and the Chairman and Ranking Members of the House and Senate Armed Services Committees, and they would submit their findings, conclusions, and recommendations no later than February 1, 2016.

³ Major General Wesley Craig, Adjutant General, Pennsylvania National Guard, “Johnstown battalion is under attack,” The Tribune-Democrat, January 6, 2014.

More than 150 of our colleagues have already declared their support for this thoughtful and deliberate approach. The independent commission model that the bill proposes has also been endorsed by all fifty State Governors. Without a doubt, this significant show of support makes it clear that the decision about whether and how the Army force should be restructured requires due deliberation and cannot be rushed. By including H.R. 3930 in this year's NDAA, the Committee can ensure that result, and for that reason, I respectfully request that such language be included in the final bill.

2. Certification Requirements for Military Ejection Seats

I would also like to touch on a second issue this morning: certification requirements for military ejection seats. One of the most important jobs of Congress is to ensure that our armed servicemen and women have the best, most-proven technology available that will enable them to safely complete their missions. To do this, we must also ensure that this equipment is properly tested and certified, and I have submitted proposed language to the Committee that would help accomplish that goal in the area of military ejection seats.

Currently, the Department of Defense (DoD) relies heavily on industry-sponsored testing for ejection seats rather than government-sponsored testing by independent employees or facilities. Further, each service branch is able to establish their own certification process for ejection seat technology and how that technology operates in various airframes, and neither the individual service branches nor the DoD has released definitive requirements and specifications for fully-functioning ejections seats or published a complete set of standards or requirements.

In the absence of this sort of standardized information, certification and testing of ejection seats has been based on individual aircraft mission requirements, and joint operations or development has been minimal. This decentralized structure led to issues with the F-22 several years ago when a component from the F-16 was certified for use despite the fact that it had not been determined how the part would function with the garment and other subsystems.

This engineering failure endangered our pilots and exemplified the growing need for specific DoD-mandated standards for testing and evaluation. Standardization would allow manufacturers and industry partners to have confidence when selecting components that were certified or qualified before, and it would provide our pilots, whether operating new or legacy aircraft, with additional assurances that they are protected by the best and safest egress systems available.

Certainly, the ongoing Air Force study on Ejection Seat Safety and the use of Helmet Mounted Devices, authorized by the FY 2014 NDAA, will help in this process and ensure that aircrew safety concerns with legacy aircraft are addressed for future acquisitions. This study is not nearly enough, however, as we ultimately need a unified testing structure.

For that reason, I respectfully request that the Committee include my proposed language in this year's NDAA that would require the Air Force to set certification requirements for all of its egress systems. Only by establishing these sorts of qualifications and certified standards, test methodology, standardize processes, and risk evaluations can we ensure that our pilots have the safest, most critically tested safety equipment available.

I would again like to thank the Chairman, Ranking Member, and Members of the Committee for the opportunity to address you this morning, and I am happy to address any questions that you may have.

PROPOSED LANGUAGE RE: ARMY AIRCRAFT RESTRUCTURING INITIATIVE

113th CONGRESS
2d Session
H.R. 3930

To establish the National Commission on the Structure of the Army, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

January 27, 2014

Mr. WILSON of South Carolina (for himself, Mrs. HARTZLER, Mr. RAHALL, Mrs. MILLER of Michigan, Mr. PERRY, Mr. BISHOP of Utah, Mr. FRANKS of Arizona, Mr. ENYART, Mr. BARR, Mr. ROTHFUS, Mr. SIMPSON, Mr. COLE, Mr. CHAFFETZ, Mr. RUNYAN, Mr. CRAMER, Mr. MATHESON, and Mr. BARBER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To establish the National Commission on the Structure of the Army, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'National Commission on the Structure of the Army Act of 2014'.

SEC. 2. LIMITATION ON AVAILABILITY OF FUNDS FOR REDUCTIONS TO THE ARMY NATIONAL GUARD.

(a) Aircraft- None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Army may be used to divest, retire, or transfer, or prepare to divest, retire, or transfer, any aircraft of the Army assigned to units of the Army National Guard as of January 15, 2014.

(b) Personnel- None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Army may be used to reduce personnel below the authorized end strength levels of 350,000 for the Army National Guard as of September 30, 2014.

SEC. 3. NATIONAL COMMISSION ON THE STRUCTURE OF THE ARMY.

(a) Establishment- There is established the National Commission on the Structure of the Army (in this Act referred to as the 'Commission').

(b) Membership-

(1) COMPOSITION- The Commission shall be composed of eight members, of whom--

- (A) four shall be appointed by the President;
- (B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;
- (C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;
- (D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and
- (E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) APPOINTMENT DATE- The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE- If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(4) EXPERTISE- In making appointments under this subsection, consideration should be given to individuals with expertise in reserve forces policy.

(c) Period of Appointment; Vacancies- Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) Initial Meeting- Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) Meetings- The Commission shall meet at the call of the Chair.

(f) Quorum- A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) Chair and Vice Chair- The Commission shall select a Chair and Vice Chair from among its members.

SEC. 4. DUTIES OF THE COMMISSION.

(a) Study-

(1) IN GENERAL- The Commission shall undertake a comprehensive study of the structure of the Army to determine the proper force mixture of the active component and reserve component, and how the structure should be modified to

best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and estimated future resources.

(2) CONSIDERATIONS- In considering the structure of the Army, the Commission shall give particular consideration to evaluating a structure that--

- (A) meets current and anticipated requirements of the combatant commands;
- (B) achieves a cost-efficiency balance between the regular and reserve components of the Army, taking advantage of the unique strengths and capabilities of each, with a particular focus on fully burdened and lifecycle cost of Army personnel;
- (C) ensures that the regular and reserve components of the Army have the capacity needed to support current and anticipated homeland defense and disaster assistance missions in the United States;
- (D) provides for sufficient numbers of regular members of the Army to provide a base of trained personnel from which the personnel of the reserve components of the Army could be recruited;
- (E) maintains a peacetime rotation force to support operational tempo goals of 1:2 for regular members of the Army and 1:5 for members of the reserve components of the Army; and
- (F) maximizes and appropriately balances affordability, efficiency, effectiveness, capability, and readiness.

(b) Report- Not later than February 1, 2016, the Commission shall submit to the President and the congressional defense committees a report which shall contain a detailed statement of the findings and conclusions of the Commission as a result of the study required by subsection (a), together with its recommendations for such legislation and administrative actions it may consider appropriate in light of the results of the study.

SEC. 5. POWERS OF THE COMMISSION.

(a) Hearings- The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) Information From Federal Agencies- The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) Postal Services- The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) Gifts- The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) Compensation of Members- Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily

equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) Travel Expenses- The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) Staff-

(1) IN GENERAL- The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION- The Chair of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) Detail of Government Employees- Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) Procurement of Temporary and Intermittent Services- The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 4.

SEC. 8. FUNDING.

Amounts authorized to be appropriated for fiscal year 2015 and available for operation and maintenance for the Army as specified in the funding table in section 4301 of the fiscal year 2015 National Defense Authorization Act may be available for the activities of the Commission under this Act.

PROPOSED LANGUAGE RE: MILITARY EJECTION SEATS:**STANDARDIZATION OF ESCAPE SYSTEM TESTING & QUALIFICATION**

With the advent of 5th generation fighter aircraft technology the challenges to protecting aircrews from injury or death egressing from an aircraft have drastically increased. Increases as a result of an expanded anthropometric range, performance envelope expansion of aircraft, and the continuous upgrading and fielding of helmet mounted display (HMD) technology are now affecting escape system performance. This requires that the military services maintain the highest standards for evaluation and qualification of aircrew safety equipment despite meeting current, constrained budget environment.

To achieve this objective, a defined set of qualification/ certification standards, testing methodologies and number of US Government-conducted standardized tests should be formalized by the Under Secretary of Defense for Acquisition, Technology & Logistics, in conjunction with the Acquisition Executives of the Military Services. The Under Secretary should provide a report to the House and Senate Committees on Armed Services by March 31, 2015 with the results of this effort.

**Testimony of
Congressman Gregorio Kilili Camacho Sablan**

Before the House Armed Services Committee

Hearing on Member National Defense Priorities for the
National Defense Authorization Act for Fiscal Year 2015

April 9, 2014, 10:00 am
2118 Rayburn House Office Building

Thank you Chairman McKeon, Ranking Member Smith and Members of the House Armed Services Committee for the invitation to submit testimony on Defense priorities as you craft the National Defense Authorization Act for Fiscal Year 2015.

I request that you consider two provisions for inclusion in the 2015 NDAA. The first provision would be an amendment to the 2014 NDAA, which authorized \$29.3 million for Air Force divert airfield projects on the island of Saipan. I ask that the authorized location for these projects be changed to the Commonwealth of the Northern Mariana Islands out of consideration that the Air Force and the Commonwealth governments are discussing alternative locations for the divert airfield. The second provision would be language extending to December 31, 2019, the existing transition period for the implementation of federal immigration law in the Northern Marianas. This extension would help ensure the availability of labor for the Air Force divert project and other military construction in the Northern Mariana Islands and Guam associated with our nation's strategic military pivot toward the Asia-Pacific region.

In more detail the first requested provision would amend Sec. 2301 of the 2014 NDAA and designate the "Commonwealth of the Northern Mariana Islands," rather than "Saipan," as the site for expenditure of \$29.3 million for Air Force divert airfield projects. This change in designation would enable the funds to be used at sites other than Saipan. The change would be consistent with language that I worked with the Committee to include in the 2014 NDAA that bars expenditure of the authorized funds until the Air Force reports to Congress on the alternatives considered for the divert airfield and the overall construction requirements for the project. The change in designation would also be consistent with the Joint Explanatory Statement, accompanying the 2014 NDAA, that notes that the Commonwealth Governor has expressed concerns regarding Saipan as the proposed divert field location, and expresses the expectation that the Secretary of the Air Force will consult with the Governor with the goal of achieving a mutually agreeable solution with respect to location of divert projects and activities.

