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NOMINATIONS BEFORE THE SENATE ARMED SERVICES COMMITTEE, FIRST SESSION, 114TH CONGRESS

HEARINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

ON

NOMINATIONS OF

HONORABLE ASHTON B. CARTER; MR. PETER K. LEVINE; GENERAL JOSEPH F. DUNFORD, JR.; GENERAL PAUL J. SELVA; GENERAL DARREN W. McDEW; GENERAL MARK A. MILLEY; LIEUTENANT GENERAL ROBERT B. NELLER; ADMIRAL JOHN M. RICHARDSON; MR. JOHN CONGER; MR. STEPHEN P. WELBY; MS. ALISSA M. STARZAK; MR. FRANKLIN R. PARKER; HONORABLE MARCEL J. LETTRE II; MR. GABRIEL O. CAMARILLO; MR. JOHN E. SPARKS; VICE ADMIRAL KURT W. TIDD; HONORABLE PATRICK J. MURPHY; DR. JANINE ANNE DAVIDSON; AND HONORABLE LISA S. DISBROW

FEBRUARY 4; APRIL 21; JULY 9, 14, 21, 23, 30; NOVEMBER 19; DECEMBER 9, 15, 2015

Printed for the use of the Committee on Armed Services

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APPENDIX 1105

NOMINATION OF HONORABLE ASHTON B. CARTER TO BE SECRETARY OF DEFENSE

WEDNESDAY, FEBRUARY 4, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:28 a.m., in room SD–G50, Dirksen Senate Office Building, Senator John McCain (chairman) presiding.

Committee members present: Senators McCain, Inhofe, Sessions, Wicker, Ayotte, Fischer, Cotton, Rounds, Ernst, Tillis, Sullivan, Lee, Graham, Cruz, Reed, Nelson, McCaskill, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, King, and Heinrich.

Also present: Senator Lieberman.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. Good morning. The committee meets this morning to consider the nomination of Dr. Ashton B. Carter to be the Secretary of Defense, and there are standard questions that by committee rule that I would put forth to Dr. Carter at this time.

Dr. Carter, in order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communication of information. Have you adhered to applicable laws and regulations governing conflicts of interest?

Dr. CARTER. I have.

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Dr. CARTER. No.

Chairman MCCAIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Dr. CARTER. I will.

Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

Dr. CARTER. Yes.

Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?

Dr. CARTER. They will.

Chairman MCCAIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

Dr. CARTER. Yes.

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communications, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

Dr. CARTER. Yes.

[Pause.]

Chairman MCCAIN. That concludes our routine questions that we ask of the nominees.

Before the committee proceeds to the business before us today, on behalf of all members of the committee, we would like to extend our deepest condolences to the family of the brave Jordanian pilot brutally murdered at the hands of ISIL [the Islamic State of Iraq and the Levant]. Together with his family, the Jordanian armed forces, and the people of Jordan, we mourn the loss of a hero that has galvanized the Nation and the world.

I hope this heinous crime finally leads us to put in place what thus far has been lacking, a comprehensive strategy to achieve the President's stated goal to degrade and destroy ISIL. Let there be no doubt, we still do not have a viable strategy to counter ISIL. If you are not winning in war, you are losing.

America has no greater ally in the fight against terrorism than Jordan, and as we made clear to King Abdullah in our meeting yesterday. This committee's immediate concern is to ensure Jordan has all the equipment and resources necessary to continue taking the fight directly to ISIL. Many of us on this committee will be sending a letter to the administration on this urgent issue of concern, and we invite all of our fellow committee members to join us on that letter.

I think there was a consensus on both sides yesterday after the meeting with King Abdullah that we would send a letter out this morning. That letter will be distributed to the members for your perusal and signature so we can get that letter out as soon as possible, and I thank all members of the committee for their cooperation.

I would also like to add that if legislation is required in order to achieve the goals that King Abdullah articulated to us yesterday as absolutely necessary to defend his nation, we will be considering that legislation as well as soon as possible, and I thank all members.

The Senate Armed Services Committee meets today to consider the nomination of Dr. Ashton B. Carter to be Secretary of Defense. At the outset, I would like to express my sincere gratitude to Chuck Hagel for his years of service as an infantry sergeant in Vietnam, as a United States Senator from Nebraska, and as our Nation's 24th Secretary of Defense.