I would like to note for the record that, in my view, the island of Tinian should be the location for the divert capability projects. In the Northern Marianas' Covenant of Political Union with the United States, which was approved by over 78 percent of voters in 1975, the needs of the U.S. military were to be addressed and satisfied by the lease of two-thirds of the island of Tinian, portions of Tanapag Harbor in Saipan, and the entire island of Farallon de Mendinilla for fifty years with an option to extend for another fifty years. The Committee will appreciate that with only 176 square miles in the Commonwealth, we must be extremely careful apportioning

the use of lands. In addition, the use of land already leased or otherwise available to the Air Force should result in considerable savings of taxpayer dollars, an important consideration in this fiscally austere environment.

The second request I have for inclusion in the 2015 NDAA is language that would extend the current transition period for the implementation of federal immigration law established under P.L. 110-229. This extension would help ensure that there is sufficient labor available for construction and other activities associated with the military realignment—in the Northern Mariana Islands and Guam—by continuing an exemption from H visa caps for both jurisdictions. Draft language is attached.

When P.L. 110-229 was enacted in 2008, the military buildup in the Marianas region was thought to be imminent. Both House and Senate committee reports on P.L. 110-229 noted that a five-year transition period was necessary to help meet expected labor demands associated with the planned buildup. To date, however, much of this construction activity has been delayed, yet the transition period is set to expire at the end of this year. For this reason I am requesting that the transition period be extended for another five years until December 31, 2019.

I want to take this opportunity to thank the Committee for keeping a keen eye on the expansion of military activity in the Northern Marianas and for working with me as you did in the 2014 NDAA. The military buildup and presence in the Marianas region will have long-term consequences for the people I represent; and I appreciate the partnership of this Committee in managing these developments in the best interest of my constituents and of the national security needs of our nation.

Please feel free to contact me or my office should you have any questions or concerns.

1 Section 6 of Public Law 94-241 (90 Stat. 263; 122 Stat. 854) is
2 amended—

3 (1) in subsection (a)(2), by striking “December 31, 2014,
4 except as provided in subsections (b) and (d)” and inserting
5 “December 31, 2019”; and

6 (2) in subsection (d)—

7 (A) in the third sentence of paragraph (2), by striking
8 “not to extend beyond December 31, 2014, unless extended
9 pursuant to paragraph 5 of this subsection” and inserting “ending
10 on December 31, 2019”;

11 (B) by striking paragraph (5); and

12 (C) by redesignating paragraph (6) as paragraph (5).

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**Statement for the record as prepared by
The Honorable Glenn ‘GT’ Thompson (PA-05)**

House Committee on Armed Services, U.S. House of Representatives

**Hearing on: National Defense Priorities from Members for the
FY 2015 National Defense Authorization Act**

Wednesday, April 9, 2014

Chairman McKeon, Ranking Member Smith, Members of the Committee:

While I am not a member of the House Armed Service Committee, I appreciate the opportunity to submit a statement for the record, to address some of the priorities I have for the Fiscal Year 2015 National Defense Authorization Act (NDAA).

Under your leadership, the committee has done an excellent job supporting the brave men and women who serve our country, which is a passion I share with each of you.

Last year during the NDAA debate, I worked very closely with the committee on language to include a mental health assessment before someone could join the military.

This legislation was broadly supported in the House. However, similar language was not included in the Senate passed NDAA, and the language was subsequently not included in the conference report.

Since last year, several studies have been released, which further illustrate the need to evaluate the mental competencies of individuals prior to becoming part of our military. A recent Army study confirmed the need to address mental health issues in a timely manner, finding that “nearly one in five Army soldiers enter the service with a psychiatric disorder, and nearly half of all soldiers who tried suicide first attempted it before enlisting.” Additionally, the Journal of the American Medical Association found that a large percentage of suicides in the military were individuals who had never been deployed in a combat role.

On March 27, 2014, I introduced with my colleague, Representative Tim Ryan of Ohio, H.R. 4305, the Medical Evaluation Parity for Service members (MEPS) Act of 2014. This bipartisan measure would require a preliminary mental health assessment for recruits prior to service. Protecting the individual’s privacy was taken into the utmost consideration when drafting the bill; the language explicitly solicits the assistance of the National Institutes of Mental Health, along with the Center for Disease Control, Department of Veterans Affairs, and others, on recommendations and best practices for creating and carrying out this critical assessment.

The primary intent of the legislation is to bring mental health to parity with physical health during entrance screenings. This legislation would also have the secondary benefit of using the preliminary evaluation as a baseline measure, in order to identify significant changes in behavioral health,

including traumatic brain injury and/or post traumatic street injury, throughout our service members' military careers. The MEPS Act will assure the military will have a physically and mentally fit force capable of fulfilling its mission. While the MEPS Act is not a cure-all, it will be a significant step in further understanding a well-documented gap in behavioral health information that exists among our service branches, and of equal importance, it will assist with the mental wellness of our service members and veterans.

Since introduction, the MEPS Act has garnered nearly twenty cosponsors and the support of a dozen major military and mental health advocacy groups. With this in mind, I wanted to inform the Committee that it is my intent to offer the MEPS Act as an amendment to the FY2015 NDAA when it comes to the House Floor for consideration, and I respectfully request the Committee's continued support to elevate this important issue.

Additionally, since inclusion of the Servicemembers Telemedicine & E-Health Portability Act to the FY2012 NDAA (PL 112-81, Sec 713), I have worked in close coordination with both the Committee and Department of Defense (DOD) to increase the use and availability of telemedicine across the Military Health System (MHS). DOD has made great strides implementing the law, which has resulted in a steady increase in the number of telemedicine consultations over the past year. As you know, the MHS is currently being reorganized, with telemedicine becoming a greater priority. Efforts to further integrate standards and best practices for telemedicine across the MHS have shown signs of progress, as evidenced by an Integrated Product Team (IPT).

However, similar to previous statements I have provided for the House Armed Services Committee, I remain concerned with the slow pace of expansion and adaptation of telemedicine technologies across the MHS. It remains vital for the DOD to recognize the full potential for expanded access and cost savings that can be realized by utilizing the authority Congress has granted through PL 112-81, Sec 713. I respectfully request the Committee's assistance in encouraging the DOD to expedite their telemedicine expansion efforts, whether through increased directions, guidance and oversight, or pilot programs for military, reservists, and their respective families.

Additionally, I remain concerned that the DOD still does not permit service members to utilize telemedicine in their homes, despite being granted the authority under PL 112-81, Sec 713 to work across state lines on federal patients regardless of physical location. This severely limits the ability of service members to access professional consultation without the stigma that is often associated with seeking treatment at a public facility. I respectfully request the Committee's assistance to include language in the FY2015 NDAA to ensure the DOD moves forward with this important policy change.

Again, I would like to thank the Committee for the opportunity to provide this statement for the record, and I look forward to working with you on these important policy reforms.

Written Testimony of Congressman Paul D. Tonko (NY-20)
Before the House Armed Services Committee
on the National Defense Authorization Act for Fiscal Year 2015
10:00 am, Wednesday, April 9, 2014
2118 Rayburn House Office Building

Thank you Mr. Chairman for the invitation to testify before your committee today. I come before you first to advocate for the thousands of Veterans who served at Fort McClellan, Alabama and are seeking to know whether their service time there made them ill.

Shortly after I was first elected to Congress in 2008, I met with a constituent named Sue Frasier who had served at Fort McClellan in the 1970's as part of the Women's Army Corps. Sue described for me the numerous health problems she had experienced since her time at Fort McClellan, including fibromyalgia, autoimmune disorders, and asthma. Most significantly, Sue had to undergo a hysterectomy at age 37.

Sue's story is not an isolated one. As my office began to investigate this issue further, we've heard from hundreds of vets from all over the country who served at Fort McClellan that are experiencing similar health issues, consistent with PCB exposure. While there were many potential contaminants located on base, many suspect that these issues may be traced to a chemical manufacturing plant in neighboring Anniston, Alabama that released tons of PCBs into the air, soil and water.

I have introduced legislation that would notify those who served at Fort McClellan of potential contamination and create a voluntary health study to assess the validity of their claims. This issue has gained the support of 52 co-sponsors, including members of both parties on this Committee. I want to personally thank those of you on this Committee on both sides of the aisle that have lent your support to this pro veteran legislation. Our mission here is simple: obtaining basic information. Unfortunately, after five long years and support from many members on this Committee, we are still stalled. We have yet to have a hearing or a vote on this important issue. And this inaction has a price - while we wait, these veterans become sicker.

This is an issue that deserves debate in an open forum. I do not pretend to have all the answers, and I'm happy to work with anyone from either party to find a solution to this issue. However, what we cannot do is continue to turn a blind eye to these Veterans who are simply seeking to understand why they are so sick.

My bill, H.R. 411, is identical to previously enacted legislation tackling a similar issue at Camp Lejune. Caring for our veterans is a top priority and this is a debate worth having.

I urge this committee to consider language in the NDAA to address the needs of the Fort McClellan Veterans.

I also hope you will include language based on H.R. 3337, the Lieutenant Colonel Todd J. Clark Hero Flight Act, which bears the name of Todd Clark, an Albany, New York native who was tragically killed in action on June 8, 2013 in Afghanistan.

Todd wished to be buried at Fort Sam Houston; however, his family also wanted to have a hometown service to allow friends and family the opportunity to honor him.

But they were shocked to learn that they would be responsible for defraying part of the cost of transporting their son's body from Albany to San Antonio. After 17 years of service, five deployments, four bronze stars, and two purple hearts, I think you can understand why the Clark family believed asking them to pay out-of-pocket to allow friends and family to honor Todd was insulting.

Currently, it is the Department's policy to only provide one flight at Government expense for deceased service members. In this case, DOD paid for transport from Dover Air Force Base to Albany, but was unable to cover the cost to San Antonio.

I have suggested allowing for one stopover en route to final destination. This would enable service members who wish to be buried in a national cemetery to also have a hometown memorial service without worrying about the cost of transportation. This stopover would be completely optional, and it is very likely most families would utilize only one flight.

I understand DOD cannot be asked to fulfill burdensome requests, such as many flights crisscrossing the nation. One "stopover" represents a reasonable compromise that insulates the Department from extravagant costs while allowing families greater flexibility to fulfill their loved one's last wishes.

Some will argue that families should use the \$100,000 death gratuity to cover this expense. But I think we would all agree, for a family that has just lost a loved one, that money is better spent on mortgage payments, college funds, and rebuilding their lives. The cost of funeral arrangements is the last thing they should be worrying about.

Truthfully, I do not know how many people have paid this expense or changed their arrangements to avoid extra costs, but I do know the Clarks are not alone.