Chuck Hagel is a patriot and honorable public servant, and during his leadership of the Pentagon, the men and women of our armed services have had a true ally who always put their interests first. This committee wishes Chuck the best in his future endeavors.

Dr. Carter, even in the best of times, the position for which you have been nominated is one of the most challenging in Government. I would like to thank your wife, Stephanie, and your chil-

dren, Will and Ava, for being here today and for loaning you to our Nation in service once again.

Dr. Carter is one of America's most respected and experienced defense professionals. He has served as assistant Secretary of Defense for Global Strategic Affairs; Under Secretary of Defense for Acquisition, Technology, and Logistics; and most recently as Deputy Secretary of Defense. In these positions, I have known him and members of the committee have known him to be an honest, hard-working, and committed public servant.

I have had the opportunity to work together with Dr. Carter on several issues of shared concern, especially trying to reform the defense acquisition system, improving financial management of the Department of Defense [DOD], and rolling back sequestration. On these and other issues facing the Nation, we all look forward to having you as our partner once more, Dr. Carter.

But I must candidly express concern about the task that awaits you if confirmed and the influence you would have on some of the most critical national security issues facing our Nation. Two of your predecessors, Secretary Robert Gates and Secretary Leon Panetta, have severely criticized White House micromanagement of the Defense Department and over-centralization of foreign and defense policy.

According to numerous news reports, Secretary Hagel experienced similar frustrations with the insular and indecisive White House national security team over issues ranging from ISIL to Ukraine, detention policy to sequestration. Dr. Carter, I sincerely hope the President who nominated you will empower you to lead and contribute to the fullest extent of your abilities because at a time of multiplying threats to our security, America needs a strong Secretary of Defense now more than ever.

America is confronted today with a diverse and complex range of national security challenges. Iran is on the march. In Iraq, Syria, Yemen, and elsewhere across the Middle East, ISIL continues to expand its influence and control of territory, as the new Director of the Defense Intelligence Agency recently testified to Congress.

A revisionist Russia and a rising China each, in their own ways, present challenges to the liberal international order as we have known it since the end of World War II, a system that cherishes the rule of law, maintains free markets and free trade, and relegates wars of aggression to their rightful place in the bloody past.

Amid the present upheaval and conflict, American disengagement can only produce more turmoil and increase in the chance of large-scale American interventions at greater cost in blood and treasure. That is why we need a coherent national security strategy incorporating all elements of America's national power to sustain and defend the international order that has produced and extended security, prosperity, and liberty across the globe.

But crafting a reality-based national security strategy is simply impossible under the mindless mechanism of sequestration. Despite the growing array of complex threats to our security, we are on track to cut $1 trillion out of America's defense budget by 2021. Readiness is falling across the Services, and morale is falling right along with it.

Army and Marine Corps end strength is dropping dangerously low. The Air Force is the oldest and smallest it has ever seen. The Navy's fleet is shrinking to pre-World War I levels. Last week, each of our Service Chiefs testified before this committee that American lives are being put at risk due to sequestration.

Sequestration represents a failure to meet our most basic constitutional responsibility to provide for the common defense. America's military can no longer be held hostage to domestic political disputes, totally separated from the reality of the threats we face.

More than 3 years after the passage of the Budget Control Act, it is time to put an end to this senseless policy. Rolling back sequestration is necessary to provide our military the strategy-driven budget necessary to confront the threats we face. But it will never be enough without reforming how the Department procures major weapon systems.

Many of our military's challenges today are the results of years of mistakes and wasted resources. For example, over here, the Army's Future Combat System was initially estimated to be a $92 billion project to modernize into a cohesive network new Army vehicles and radios. But it more than doubled its price to $200 billion without ever getting off the ground.

Secretary Gates and Congress wisely canceled Future Combat Systems, but only after spending $20 billion with nothing to show for it.

Between these four systems—Future Combat Systems, expeditionary fighting vehicle, Comanche helicopter, and the VH–71 presidential helicopter—we spent $40 billion with nothing to show for it. That is $40 billion of training and equipment our military doesn't have today to confront the threats we face.

The problem continues today. The cost of the evolved expendable launch vehicle has exploded from around $100 million per launch to $400 million per launch over the last 15 years after the Air Force allowed years of sole-source contracts while, especially over the last few months, actively keeping out any other companies from competing. Hopefully, this year, we will see the Air Force certify a new entrant, and this competition can finally bring down costs and end our reliance on Russian rocket engines.