When a service member and her family make the ultimate sacrifice, the least we can do is make sure family and friends have ample opportunity to honor and memorialize her. How we treat our fallen heroes and those who grieve for them says a lot about us as a nation. All I am asking is that we do a little bit more.

Thank you again, Mr. Chairman, for hearing my testimony today. I would be happy to answer any questions or follow-up with additional information.

Representative Ann Wagner (MO-2)

Mr. Chairman and Ranking Member, and Members of the Committee. Thank you for the opportunity to talk about a key defense priority for the United States Navy – and our Nation – the EA-18G Growler.

The 2014 Quadrennial Defense Review notes, “In the coming years, countries such as China will continue seeking to counter U.S. strengths using anti-access and area-denial (A2/AD) approaches...” Full spectrum airborne electronic attack has been identified by the Navy and the Department of Defense as a critical and required capability for our forces to effectively and successfully operate in these challenging environments. As the Chief of Naval Operations Admiral Jonathan Greenert has stated, control of the electromagnetic spectrum is critical to the warfighting mission today and in the future.

As you know, the Growler is the Nation’s only full spectrum airborne electronic attack aircraft. It provides this unique capability off of Navy aircraft carriers and provides support for joint force land bases. It is truly the tip of the spear as our forces enter into contested air environments. Recognizing that there is a warfighting need, the CNO submitted an “unfunded priority” for 22 additional Growlers for congressional consideration of the Fiscal Year 2015 defense appropriations

The stakes are quite high, and the time to act is now. Without additional Growlers to meet the Navy’s unfunded priority, it is likely that the F/A-18 manufacturing line will shutter. To avoid this very predicament, last year Congress added \$75 million in Advanced Procurement funds for the F/A-18 in the Fiscal Year 2014 Defense Appropriations Act – enough for 22 aircraft.

Another critical consideration is the Nation's defense industrial base for tactical aviation. Today, there are multiple providers for tactical aviation, sophisticated tactical radars, and strike fighter engines. With the end of the F/A-18 production, however, DoD will be left with only a single manufacturer in each one of these areas. This scenario limits warfighting surge capacity, eliminates competition that drives innovation and cost control, and imperils future development programs. Moreover, the F/A-18 program supports American manufacturing, including 60,000 jobs, 800 different suppliers and vendors, and provides \$3 billion in annual economic impact.

For these reasons, I have authored a House letter to your Committee asking for consideration of the Navy's "unfunded priority" of additional Growlers. I hope it demonstrates to you that there is broad support for this request across Congress – to support both the warfighter and the defense industrial base.

I look forward to working with this committee and supporting the process as the National Defense Authorization Act moves through the House of Representatives.

Written Testimony

April 9, 2014

Congressman Roger Williams (TX-25)

Chairman McKeon, Ranking Member Smith, Members of the Committee,

Thank you for the opportunity to address the House Armed Services Committee to highlight a matter that is imperative for this Congress to act on – the Honoring the Fort Hood Heroes Act.

As you are all fully aware, in November of 2009, our nation was viciously attacked when an Islamic extremist opened fire on our troops at Fort Hood. We lost 14 innocent Americans that day – 12 military members, one civilian and an unborn child. Since the attack, the victims and survivors have received an outpouring of support from the surrounding community and nation, but not from the federal government.

During the military court-martial for the shooter, an Army major and psychologist, the accused admitted to shooting his fellow soldiers, saying he switched sides in what he called a U.S. war on Islam. Weeks before the trial, he released seven pages of handwritten documents to Fox News renouncing his U.S. citizenship and abandoning his military oath as a commissioned officer. He even told potential jurors that he supported Taliban and Shariah law.

He has done everything in his power to make it clear beyond a shadow of a doubt that his intent was to harm and kill U.S. soldiers in efforts to aid America's enemies.

It is beyond comprehension, then, that the current Administration has labeled this gruesome attack as "workplace violence" rather than a terrorist attack. Since the days following the shooting, the Pentagon's designation has favored political correctness over truth and justice. Nobody in America agrees that this was just a disgruntled employee...especially not the victims.

By labeling the 2009 attack as workplace violence, the victims and families of this tragedy are denied the benefits and treatment their counterparts receive who are injured or killed while serving in overseas combat zones. This extreme negligence has caused many victims to have to pay out of their own pockets for treatment – one man has even paid upwards of \$70,000. As Americans, we must demand the Pentagon fix this by reclassifying the shooting as combat related or by determining any other route that will allow the injured troops to be able to feed their families, receive sufficient medical treatment, and move forward with their lives. Anything less is a disservice to our country and an insult to all who wear the uniform.

Congressman John Carter (R-TX31) and I have been diligently garnering support for H.R. 3111, the Honoring the Fort Hood Heroes Act, a bipartisan bill with 225 cosponsors- which includes many members of this committee, as well as, Chairman McKeon. This bill would ensure the victims receive the benefits and military awards they deserve along with labeling the shooting as a terrorist attack. To date, the victims of the Fort Hood terrorist attack have not received the same awards and benefits as their deployed counterparts who are wounded or killed either through enemy action or a terrorist attack, because this attack took place on U.S. soil rather than in a designated combat zone such as Afghanistan. H.R. 3111 would correct this inequity and

provide these benefits to the Fort Hood victims. In addition, the federal government set a historic precedent when it awarded military victims of the September 11, 2001 terrorist attacks with the Purple Heart medal, and civilian victims with the Secretary of Defense Medal for the Defense of Freedom, and this legislation will continue that precedent for the Fort Hood victims. Included in our bill is the following:

Bill Summary:

- Declarations of Policy. The bill would declare that: (1) the attack constituted an act of terrorism; (2) the attack on Fort Hood could and should have been prevented, (3) the perpetrator, Nidal Hasan, had become radicalized and was principally motivated by an ideology of violent Islamist extremism; and (4) Hasan proved himself to be a traitor and an enemy of the U.S.
- Military Awards. The bill would require the Secretary of the Army to award Purple Hearts to those Soldiers who were killed/wounded in the attack, and require the Secretary of Defense to award the Secretary of Defense Medal of Freedom (Purple Heart equivalent for civilians) to civilians who were killed/wounded.
- Certain Benefits. The bill would provide certain benefits to the victims of the attack who were killed/wounded and their families, by deeming the killing/wounding to have occurred:
 - For Soldiers, in a combat zone and at the hands of an enemy of the United States.
 - For civilian DoD employees, by hostile action while serving alongside the Armed Forces during a contingency operation, and in a terrorist attack.

Possible Benefits: Under this legislation, victims and families of victims of the Fort Hood terrorist attack would be made eligible for certain benefits that have been withheld from them, including:

- Combat-related special compensation;
- Maximum coverage under Servicemembers' Group Life Insurance;
- Tax breaks after death in combat zone or terrorist attack;
- Special pay for subjection to hostile fire or imminent danger;
- Unearned portions of bonuses;
- Combat-related injury rehabilitation pay; and
- Meals at military treatment facilities.

I know I speak for dozens of my colleagues and millions of Americans when I implore you to take into account this bill language as the Armed Services Committee considers its defense priorities for the 2015 National Defense Authorization Act (NDAA).

Again, thank you for the opportunity to submit this statement. I look forward to working with the committee as we protect those who risk their lives protecting us.

BASE REDEVELOPMENT & INDEMNIFICATION CORRECTION ACT
TESTIMONY - MR. YOUNG OF INDIANA

Mr. Young:

Mr. Chairman, I am here today to thank the Armed Services Committee on their excellent work. I want to take an opportunity to highlight an issue I have had the pleasure of working on, both during my tenure on this distinguished committee, and throughout the course of my time in Congress. A provision was included in the Fiscal Year 2013 National Defense Authorization Act (NDAA) requiring DoD to produce a report on issue of great significance to Southern Indiana and eighteen other areas with former DoD installations.

During my time on the Armed Services Committee, I learned of a discrepancy in the law where military facilities closed outside of the BRAC process are not given the same indemnification against liabilities that are a result of hazardous substances leftover from any previous DoD activities. Several army ammunition plants were closed outside of the BRAC process and—because DoD is not required to maintain responsibility for potential problems related to military use on those sites—potential redevelopment of these properties is hindered.

In the 112th Congress, during consideration of the FY2013 NDAA, I introduced the Base Redevelopment and Indemnification Correction (BRIC) Act. This legislation would have extended the same BRAC protections to non-BRAC closed facilities. The legislation was included in the House-passed NDAA but was removed during conference negotiations with the Senate. However, language was adopted that required a DoD assessment of the status of these former defense facilities, as well as recommendations to facilitate their redevelopment.

On March 6th of this year, the report was released to this Committee by the DoD's Installations and Environment office. I would like to extend my appreciation to Deputy Under Secretary Conger and his office for their hard work in aggregating this report and their willingness to work with my office throughout the entire process. Though the report was met with continued delays, Mr. Conger's office was communicative throughout the process and I applaud their willingness to dialogue on this important issue with my office and the relevant stakeholders.

However, I maintain significant reservations with the conclusions reached within the DoD report. The brief report concludes stating, "The Department does not believe there is any basis for establishing such [broad] new liability ... Has no further recommendations regarding the need for additional authorities to expedite the disposal of real property at closed installation in order to facilitate economic redevelopment for local communities."

Despite these DoD conclusions, affected communities continue to express significant reservations with these non-Brac closed facilities, highlighting the need for further consideration of this dilemma. The crux of the Department's argument relies on the consequence of retroactively extending 330-type indemnification to the 19 facilities identified within the report. However, I firmly believe that the DoD must maintain responsibility for all activities carried out while these facilities were owned and operated by the Department. Some of these facilities continue to face impediments redeveloping the land, as developers maintain significant reservations with future liabilities that could arise as a result of former DoD activities. Local redevelopers should not be held responsible for any lingering issues that were a result of DoD operations.

I am sympathetic to this fiscal argument and understand the uncertainty that extending this indemnification could impose on the Department. That is why my office has re-crafted the BRIC Act to reflect some of the concerns mentioned within the report. In an effort to ensure the DoD is not liable for "windfall payments" to current owners and developers, I have molded the language to limit the scope of this legislation. This newly

crafted legislation would limit the extension of 330 indemnification to properties closed outside of the BRAC process that are still under the control of DoD. This language will ensure that properties that have successfully been developed by local communities do not reap these "windfall payments" while still ensuring those properties trapped in limbo receive the indemnification and are able to be seamlessly transferred to local redevelopers.

I thank the Chairman for his continued support to address this ongoing issue and urge inclusion of this language within the FY 2015 NDAA. I look forward to working with the Committee throughout consideration of the NDAA and thank the Committee for the opportunity to testify today.

DOCUMENTS SUBMITTED FOR THE RECORD

APRIL 9, 2014



United States Government Accountability Office

Report to Congressional Committees

September 2013

DEFENSE HEADQUARTERS

DOD Needs to Reassess Options for Permanent Location of U.S. Africa Command

GAO-13-646

GAO Highlights

Highlights of GAO-13-646, a report to congressional committees

Why GAO Did This Study

A House Armed Services Committee report accompanying a bill for the National Defense Authorization Act for Fiscal Year 2013 mandated GAO to conduct an analysis of options for the permanent placement of AFRICOM headquarters. While GAO's work was ongoing, DOD announced its decision to keep AFRICOM's headquarters at its current location in Stuttgart, Germany. This report addresses the following questions: (1) What courses of action did DOD consider for the permanent placement of AFRICOM headquarters? and (2) To what extent was DOD's decision to keep AFRICOM headquarters in Stuttgart based on a well-documented analysis of the costs and benefits of the options available to DOD? To meet these objectives, GAO analyzed documents provided by and interviewed officials from the Office of the Secretary of Defense, the Joint Staff, and AFRICOM and other combatant commands.

What GAO Recommends

To meet operational needs at lower costs, GAO recommends that DOD conduct a more comprehensive and well-documented analysis of options for the permanent placement of the headquarters for AFRICOM, including documentation on whether the operational benefits of each option outweigh the costs. DOD partially concurred with GAO's recommendation, stating that the decision was based primarily on military judgment but that it will perform additional analysis of the location of the headquarters if the Secretary deems it necessary. GAO continues to believe such analysis is needed.

View GAO-13-646. For more information, contact John H. Pendleton at (202) 512-3489 or pendleton@gao.gov.

September 2013

DEFENSE HEADQUARTERS

DOD Needs to Reassess Options for Permanent Location of U.S. Africa Command

What GAO Found

The Department of Defense (DOD) has considered several courses of action for the placement of the headquarters for U.S. Africa Command (AFRICOM) but decided in early 2013 to keep it in Germany. When AFRICOM was created in 2007, DOD temporarily located its headquarters in Stuttgart, Germany, with the intent of selecting a permanent location at a later date. DOD's initial goal was to locate the headquarters in Africa, but this was later abandoned in part because of significant projected costs and sensitivities on the part of African countries. Subsequently, in 2008, DOD conducted an analysis that found that several locations in Europe and the United States would be operationally feasible and less expensive than keeping the headquarters in Stuttgart. A final decision, however, was deferred until 2012, when the Cost Assessment and Program Evaluation office completed its analysis. Subsequent to this analysis, in January 2013, the Secretary of Defense decided to keep AFRICOM's headquarters in Stuttgart. In announcing the decision, the Secretary noted that keeping AFRICOM in Germany would cost more than moving it to the United States but the commander had judged it would be more operationally effective from its current location, given shared resources with the U.S. European Command.

GAO's review of DOD's decision to keep AFRICOM headquarters in Germany found that it was not supported by a comprehensive and well-documented analysis that balanced the operational and cost benefits of the options available to DOD. The 2012 study that accompanied the decision does not fully meet key principles for an economic analysis. For example, the study is not well-documented and does not fully explain the decisions that were made. Although details supporting DOD's cost estimates were not well-documented, the analysis indicated that moving the headquarters to the United States would accrue savings of \$60 million to \$70 million per year. The 2012 study also estimated that relocating the headquarters to the United States could create up to 4,300 additional jobs, with an annual impact on the local economy ranging from \$350 million to \$450 million, but it is not clear how this factored into DOD's decision. Beyond costs and economic benefits, the study lists several factors to be considered when determining where to place a headquarters. It ranks two of these factors—access to the area of responsibility and to service components—as critical. However, little support exists showing how the factors were weighted relative to each other. Moreover, the study describes how a small, forward-deployed headquarters element such as the ones employed by other U.S.-based combatant commands might mitigate operational concerns, but the study is silent about why this mitigation plan was not deemed a satisfactory option. In discussions with GAO, officials from the Central and Southern Commands stated that they had successfully overcome negative effects of having a headquarters in the United States by maintaining a forward presence in their theaters. In sum, neither the analysis nor the letter announcing the decision to retain AFRICOM headquarters in Stuttgart explains why these operational factors outweighed the cost savings and economic benefits associated with moving the headquarters to the United States. Until the costs and benefits of maintaining AFRICOM in Germany are specified and weighed against the costs and benefits of relocating the command, the department may be missing an opportunity to accomplish its missions successfully at a lower cost.

United States Government Accountability Office

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Abbreviations

AFRICOM	Africa Command
CAPE	Cost Assessment and Program Evaluation
DOD	Department of Defense
NATO	North Atlantic Treaty Organization
OSD	Office of the Secretary of Defense

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U.S. GOVERNMENT ACCOUNTABILITY OFFICE

September 9, 2013

Congressional Committees

The President has established, and the Department of Defense (DOD) operates, geographic combatant commands to perform military missions around the world. Each geographic combatant command is assigned an area of responsibility in which to conduct its missions and activities. On February 6, 2007, the President announced that he had directed the Secretary of Defense to establish the newest geographic combatant command, U.S. Africa Command (AFRICOM), consolidating responsibility for DOD activities in Africa that had formerly been shared by the U.S. Central Command, the U.S. Pacific Command, and the U.S. European Command. AFRICOM began initial operations on October 1, 2007, at Kelley Barracks, Stuttgart, Germany, which was to be the command's temporary home until an appropriate and permanent location for the headquarters could be found on the African continent.¹ The department has invested at least \$140 million to upgrade the facilities in Stuttgart, including major renovations of the office areas, family quarters, and an officers' club, as well as construction of a child care center and shopping facility. Moreover, AFRICOM has grown since its creation and, as we reported in May 2013, contributed to a nearly 50 percent increase in the overall number of personnel assigned to all geographic combatant commands since 2001.² An early planning document proposed assigning about 400 personnel, and DOD initially envisioned the command including large numbers of personnel from other civilian agencies, such as the State Department and the U.S. Agency for International Development. By fiscal year 2012, DOD had funding approved for 1,637 positions for the command, of which 805 were to be filled by military personnel and 832 by DOD civilians (see appendix I for the total numbers

¹Beginning in 1951, Kelley Barracks was the headquarters location for the U.S. Army VII Corps, which provided defense to southern Germany. In 1992, when the VII Corps was inactivated and vacated this space, Kelley Barracks became the headquarters of the 6th Area Support Group (now known as U.S. Army Garrison, Stuttgart). Finally, when AFRICOM was stood up, it became the home of AFRICOM headquarters, and U.S. Army Garrison, Stuttgart, was relocated to Panzer Barracks, also in Stuttgart.

²GAO, *Defense Headquarters: DOD Needs to Periodically Review and Improve Visibility of Combatant Commands' Resources*, GAO-13-293 (Washington, D.C.: May 15, 2013).

of authorized personnel for AFRICOM).³ According to AFRICOM officials, approximately 3,900 dependents also accompany the AFRICOM staff in Germany.

The House Armed Services Committee directed the Secretary of Defense to conduct an alternative basing review for the placement of AFRICOM headquarters and to report the conclusions to the congressional defense committees by April 1, 2012.⁴ DOD's Cost Assessment and Program Evaluation (CAPE) office led this study. CAPE did not meet the April 1 deadline, and DOD was granted an extension through July 1, 2012, to present its analysis to the congressional defense committees.⁵ In January 2013, DOD issued the directed report. Our report is in response to a mandate in the House Armed Services Committee report accompanying a bill for the National Defense Authorization Act for Fiscal Year 2013 to conduct an analysis of options for the permanent placement of AFRICOM headquarters.⁶ It addresses the following questions: (1) What courses of action did DOD consider for the permanent placement of the headquarters for AFRICOM? (2) To what extent was DOD's decision to keep AFRICOM headquarters in Stuttgart, Germany, based on a well-documented analysis of the costs and benefits of the options available to DOD?

To determine the courses of action DOD considered for the permanent placement of AFRICOM headquarters, we interviewed officials from the Office of the Under Secretary of Defense for Policy, the Office of the Deputy Assistant Secretary of Defense for African Affairs, the Joint Staff, the U.S. European Command, and AFRICOM. We also reviewed documents written at the time that AFRICOM was established and compared them with the latest statistics provided by AFRICOM to determine how the command's mission, size, and cost have changed

³About 250 of the personnel assigned to AFRICOM headquarters are located in the United Kingdom at an intelligence center that supports both AFRICOM and U.S. European Command. For the purpose of this report, authorized positions refer to military and civilian positions that have been approved by DOD components for funding for a specific year. These numbers do not include contract personnel.

⁴See H.R. Rep. No. 112-78, at 288 (2011).

⁵See H.R. Rep. No. 112-479 at 256 (2012).

⁶See *id.* Our work began in June 2012 in response to a committee mandate, but the CAPE report was not issued until January 2013.

over time. We reviewed briefings and presentations prepared by various organizations throughout DOD since 2006. These organizations included CAPE's predecessor, the Office of Program Analysis and Evaluation, as well as the Office of the Under Secretary of Defense for Policy; Office of the Deputy Assistant Secretary of Defense for African Affairs; the U.S. European Command; and Transition Team Africa Command, a group that was established to assist in the standup of AFRICOM.