Like many programs that preceded it, LCS [the littoral combat ship's] cost overruns followed predictably from a chronic lack of planning from its very outset in three key areas: undefined requirements, unrealistic initial cost estimates, and unreliable assessments of technological and integrated risk.

The *Gerald Ford*-class nuclear aircraft carrier was originally supposed to cost $10.5 billion. It will now cost $12.9 billion, a $2.4 billion increase, and we have no assurance such increases will not plague the follow-on ships. This is unacceptable.

The F–35 Joint Strike Fighter was originally estimated to cost around $220 billion to research and engineer and build 2,800 airplanes. Now we are going to spend more than $330 billion, a 50 percent increase, to buy 400 fewer airplanes.

Even more astounding than the amount of money squandered and wasted is the fact that in each of the weapon systems cases I have mentioned, no individual has been held responsible for these massive cost overruns and egregious acquisition failures, and the

result has been the slow degradation of America's defense technological advantage, which we will lose altogether if we persist with business as usual in our acquisition policies. This must change. It will be a priority for this committee and for me personally to change it.

Dr. Carter, I look to you as a partner in all of these endeavors. If confirmed, I hope you will provide independent leadership and work closely with Congress on the issues that matter most: crafting a coherent national security strategy to meet today's threats, rolling back sequestration, continuing to reform the defense acquisition process, modernizing our military compensation system, and many others.

I thank you deeply for your willingness to serve once again, and I look forward to your testimony today.

Senator Reed?

STATEMENT OF SENATOR JACK REED

Senator REED. Thank you very much, Mr. Chairman.

Let me join you in extending our condolences to the family of the brave Jordanian pilot and to the people of Jordan.

Let me welcome Dr. Carter and thank him for his willingness to once again serve the Nation.

I also want to welcome Stephanie and Ava and Will and thank them for their sacrifice and service to the Nation.

Let me also recognize my colleague and friend, Joe Lieberman. Thank you, Senator, for being here today.

Dr. Carter is the former Deputy Secretary of Defense and Under Secretary for Acquisition, Technology, and Logistics. You are uniquely qualified to lead the Department of Defense at a time when, as Henry Kissinger said last week here, the United States has not faced a more diverse and complex array of crises since the end of the second world war.

If confirmed as Secretary of Defense, you will be advising the President, leading the Defense Department, and working with our allies on a staggering number of complex international challenges to our National interests.

Iran. While the Secretary of Defense is not a party to the negotiations relating to Iran's nuclear program, the Secretary will undoubtedly be responsible for any number of potential contingencies relating to the consequences of different outcomes of these negotiations. In the event of a breakdown in the negotiations, the consequences could alter the face of the region for generations and generations.

ISIL. ISIL's depraved and violent campaign in Iraq and Syria to establish an extremist caliphate threatens to erase borders, destabilize the region, and create a breeding ground for foreign fighters willing to return to the West to carry out attacks against United States interests. The Department must provide critical leadership in a coalition effort that includes Arab and Muslim states to degrade and defeat ISIL while being careful to ensure that the United States does not end up owning the conflict in Syria and elsewhere.

Afghanistan. The hard-won gains of the past decade are significant but remain fragile. With Afghan security, the Afghan forces

are taking over responsibility for combating the Taliban and securing Afghanistan. However, United States forces, with our coalition partners, must transition to a more limited mission of training and assisting the Afghan forces and conducting counterterrorism operations. Yet it remains to be seen whether conditions on the ground in Afghanistan will improve sufficiently by the end of 2016 to warrant the pace of further reductions under the current plan.

Ukraine. Russia's aggression against Ukraine challenges order and progress in Europe. In the past few days, separatists in Eastern Ukraine with substantial Russian equipment, training, and leadership have abandoned any pretext of a ceasefire and launched a broad offensive against Ukrainian forces. The United States must determine how to best support the Ukrainian forces and people in defending their country.

Cyber. For years now, we have devoted significant attention to the looming and complex challenge of cyber warfare. The attack on the Sony Corporation of America, however, was in important respects a watershed event that should stimulate fresh critical thinking.

This attack demonstrates that a relatively small and weak rogue nation can reach across the ocean to cause extensive destruction of a U.S.-based economic target and very nearly succeed in suppression of freedom of expression through cyberspace. The real and manifest advantages of the offense over the defense in cyber warfare that enabled a militarily inferior nation to strike successfully against the Homeland is a new and worrisome factor for national security.