To determine the extent to which DOD's decision to keep AFRICOM headquarters in Stuttgart, Germany, was based on a well-documented analysis of the costs and benefits of the options available to DOD, we reviewed the CAPE study on this subject, discussed the study with CAPE officials, and requested and analyzed supporting documentation for the study's findings. We also obtained documentation from and interviewed officials with AFRICOM, the U.S. Central Command, the U.S. European Command, and the U.S. Southern Command. To obtain an understanding of how other combatant commands have conducted cost benefit analyses to inform decisions on headquarters locations, we reviewed the studies prepared by the U.S. Southern Command before DOD decided where to locate its headquarters and discussed these studies with a Southern Command official involved in preparing them. We reviewed criteria for conducting economic analyses from key principles that we derived from a variety of cost estimating, economic analysis, and budgeting guidance documents and compared it with DOD's efforts on the CAPE study. We also analyzed documents and interviewed officials from AFRICOM's component commands: U.S. Army, Africa, in Vicenza, Italy; U.S. Air Force, Africa, in Ramstein Air Base, Germany; U.S. Naval Forces, Africa, in Naples, Italy; U.S. Marine Forces, Africa, in Stuttgart, Germany; U.S. Special Operations Command, Africa, in Stuttgart, Germany; and Combined Joint Task Force-Horn of Africa, Djibouti, Africa. As discussed later, DOD did not provide us with sufficient documentation to enable us to assess the reliability of the data used to produce the cost figures in the CAPE report, but these estimates were in line with costs prepared by DOD in earlier studies.

We conducted this performance audit from June 2012 through September 2013 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

GAO has issued several reports on the establishment of AFRICOM and its components.⁷ In 2008, we testified that DOD had made progress in transferring activities, staffing the command, and establishing an interim headquarters for AFRICOM but had not yet fully estimated the additional costs of establishing and operating the command. We also reported in 2008 that DOD had not reached an agreement with the Department of State (State) and potential host nations on the structure and location of the command's presence in Africa, and that such uncertainty hindered DOD's ability to estimate future funding requirements and raised questions about whether DOD's concept for developing enduring relationships on the continent could be achieved. In 2009 we reported that the total future cost of establishing AFRICOM would be significant but remained unclear because decisions on the locations of AFRICOM's permanent headquarters and its supporting offices in Africa had not been made. We also stated that it would be difficult to assess the merits of infrastructure investments in Germany for AFRICOM's interim headquarters without knowing how long AFRICOM would use these facilities or how they would be used after a permanent location was established. To determine the long-term fiscal investment for AFRICOM's infrastructure, we recommended that the Secretary of Defense, in consultation with the Secretary of State, as appropriate, conduct an assessment of possible locations for AFRICOM's permanent headquarters and any supporting offices in Africa that would be based on transparent criteria, methodology, and assumptions; include the full cost and time-frames to construct and support proposed locations; evaluate how each location would contribute to AFRICOM's mission consistent with the criteria of the study; and consider geopolitical and operational risks and barriers in implementing each alternative. We further recommended that DOD limit expenditures on temporary AFRICOM infrastructure until decisions were made on the long-term locations for the command. DOD partially agreed with the recommendations in our 2009

⁷GAO, *Force Structure: Preliminary Observations on the Progress and Challenges Associated with Establishing the U.S. Africa Command*, GAO-08-947T (Washington, DC: July 15, 2008); GAO, *Defense Management: Actions Needed to Address Stakeholder Concerns, Improve Interagency Collaboration, and Determine Full Costs Associated with the U.S. Africa Command*, GAO-09-181 (Washington, DC: Feb. 20, 2009); GAO, *Defense Management: DOD Needs to Determine the Future of Its Horn of Africa Task Force*, GAO-10-504 (Washington, DC: Apr. 15, 2010); GAO, *Defense Management: Improved Planning, Training, and Interagency Collaboration Could Strengthen DOD's Efforts in Africa*, GAO-10-794 (Washington, DC: July 28, 2010); and GAO, *Humanitarian and Development Assistance: Project Evaluations and Better Information Sharing Needed to Manage the Military's Efforts*, GAO-12-359 (Washington, DC: Feb. 8, 2012).

report, stating that in some cases, actions were already underway that would address the issues identified in our report.

**DOD Considered
Several Possibilities
for the Permanent
Placement of
AFRICOM before
Deciding to Retain the
Command in Its
Current Location**

In 2007, the President directed the Secretary of Defense to establish a new geographic combatant command, consolidating the responsibility for DOD activities in Africa that had been shared by U.S. Central Command, U.S. Pacific Command, and U.S. European Command. AFRICOM was initially established as a subunified command within the European Command and was thus purposely staffed by European Command personnel. Because of this link to the European Command, DOD located AFRICOM's headquarters at Kelley Barracks in Stuttgart, Germany, where the European Command headquarters was located, with the intent that this location would be temporary until a permanent location was selected. In 2008, AFRICOM became fully operational as a separate, independent geographic command. Since that time DOD has considered several courses of action for the permanent placement of the headquarters. Initially DOD's goal was to locate AFRICOM headquarters in Africa, but that goal was later abandoned, in part because of what DOD described as significant projected costs and sensitivities on the part of African countries to having such a presence on the continent. Consequently, in 2008 DOD conducted an analysis of other locations in Europe and the United States, using cost and operational factors as criteria against which to evaluate the permanent placement of AFRICOM headquarters. Although this 2008 analysis contained no recommendation about where AFRICOM's headquarters should be permanently located, it concluded that several locations in Europe and the United States would be operationally feasible as well as less expensive than Stuttgart. Finally, in January 2013, the Secretary of Defense decided to keep AFRICOM's headquarters in Stuttgart, Germany. This decision was made following the completion of an analysis directed by the House Armed Services Committee in 2011 and reiterated in 2012 and conducted by CAPE. The study, which presented the costs and benefits of maintaining AFRICOM's headquarters in Stuttgart and of relocating it to the United States, stated that the AFRICOM commander had identified certain operational concerns as critical and that even though the operational risks could be mitigated, it was the AFRICOM commander's professional judgment that the command would be less effective in the United States. In announcing the decision to keep AFRICOM's headquarters in Stuttgart, the Secretary of Defense noted that the commander had judged that the headquarters would be more operationally effective from its current location, given shared resources with the U.S. European Command.

Original Plans for
AFRICOM Called for a
Headquarters on the
Continent of Africa

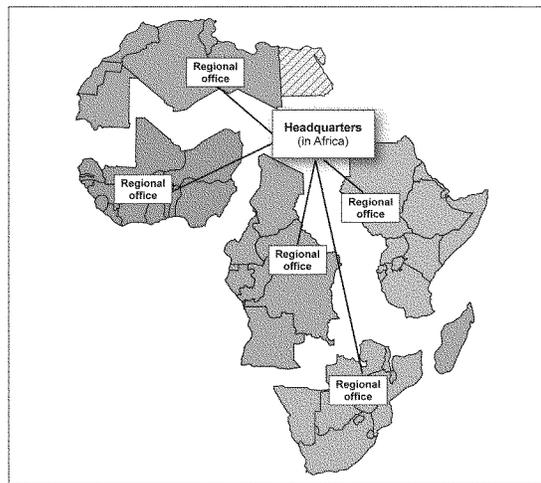
The initial plan for AFRICOM was to have a central headquarters located on the African continent that would be complemented by several regional offices that would serve as hubs throughout AFRICOM's area of responsibility (see figure 1). According to DOD officials, having a command presence in Africa would provide a better understanding of the regional environment and African needs; help build relationships with African partners, regional economic communities, and associated standby forces; and add a regional dimension to U.S. security assistance.⁹ However, after conducting extensive travel throughout Africa to identify appropriate locations and meet with key officials in prospective nations, DOD concluded that it was not feasible to locate AFRICOM's headquarters in Africa, for several reasons. First, State officials who were involved in DOD's early planning teams for AFRICOM voiced concerns over the command's headquarters location and the means by which the AFRICOM commander and the Department of State would exercise their respective authorities. Specifically, DOD and State officials said that State was not comfortable with DOD's concept of regional offices because those offices would not be operating under the Ambassador's Chief of Mission authority.⁹ Second, African nations expressed concerns about the United States exerting greater influence on the continent, as well as the potential increase in U.S. military troops in the region. Third, since many of the African countries that were being considered for headquarters and regional office locations did not have existing infrastructure or the resources to support them, DOD officials concluded that locating AFRICOM headquarters in Africa would require extensive investments and military construction in order to provide appropriate levels of force protection and quality of life for assigned personnel. Officials were also concerned that if the headquarters were located in Africa, assigned

⁹Africa has five regional economic communities, which are the Arab Magreb Union in the north, the Economic Community of West African States, the Economic Community of Central African States, the Inter-Governmental Authority on Development in the east, and the Southern African Development Community. The African Union, a continent-wide intergovernmental organization, established the African Standby Force, which has five regional brigades corresponding to each of the regional economic communities. The African Standby Force is intended to conduct peacekeeping operations.

⁹A Chief of Mission is the principal officer, usually the Ambassador, in charge of a U.S. diplomatic mission abroad and has full responsibility for the direction, coordination, and supervision of all U.S. government executive branch employees in that country, except for Voice of America correspondents on official assignment and employees under the command of a U.S. area military commander. See 22 U.S.C. § 3927(a)(1) and § 3902(3).

personnel would not be able to have dependents accompany them because of limited resources and quality-of-life issues.

Figure 1: DOD's Original Conception for Establishing Regional Offices in Africa



Source: GAO analysis of DOD data.

Subsequent DOD Analyses Considered Locations in Europe and the United States as Well as Merging Combatant Commands

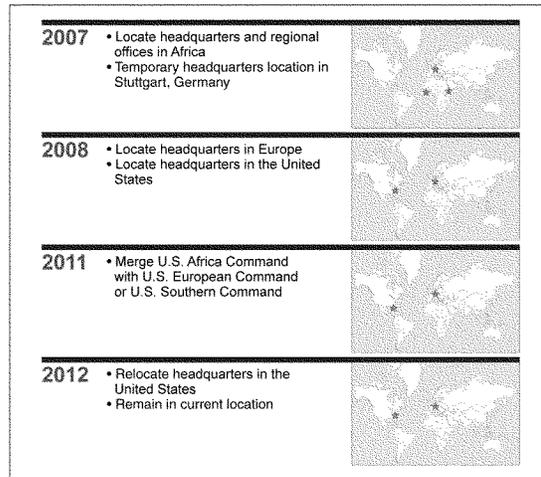
In 2008, the Office of the Secretary of Defense's Office of Program Assessment and Evaluation conducted an analysis that considered other locations in Europe as well as in the United States for the permanent location of AFRICOM headquarters. It compared economic and operational factors associated with each of the locations and concluded that all of the locations considered were operationally feasible. It also concluded that relocating the headquarters to the United States would

result in significant savings for DOD.¹⁰ However, DOD officials decided to defer a decision on the permanent location for AFRICOM headquarters until 2012 in order to provide the combatant command with sufficient time to stabilize.