These issues are only a few of the external challenges facing the Defense Department, but there are also significant internal challenges that must be addressed.

Sequestration. Last week before this committee, General Mattis said, "No foe in the field can wreak such havoc on our security that mindless sequestration is achieving today." General Odierno informed this committee that only one third of Army brigades are ready to fight. General Welsh testified that less than 50 percent of our combat squadrons are fully combat ready.

Sequestration threatens not only our national security, but risks damage to our public safety, health, transportation, education, and the environment. While the Department manages through these difficult fiscal realities, Congress must find a balanced and bipartisan solution and repeal sequestration.

Rising costs. The chairman has alluded to this very succinctly and very directly. Even without sequestration, the Defense Department would have to tackle rising costs, including personnel costs, which consume a third of the Defense Department's budget.

Yesterday, this committee heard the testimony of the Military Compensation and Retirement Committee. Their recommendations are far reaching and would fundamentally change military personnel benefits. But these recommendations must be carefully considered because changes must occur to ensure the Department can properly train and equip its fighting men and women.

The other major cost driver in the Defense Department is acquisition, and while the Department has implemented significant acquisition reforms—many under your leadership—defense acquisi-

tion still takes too long and costs too much. We can and we should do more to streamline and improve the system.

Finally, but most importantly, if confirmed as Secretary of Defense, you will be leading 1.3 million Active Duty military, 820,000 Reserve and Guard, and 773,000 civilians. They are tired and overtaxed from a decade of war and years of fiscal uncertainty.

They are wrestling with the same issues as civilian society, issues like sexual assault and suicide. Yet they committed to protecting this Nation and remain the finest force in the world.

Dr. Carter, I look forward to discussing these and other issues with you and thank you for your service.

Chairman MCCAIN. Thank you, Senator Reed.

I note the presence of our beloved friend and former colleague, a member of this committee since the Coolidge administration, and we are very happy to have him here this morning, our beloved friend Joe Lieberman.

Senator Lieberman?

STATEMENT OF HONORABLE JOSEPH I. LIEBERMAN, FORMER U.S. SENATOR FROM CONNECTICUT

Senator LIEBERMAN. Thanks, Mr. Chairman, and it was a great comfort to me when I arrived during the Coolidge administration to find that you had already been here several years.

[Laughter.]

Senator LIEBERMAN. I must say I am delighted to be here, and it is really somewhat sentimental for me to be here. I appreciate very much the opportunity.

It is a privilege for me to appear before the Senate Armed Services Committee today to introduce Dr. Ash Carter. This is not the first time I have had this privilege. In fact, it is the third time.

The first was on March 26, 2009, when Ash was nominated to be Under Secretary of Defense for Acquisition, Technology, and Logistics. Second was on September 13, 2011, when he was nominated to be Deputy Secretary of Defense.

Today, I suppose I could say I don't think I have ever been so pleased to be asked to repeat myself as I am honored to have been by Ash Carter to introduce him to you as President Obama's nominee to be the 25th Secretary of Defense of the United States of America.

Ash Carter graduated from Yale College summa cum laude with a unique combination of majors, physics and medieval history. During his time as a Rhodes Scholar at Oxford, he temporarily resolved the question, which was on everyone's mind, I am sure, about whether he was primarily a historian or physicist. He earned a doctorate at Oxford in theoretical physics.

Nevertheless, to confound observers and prognosticators, he went on to become the Chair of the International and Global Affairs faculty at Harvard at the John F. Kennedy School of Government and Co-Director of the Preventive Defense Project at the Kennedy School's Belfer Center.

Mr. Chairman, Senator Reed, it would really be hard to find someone to serve as Secretary of Defense who combines as much practical Pentagon experience with so deep a background in national security policy as Ash Carter. The fact that you have con-

vened this morning to consider his nomination means that the talents and abilities of a brilliant and extraordinary strategic thinker and public servant and administrator can again be put to use for our Nation.

It also means, as you have said, that Ash Carter has again chosen, with the support of his wife and family, to answer the call to duty to serve our country. Over the past 30 years, Dr. Carter has worked directly or indirectly for virtually every Secretary of Defense, no matter the political party of the Secretary. He knows the department he has been asked to lead very well and, therefore, can begin leading it on day one.

From 1993 to 1996, Ash served as the assistant Secretary of Defense for International Security Policy. During that time, he worked on the landmark Nunn-Lugar Arms Control Program, and I got to know him when we traveled together with Secretary of Defense Bill Perry and Senators Nunn and Lugar to the former Soviet Union to observe them destroying nuclear submarines and dismantling missiles and missile sites as part of Nunn-Lugar.

I think we actually bonded personally at one dinner hosted by the high command of the Russian military in which I believe it is accurate to say that Ash and I were the only two members of the American delegation to keep up with the vodka toasts of friendship with our Russian colleagues.

[Laughter.]

Senator LIEBERMAN. When I think back to those days and you think of what is happening in Russia today and what Russia is doing outside its borders, those memories are really quite poignant. Too much has changed for the worse.

But in thinking about introducing Ash today, he has done so much. It is important to note that he spearheaded some developments during that period of time, particularly the removal of nuclear weapons from Ukraine, Kazakhstan, and Belarus, which, needless to say, have and continue to make our world a lot safer than it would otherwise be.

Speaking of travel, Ash had the good judgment, Mr. Chairman, to come with us several times to the Munich Security Conference. I must say watching him there, I was impressed by the range and depth of his relationships with the top level of particularly military, but also foreign policy leaders of our European allies in NATO [the North Atlantic Treaty Organization].

I would say, and I would guess that members of the committee would agree, that Ash Carter's most important contributions during his past Pentagon service have been in American lives saved on the battlefield. He was the driving force in providing 6,500 MRAP [mine-resistant ambush protected] vehicles to our troops in Afghanistan in record time, an action that saved many lives and gave our troops the confidence that there was someone in Washington who was working for them.

Ash Carter's fierce dedication to our warfighters is well known and I think will be one of his greatest legacies. More broadly, the improvements he brought about in the Pentagon acquisitions process show his mastery of this complex and critical field and will make him an excellent partner for you, Mr. Chairman, in the con-

tinuing work that I know you, Senator Reed, and this committee want to do to improve defense procurement.

Dr. Carter's service on boards and commissions includes the Defense Science Board, the Defense Policy Board, the Secretary of State's International Security Advisory Board, and the Congressional Commission on the Strategic Posture of the United States.

Ash Carter has been accurately described as a man for all seasons, a man of enormous talents and experiences. It is also true that he has made choices in his life about how he has used his talents and experiences. He has chosen to go where his intellect, his values, and his patriotism have called him.

We are fortunate, indeed, that President Obama has nominated Dr. Carter to be our next Secretary of Defense. If I may say so, the President is fortunate that he will have so experienced a leader at the Pentagon and so wise an adviser in the inner counsels of this administration. All of which explains why I am so truly honored to introduce Ashton Carter to this great committee at this time.

Thank you.

Chairman MCCAIN. Thank you. Thank you very much, Senator Lieberman. We are always glad to have you here, and if you would like to take a seat on the dais, we welcome it.

Dr. Carter, welcome.

STATEMENT OF HONORABLE ASHTON B. CARTER, NOMINEE TO BE SECRETARY OF DEFENSE

Dr. CARTER. Thank you, Mr. Chairman, Ranking Member Reed, all the distinguished members of this committee. Thank you all. Thank you for inviting me to appear before you as President Obama's nominee to be Secretary of Defense.

I am honored by his trust and confidence and also by the prospect of serving once again the troops and the country that I love so much.

If confirmed, I will take the office of Secretary of Defense after one of our Nation's most honorable and conscientious public servants, Chuck Hagel. I worked for Secretary Hagel, and I have known him for decades, though not over all of the many decades he served our country.

Among the many traits I admire in Secretary Hagel is the tireless care with which he carried out the most solemn duty of a Secretary of Defense, which is to the relatively few brave young men and women who defend the rest of us.

I also thank Senator Lieberman for his warm and generous introduction—as he noted, it is not the first time he has done so—but especially for his service to this body and to the Nation over many years. Thank you, sir.

My perfect wife, Stephanie, and wonderful children, Will and Ava, are behind me, as they always are every day, and I thank them.

The President frequently notes that America has the greatest fighting force the world has ever known. To the men and women of the Department of Defense who make it so and to this committee, which watches over them, I pledge that if I am confirmed as Secretary of Defense to keep faith with the dedication that brought them into service, to ensure that their training and equip-

ment are as superb as they are; that the well-being, safety, and dignity of each of them and their families is fostered and respected; and that decisions about when and where they are sent into harm's way are made with the greatest reflection and care.