In 2011, the Office of the Under Secretary of Defense for Policy and the Joint Staff conducted a study that considered alternatives to the current geographic combatant command structure that could enable the department to realize a goal of \$900 million in cost reductions between fiscal years 2014 and 2017. As part of DOD's overall effort to reduce recurring overhead costs associated with maintaining multiple combatant commands, the study considered merging AFRICOM with either U.S. European Command (also located in Stuttgart, Germany) or U.S. Southern Command (located in Miami, Florida). The study concluded that these two options were neither "strategically prudent" nor "fiscally advantageous," stating that combining combatant commands would likely result in a diluted effort on key mission sets, and that the costs incurred by creating a single merged headquarters would offset the available cost reductions. The study additionally found that altering the contemporaneous geographic combatant command structure would result in cost reductions well below the targeted \$900 million. Subsequently, DOD determined that it would need to identify other ways to realize its goal of finding savings from combatant commands, and the department changed the timeframe to fiscal years 2014 through 2018. According to Joint Staff officials, DOD would seek to accomplish this goal by reducing funding in the President's budget request for fiscal year 2014 across all the geographic and functional combatant commands by approximately \$881 million for fiscal years 2014 through 2018. To realize these savings, these officials stated that the department would reduce the number of civilian positions at the combatant commands and Joint Staff by approximately 400 through fiscal year 2018, but they provided few specifics. See figure 2 for a timeline of the courses of action DOD considered.

¹⁰The cost savings estimates from this study are classified, as is the list of cities considered as possible headquarters locations.

Figure 2: Timeline Showing the Courses of Action DOD Has Considered as Possible Locations for AFRICOM Headquarters



Source: GAO analysis.

In 2013 DOD Decided to Keep AFRICOM at Its Current Location

In January 2013, the Secretary of Defense decided to keep AFRICOM's headquarters in Stuttgart, Germany. This decision was made following the completion of an analysis directed by the House Armed Services Committee in 2011 and conducted by the CAPE office. The purpose of the CAPE study was to present the strategic and operational impacts, as well as the costs and benefits, associated with moving AFRICOM headquarters from its current location to the United States. DOD considered two options for the basing of AFRICOM headquarters: (1) maintain AFRICOM's current location in Stuttgart, Germany, or (2) relocate AFRICOM headquarters to the United States. However, the CAPE study also included a mitigation plan to address strategic and operational concerns identified by leadership as factors to consider in the

event that AFRICOM were relocated to the United States. The main findings of the DOD study were as follows:

- The annual recurring cost of maintaining a U.S.-based headquarters would be \$60 million to \$70 million less than the cost of operating the headquarters in Stuttgart. The break-even point to recover one-time relocation costs to the United States would be reached between 2 and 6 years after relocation, depending on the costs to establish facilities in the United States.
- Relocating AFRICOM to the continental United States could create up to 4,300 additional jobs, with an annual impact on the local economy ranging from \$350 million to \$450 million.
- The study stated that the AFRICOM commander had identified access to the area of responsibility and to the service component commands as critical operational concerns. The study also presented an option showing how operational concerns could be mitigated by basing some personnel forward in the region. However, it stated that the commander had judged that the command would be less effective if the headquarters were placed in the United States.

In January 2013, Secretary of Defense Leon Panetta wrote to congressional leaders notifying them of his decision to retain AFRICOM in Stuttgart. In the letter, the Secretary cited the judgment of the AFRICOM commander about operational effectiveness as a rationale for retaining the command in its current location.

DOD's Decision to Keep AFRICOM Headquarters in Stuttgart Is Not Supported by an Analysis That Balances Operational Costs and Benefits for a Full Range of Options

DOD's decision to keep AFRICOM headquarters in Stuttgart was made following the issuance of CAPE's 2012 study, although the extent to which DOD officials considered the study when making the decision is unclear. The decision, however, was not supported by a well-documented economic analysis that balances the operational and cost benefits for the options open to DOD. Specifically, the CAPE study does not conform with key principles GAO has derived from a variety of cost estimating, economic analysis, and budgeting guidance documents, in that (1) it is not well-documented, and (2) it does not fully explain why the operational benefits of keeping the headquarters in Stuttgart outweigh the benefit of potentially saving millions of dollars per year and bringing thousands of jobs to the United States.

Analyses to Support Major Decisions Should Be Well-Documented and Fully Explain Rationale

According to key principles GAO has derived from cost estimating, economic analysis, and budgeting guidance, a high-quality and reliable cost estimate or economic analysis is, among other things, comprehensive and well-documented.¹¹ Additionally, DOD Instruction 7041.3, *Economic Analysis for Decisionmaking*, which CAPE officials acknowledged using to inform their analysis, states that an economic analysis is a systematic approach to the problem of choosing the best method of allocating scarce resources to achieve a given objective. The instruction further states that the results of the economic analysis, including all calculations and sources of data, must be documented down to the most basic inputs to provide an auditable and stand-alone document. The instruction also states that the costs and benefits associated with each alternative under consideration should be quantified whenever possible. When this is not possible, the analyst should still

¹¹We reviewed numerous federal guidance documents related to cost estimating, accounting standards, economic analysis, and budgeting, and we identified key principles that we believe can be applied to CAPE's analysis of possible locations for AFRICOM headquarters. The guidance documents we reviewed include *GAO Cost Estimating and Assessment Guide*, GAO-09-3SP (Washington, D.C.: Mar. 2009); Office of Management and Budget Circular No. A-11, *Preparation, Submission, and Execution of the Budget* (Aug. 2011, superseded by an August 2012 issuance); Federal Accounting Standards 4 (June 2011); Department of Defense Instruction 7041.3, *Economic Analysis for Decisionmaking* (Nov. 7, 1995); and Department of Defense Financial Management Regulation 7000.14R, Volume 4, Chapter 22, Cost Finding (May 2010). We believe that these documents collectively contain broad themes that can be applied to evaluating cost analyses.

attempt to document significant qualitative costs and benefits and, at a minimum, discuss these costs and benefits in narrative format. CAPE officials agreed that DOD Instruction 7041.3 provides reasonable principles to apply in conducting a cost analysis, but officials stated that, as the independent analytic organization for the department, CAPE reserves the right to conduct analysis as it deems appropriate to inform specific decisions.

In April 2013, after the decision had been made to maintain AFRICOM headquarters in Stuttgart, Secretary of Defense Chuck Hagel called on DOD to challenge all past assumptions in order to seek cost savings and efficiencies in “a time of unprecedented shifts in the world order, new global challenges, and deep global fiscal uncertainty,” to explore the full range of options for implementing U.S. national security strategy, and to “put everything on the table.”¹² In particular, the Secretary stated that the size and shape of the military forces should constantly be reassessed. He stated that this reassessment should include determining the most appropriate balance between forward-stationed, rotationally deployed, and home-based forces.

CAPE's Analysis Was Not Well-Documented

CAPE's 2012 report describes strategic and operational factors that were considered when determining whether to place AFRICOM headquarters in the United States or keep it in its present location, and it includes estimates of annual recurring and one-time costs associated with each option. However, the analysis does not include enough narrative explanation to allow an independent third party to fully evaluate its methodology. Further, in our follow-up discussions, CAPE officials could not provide us with sufficient documentation for us to determine how they had developed their list of strategic and operational benefits or calculated cost savings and other economic benefits. CAPE officials told us that they did not have documentation to show how raw source data had been analyzed and compiled for the report.

The CAPE report, entitled “U.S. Africa Command Basing Alternatives,” dated October 2012, consists of 28 pages of briefing slides. It includes a discussion of the study's assumptions and methodology, along with the

¹²Remarks by Secretary Hagel at the National Defense University, Ft. McNair, Washington, D.C., Apr. 3, 2013.

one-time and recurring costs of each option. The report presents a table summarizing the strategic and operational factors that were considered when determining whether to retain AFRICOM's headquarters in Stuttgart or move it to the United States. The table indicates that the most critical factors for a combatant command headquarters are for it to have access to its area of responsibility, partners, and organizations, as well as to have access to service components and forces. Working groups of DOD officials had compiled a list of factors considered important for a combatant command and had selected the factors they considered "critical." The list included access to the Pentagon, interagency partners, analytic intelligence capabilities, and European partners, including the North Atlantic Treaty Organization (NATO); ability to recruit and retain civilian personnel, embed personnel from other agencies, and leverage U.S.-based non-governmental organizations; and ability to operate independently without the need for agreement from a host country. However, the CAPE report contains limited explanation of how these factors were developed or why access to Africa and proximity to its service component commands were judged to be most critical. In follow-up discussions, CAPE officials told us that when they began their study they formed working groups to compile an authoritative list of strategic and operational factors critical to the operation of a combatant command headquarters, and that the groups independently developed similar factors, thereby verifying the comprehensiveness of the list and its relevance. However, CAPE officials provided no documentation of the meetings of these groups, the sources used to develop the factors, or the process used to arrive at a consensus in ranking the factors in terms of their criticality. According to CAPE officials, the reason they did not develop such documentation is that they viewed the study to be a straightforward analysis intended to be easily digestible for its policy-maker audience. CAPE officials told us that if they had anticipated an outside review of the study and its analysis, they would have documented the study differently. We therefore could not evaluate the methodology used in developing or ranking the operational and strategic factors presented in the CAPE study. Such an explanation is important, however, since operational and strategic factors were judged to outweigh cost savings and other economic benefits. Also, while proximity to Africa and to service component commands were ranked as the most important criteria for determining where to place the headquarters, some of the service components that were created to support the establishment of AFRICOM were originally located in Europe so that they would be close to the command headquarters.

For similar reasons, we were not able to determine the comprehensiveness, accuracy, or credibility of CAPE's cost estimates. The report itself does not provide sufficient explanation of how the costs were calculated or the effect of the various assumptions on the estimated costs for us to assess the estimates. Specifically, the report does not provide the sources of the cost estimates or the methodology used in calculating them. In follow-up discussions, CAPE officials explained that support for their calculations included e-mails and phone calls.

Finally, the study presented estimates of the economic benefits that could accrue to a local community if the command were relocated to the continental United States, but it is unclear how these estimates were factored into the Secretary of Defense's decision. In discussing the costs of the alternatives, the CAPE study presents a summary of one-time costs, including construction and the transfer of personnel and materiel. The study states that relocating AFRICOM to the continental United States may create up to 4,300 jobs (in addition to those of AFRICOM personnel), with a \$350 million to \$450 million a year impact on the local economy. However, the study does not explain how these possible savings were calculated, and CAPE officials could not explain how this analysis had been factored into the Secretary of Defense's decision.

Housing and Cost-of-Living Allowances Are the Main Drivers of Additional Costs Associated with Overseas Headquarters

CAPE's analysis estimated that the annual cost of providing AFRICOM personnel with overseas housing and cost-of-living pay was \$81 million per year, as compared with the \$19 million to \$25 million these would cost if the personnel were located in the United States. These costs associated with stationing military and civilian personnel overseas comprise the bulk of the savings from CAPE's analysis. Although CAPE officials did not provide us with documentation for us to assess the accuracy and completeness of their cost estimates, they are comparable with those developed in OSD's 2008 analysis.¹³ Moreover, our analysis confirmed that savings would be likely for both military and civilian personnel if the headquarters were located in the United States. For example, our analysis indicates that, conservatively, DOD could save from \$5 million to \$15 million per year overall on reduced housing allowances for military personnel, depending on where in the United

¹³The OSD 2008 analysis is classified; therefore, we cannot provide details.

States they were located.¹⁴ In addition, an AFRICOM document states that the command spent more than \$30 million in fiscal year 2011 on overseas housing benefits for civilian personnel, which they would not receive if they were stationed in the United States.

DOD's Decision Did Not Fully Explain Why Having a Forward Presence Could Not Mitigate the Disadvantages of Having a U.S. Headquarters

In its 2012 study, DOD tasked CAPE with analyzing two options—keeping AFRICOM's headquarters in Stuttgart or moving it to a generic location in one of the four U.S. time zones. CAPE analysts also considered establishing a forward operating headquarters so as to allay concerns about a diminished forward presence if AFRICOM headquarters were located in the United States. In CAPE's scenario, the forward headquarters would be staffed with about 25 personnel but would be rapidly expandable. It would also place an additional 20 personnel in existing component command headquarters. CAPE officials estimate that the annual recurring costs for the forward-deployed element would be \$13 million, with a one-time cost of \$8 million. CAPE added these estimates to its overall estimate of how much it would cost to move AFRICOM headquarters to the United States.

In CAPE's summary of its findings, however, there is no discussion of how this factored into the commander's conclusion when he stated his preference, or of how the CAPE study had factored into the Secretary of Defense's final decision. Operating with a U.S. headquarters with forward locations is the way in which the U.S. Central Command and U.S. Southern Command operate from their respective headquarters in Tampa, Florida, and Miami, Florida. The Central Command, for example, has a forward operating location in Qatar, and the Southern Command has forward locations in Honduras and El Salvador. AFRICOM already has a command element at a forward location—Combined Joint Task Force - Horn of Africa. According to Task Force officials, there are about 1,800 personnel temporarily assigned to this site at Camp Lemonnier, Djibouti. In 2012, the Navy submitted a master plan to Congress listing \$1.4 billion in planned improvements to that site.

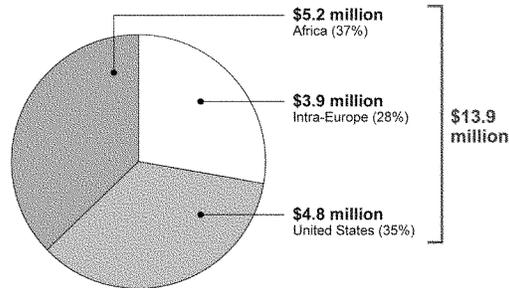
¹⁴We did not assess the eligibility of personnel for housing allowances. Instead, for comparison purposes only, our calculations assume that all members would be eligible for housing allowances at both European and continental U.S. locations.

When we asked AFRICOM staff about the specific operational benefits of having its headquarters located in Stuttgart, they cited the following: (1) it takes less time to travel to Africa from Stuttgart than it would from the United States; (2) it is easier to interact with partners in Africa from Stuttgart because they are in the same or similar time zones; and (3) it is easier to interact with AFRICOM's service components because they all are in Europe, and because the U.S. European Command headquarters is also in Stuttgart. An AFRICOM briefing, however, indicated that the strategic risk of relocating the headquarters to the United States would be "minimal," and also stated that establishing a forward headquarters could mitigate strategic and operational risks. CAPE officials also stated that maintaining AFRICOM's headquarters in Stuttgart makes it easier for AFRICOM to share resources at the service component level with the U.S. European Command, and that AFRICOM's sharing service components with the European Command makes it unique among the combatant commands. During our site visits, however, European Command officials told us that the two commands do not share personnel, even though two of the components are dual-hatted.

In its analysis, CAPE calculated the likely increase in hours that would be spent in traveling from the headquarters location to Africa if the headquarters were relocated to the United States. CAPE also estimated that if AFRICOM headquarters were relocated to the United States, the number of trips to Africa would likely remain the same. We believe that the number of trips to the United States would decrease. However, CAPE did not analyze travel patterns by individual AFRICOM staff. Our interview with AFRICOM officials and our review of travel patterns of AFRICOM staff indicate that being closer to Africa may offer few benefits for many personnel. For example, according to AFRICOM officials, 70 percent of AFRICOM staff travel infrequently. As a result, these staff could be relocated in the United States without negative effects. This is because the AFRICOM staff includes many support personnel—accountants, personnel specialists, information technology experts, and planners, among other staff—who do their jobs primarily at the headquarters. (Appendix 1 shows a detailed breakdown of AFRICOM staff by mission area.) In addition, our independent analysis found that about 60 percent of AFRICOM headquarters staff's travel in fiscal years 2010 and 2011 was to locations in the United States or within Europe. In fiscal year 2011, for example, AFRICOM spent \$4.8 million on travel to the United States and \$3.9 million on travel to other locations in Europe, while it spent about \$5.2 million on travel to Africa (see figure 3). AFRICOM officials told us that travel to other parts of Europe includes trips to Berlin to obtain visas and passports, as well as to planning meetings with its components and

other partners. If AFRICOM headquarters were to be relocated in the United States, the costs associated with travel to U.S. locations would likely be reduced. While some costs for official travel throughout Europe could increase, the travel that involves administrative tasks such as obtaining visas would be eliminated. In fiscal year 2011, this travel consumed almost one-third of all AFRICOM travel expenditures.

Figure 3: AFRICOM Travel Costs for Fiscal Year 2011



Source: U.S. AFRICOM travel data.

Moreover, the view that AFRICOM could perform its mission from the United States is supportable, in part, because other combatant commands have operated successfully with a U.S.-based headquarters. During our review, we met with U.S. Central Command and U.S. Southern Command officials to understand the extent to which their headquarters location in the United States affects them operationally. Officials expressed various opinions regarding the benefits of forward stationing personnel, and added that they are able to address time-zone and travel challenges. Central Command officials also explained that they manage partner relationships (including with NATO partners), overcome time-zone challenges, and travel to remote locations in their area of responsibility from their headquarters location in Tampa, Florida. They also stated that although they can quickly relocate personnel to a forward location in Qatar when needed, most of the headquarters staff does not need to be physically located in their area of responsibility in order to carry out their functions. A U.S. Southern Command official told us that they use video teleconferences with the components when they need to communicate

with them. He also told us that the command has a forward presence in Honduras and in El Salvador.

**Other DOD Studies
Provide Examples of a
More Transparent
Approach for Comparing
Cost and Operational
Factors Associated with
Basing Decisions**

Neither the CAPE study nor the letter accompanying it when it was transmitted to Congress in January 2013 provides a complete explanation of why DOD decided that the operational benefits associated with remaining in Stuttgart outweigh the associated costs. Past studies conducted or commissioned by DOD, however, suggest that a more thorough approach to analyzing costs and benefits is possible. For example, unlike the 2012 analysis, DOD's 2008 analysis of potential AFRICOM locations ranked each location according to how it fared against cost and operational factors. While the analysis made no recommendation and stated that Germany was superior to all of the considered U.S. locations based on factors other than cost, it concluded that any of the examined locations would be an operationally feasible choice, and that U.S. locations were routinely and significantly cheaper to maintain than overseas bases.

Moreover, a 1994 study was initiated by the U.S. Southern Command and validated by a committee appointed by the Deputy Secretary of Defense to review and refine the analysis. The committee included the Assistant Secretary of Defense for Strategy and Requirements, the Principal Deputy Comptroller, and the Director for Strategic Plans and Policy, Joint Staff. The Committee's final report quantified and prioritized operational benefits to determine where in the United States to place the U.S. Southern Command headquarters when it was required to move from Panama. Although this study did not consider overseas locations and assumed that remaining in Panama was not an option, it nevertheless stands as an example of a more transparent approach to weighing costs and operational concerns. This study examined 126 sites in the United States and then narrowed the possibilities based on criteria that addressed the mission and quality of life for assigned personnel. The names of the locations under consideration were "masked" to ensure that the criteria were applied objectively. As a result, six locations were chosen as most desirable: Tampa, Atlanta, New Orleans, Miami, Puerto Rico, and Washington, D.C. Visits were made to each of the locations and the final tallying of scores, including consideration of costs, showed that Miami was the preferred choice. The committee expanded the analysis through additional evaluation of Southern Command's mission requirements and quality of life issues. Once its analysis was complete, the committee briefed the Deputy Secretary of Defense on its findings and conclusions based on three criteria: mission effectiveness, quality of

life, and cost. In summary, the committee stated that if mission effectiveness was the most important of the three criteria, then Miami was clearly the superior location. If quality of life was the most important, then Washington was the leading candidate. If cost was the most important consideration, then New Orleans was the leading candidate. The committee's recommendation was for the Secretary of Defense and the Deputy Secretary of Defense to select the final Southern Command relocation site from among those three candidate cities.

Finally, a 2013 RAND study conducted in response to a congressional requirement for DOD to commission an independent assessment of the overseas basing presence of U.S. forces provides several examples of principles that can be used to determine where to geographically place personnel so that they can most effectively be employed.¹⁵ For example, the study states that, because basing personnel in overseas locations is generally more expensive than basing them in the United States, DOD could consider configuring its forward-based forces overseas so that they can provide the initial response to a conflict, while placing in the United States the forces that will provide follow-up support. To inform the assessment of overseas forces, RAND examined how overseas posture translates to benefits, the risks that it poses, the cost of maintaining it, and how these costs would likely change if the U.S. overseas presence were to be modified in different ways—for example, by changing from a permanent to a rotational presence.

Conclusions

DOD's letter describing the January 2013 decision to maintain the command in Stuttgart was based on operational benefits that are not clearly laid out, and it is unclear how cost savings and economic benefits were considered in the decision. DOD's analysis stated that significant savings and economic benefits would result if the command were relocated to the United States, and our independent analyses confirmed that significant savings are possible. Moreover, the decision does not explain why using a small contingent of personnel stationed forward would not mitigate operational concerns. Our analysis of travel patterns and staff composition raises questions about why the AFRICOM staff

¹⁵RAND Corporation, *Overseas Basing of U.S. Military Forces: An Assessment of Relative Costs and Strategic Benefits* (Santa Monica: CA 90407), 2013. The requirement for DOD to commission the assessment appeared in the National Defense Authorization Act for Fiscal Year 2012. See Pub. L. No. 112-81, § 347 (2011).

needs to be located overseas, because not all staff would benefit from being closer to Africa—especially when other combatant commands operate with their headquarters in the United States. Key principles that GAO has derived for economic analysis and cost estimating, as well as a DOD instruction containing principles for certain types of economic analysis, suggest that the department’s rationale should be detailed and the study underpinning it should be comprehensive and well-documented. Since making the decision to keep AFRICOM’s headquarters in Stuttgart, the Department of Defense has sought to fundamentally rethink how the department does business in an era of increasingly constrained fiscal resources. Until the costs and benefits of maintaining AFRICOM in Germany are specified and weighed against the costs and economic benefits of moving the command, the department may be missing an opportunity to accomplish its missions successfully at a significantly lower cost.

Recommendation for Executive Action

To enable the department to meet its Africa-related missions at the least cost, GAO recommends that the Secretary of Defense conduct a more comprehensive and well-documented analysis of options for the permanent placement of the headquarters for AFRICOM, including documentation as to whether the operational benefits of each option outweigh the costs. These options should include placing some AFRICOM headquarters personnel in forward locations, while moving others to the United States. In conducting this assessment, the Secretary should follow key principles GAO has derived for such studies, as well as principles found in DOD Instruction 7041.3, to help ensure that the results are comprehensive, well-documented, accurate, and credible. Should DOD determine that maintaining a location in Stuttgart is the best course of action, the Secretary of Defense should provide a detailed description of why the operational or other benefits outweigh the costs and benefits of relocating the command.

Agency Comments and Our Evaluation

In written comments on a draft of this report, DOD stated that the 2012 CAPE study met the requirements of the House Armed Services Committee report accompanying the National Defense Authorization Act for Fiscal Year 2012. DOD stated that the CAPE study was not intended to be a comprehensive analysis to determine the optimal location for AFRICOM’s headquarters. Rather, DOD believed that the study provided sufficient detail to support the specific questions posed in the National Defense Authorization Act. While the CAPE office did present the estimated costs of relocating AFRICOM’s headquarters, the National

Defense Authorization Act directing DOD to conduct this study specifically urged DOD to conduct this basing review "in an open and transparent manner consistent with the processes established for such a major review." As we state in the body of our report, the CAPE study did not provide sufficient detail to support its methodology and cost estimates for a third party to validate the study's findings. Moreover, DOD's own guidance on conducting an economic analysis states that such an analysis should be transparent and serve as a stand-alone document.

DOD also stated that Secretary Panetta's decision not to relocate the AFRICOM headquarters to the United States was based largely on the combatant commanders' military judgment, which is not easily quantifiable. We recognize that military judgment is not easily quantifiable. However, we continue to believe that an accurate and reliable analysis should provide a more complete explanation of how operational benefits and costs were weighed, especially in light of the potential cost savings that DOD is deciding to forego.

DOD partially concurred with our recommendation. DOD stated that to meet the requirements of the Budget Control Act, the Department of Defense will consider a wide range of options. If any of these options require additional analysis of the location of AFRICOM headquarters, DOD said that it will conduct a comprehensive and well-documented analysis. We continue to believe that such an analysis is needed. Because of the current tight fiscal climate and the Secretary of Defense's continual urging that DOD identify additional opportunities for achieving efficiencies and cost savings, DOD should reassess the option of relocating AFRICOM's headquarters to the United States.

The department's written comments are reprinted in appendix II.

We are sending copies of this report to the Secretary of Defense and the Secretary of State. The report will also be available at no charge on the GAO Web site at <http://www.gao.gov>.

If you or your staff have questions about this report, please contact me at (202) 512-3489 or at pendletonj@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix III.



John H. Pendleton
Director, Defense Capabilities and Management

List of Committees

The Honorable Carl Levin
Chairman
The Honorable James M. Inhofe
Ranking Member
Committee on Armed Services
United States Senate

The Honorable Dick Durbin
Chairman
The Honorable Thad Cochran
Subcommittee on Defense
Committee on Appropriations
United States Senate

The Honorable Howard P. "Buck" McKeon
Chairman
The Honorable Adam Smith
Ranking Member
Committee on Armed Services
House of Representatives

The Honorable C. W. Bill Young
Chairman
The Honorable Pete Visclosky
Ranking Member
Subcommittee on Defense
Committee on Appropriations
House of Representatives

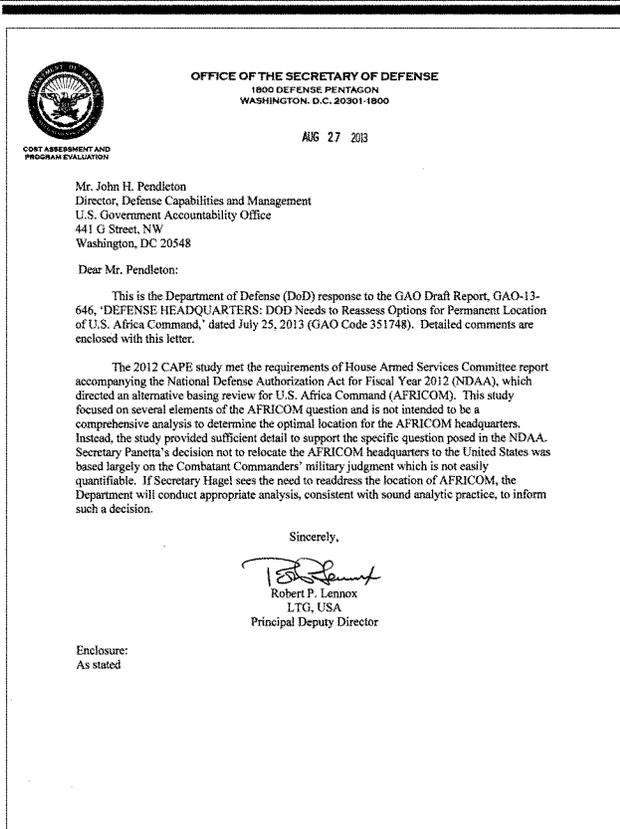
Appendix I: Authorized Personnel at AFRICOM

 U.S. AFRICA COMMAND (AFRICOM) 			
Fiscal Year 2012 Authorized Military and Civilian Positions by Directorate, Subordinate Unified Command, and Other Activities			
U.S. Africa Command Headquarters Directorates	Military	Civilian	Total
J00 Command Staff	65	74	139
J1/J8 Resources	36	82	118
J3 Operations	105	94	199
J4 Logistics	43	37	80
J5 Strategy, Plans, and Programs	83	85	168
J6 Command, Control, Communications, and Computer Systems	22	52	74
J7 Joint Training and Exercises	12	9	21
J9 Outreach	12	19	31
Headquarters Directorates Total	378	452	830
Subordinate Unified Commands and Other Activities			
Special Operations Command Africa	133	47	180
J2 Intelligence and Knowledge Development - Stuttgart	81	119	200
J2 Intelligence and Knowledge Development - Molesworth	120	133	253
Security Cooperation Organizations	93	81	174
Subordinate Unified Command and Other Activities Total	427	380	807
U.S. Africa Command Grand Total	805	832	1,637

Source: GAO analysis of DOD data.

Note: Authorized military and civilian positions represent positions identified by DOD as approved, funded manpower requirements at the geographic command. Numbers in this table do not include numbers of foreign nationals employed by AFRICOM.

Appendix II: Comments from the Department of Defense



GAO DRAFT REPORT DATED JULY 25, 2013
GAO-13-646 (GAO CODE 351748)"DEFENSE HEADQUARTERS: DOD NEEDS TO REASSESS OPTIONS FOR
PERMANENT LOCATION OF U.S. AFRICA COMMAND"DEPARTMENT OF DEFENSE COMMENTS
TO THE GAO RECOMMENDATIONS

RECOMMENDATION: GAO recommends the Secretary of Defense conduct a more comprehensive and well-documented analysis of options for the permanent placement of the headquarters for AFRICOM, including documentation as to whether the operational benefits of each option outweigh the costs. These options should include placing some AFRICOM headquarters personnel in forward locations, while moving others to the United States. In conducting this assessment, the Secretary should follow key principles GAO has derived for such studies, as well as principles found in DOD Instruction 7041.3, to help ensure the results are comprehensive, well-documented, accurate, and credible. Should DoD determine that maintaining a location in Stuttgart is the best course of action, the Secretary of Defense should provide a detailed description of why the operational or other benefits outweigh the cost and benefits of relocating the command. (See page 20/GAO Draft Report)

DoD RESPONSE: Partially Concur.

To meet the requirements of the Budget Control Act the Department of Defense will consider a wide range of options. If any of those options require additional analysis of the location of AFRICOM headquarters the Department will conduct a comprehensive and well-documented analysis.

Tab A

Appendix III: GAO Contact and Staff Acknowledgments

GAO Contact

John Pendleton, Director, (202) 512-3489

Staff Acknowledgments

In addition to the contact named above, Guy LoFaro, Assistant Director; Nicole Harris; Charles Perdue; Carol Petersen; Beverly Schladt; Mike Shaughnessy; Amie Steele; Grant Sutton; and Cheryl Weissman made major contributions to this report.

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