The principal reason that Stephanie and I made a U-turn in our life to accept the offer of nomination is our respect and devotion to them.

To the chairman, members of the committee, I will be brief, if confirmed as Secretary of Defense, my responsibilities would be to protect America and its friends and allies in a turbulent and dangerous world. At the same time, I never lose sight of the fact the United States remains the strongest, most resilient, and most influential nation on earth.

We do, indeed, have the finest fighting force the world has ever known. We have an innovative economy that has long set the pace for the rest of the world. Our country has friends and allies in every corner of the world, and our adversaries have few. This is clear testimony to the appeal of our values, our principles, and our leadership.

All this makes me proud and hopeful and determined to grab hold of the bright opportunities in front of us, as well as to counter the very real dangers we face. These dangers, as the chairman has noted, include continuing turmoil in the Middle East and North Africa and the malignant and savage terrorism emanating from it; an ongoing war in Afghanistan; the reversion to old-style security thinking in parts of Europe; the longstanding tensions from the past and the rapid changes in Asia, and the continuing need for the stabilizing role of the United States in that region, which is so important to the future; the continuing imperative to counter the spread or use of weapons of mass destruction; and new dangers in new domains like cyber, as noted by Senator Reed.

Strategy. Strategy needs to keep all these problems in perspective and to craft lasting approaches to each of them.

I have promised President Obama that if I am confirmed I will furnish him my most candid strategic advice. In formulating that advice, I intend to confer widely among civilian and military leaders, including on this committee, experts, and foreign partners. When the President makes a decision, I will also ensure that the Department of Defense implements it with its long-admired excellence.

I will also ensure that the President receives candid professional military advice. This is not only consonant with the law, as written in this very committee, but with good sense, since our military leaders possess wide and deep experience and expertise.

The law also prescribes the chain of command, and if I am confirmed as Secretary of Defense, I will be a stickler for the chain of command.

I would also like to say a word about the defense budget. Mr. Chairman, members of the committee, I very much hope that we can find a way together out of the wilderness of sequester. Sequester is risky to our defense. It introduces turbulence and uncertainty that are wasteful, and it conveys a misleadingly diminished picture of our power in the eyes of friends and foes alike.

I am not familiar with the details of the 2016 budget submitted just a couple days ago, and if confirmed, I will come back here for a full posture hearing to discuss them. But I strongly support the President's request for relief from sequester caps in 2016 and through the Future Year Defense Plan.

If confirmed, I will do my part to assist the President in working with Congress to resolve the overall issues of the country's fiscal future, of which the defense budget is a part. But I cannot suggest support and stability for the defense budget without at the same time frankly noting that not every defense dollar is spent as well as it should be.

The taxpayer cannot comprehend it, let alone support the defense budget, when they read, as the chairman has noted, of cost overruns, lack of accounting and accountability, needless overhead, and the like. This must stop.

Every company, State, and city in the country has had to lean itself out in recent years, and it should be no different for the Pentagon. In this matter I know I am echoing Chairman McCain, Senator Reed, and this committee, which has long called for and taken concrete action on reform of acquisition and other parts of the defense enterprise in the Weapon System Acquisition Reform Act of 2009 and, before that, dating back to the Packard Commission and the Goldwater-Nichols Act.

I began my own career in defense in connection with the implementation of the Packard Commission's recommendations. The issues and solutions change over time, as technology and industry change. They extend from acquisition, which was highlighted by the chairman, in programs like Future Combat Systems and the presidential helicopter, which I canceled—I signed the cancellation orders for in 2009—to the *Ford* aircraft carrier, which Senator McCain also noted, which was not satisfactorily solved and still not, its overruns. I agree with the chairman in that regard. We have a lot of work to do.

The issues and solutions for acquisition reform change over time, as technology and industry change, as I noted. They extend from acquisition—and this is important—to all other parts of the defense budget—force size, compensation, and training, as well as equipment.

If confirmed as Secretary of Defense, I pledge to make needed change in the Pentagon, but also to seek support from Congress because I know that in the end, Congress holds the power of the purse. I look forward to partnership with this committee in what can be a period of historic advance.

Mr. Chairman, Senator Reed, members of the committee, thank you. Thank you for giving me the opportunity to come before you. If confirmed, I will seek out your thoughts, perspectives, and combat experiences to help me do the best job.

Thank you.

[The prepared statement of Dr. Carter follows:]

PREPARED STATEMENT BY HONORABLE ASHTON B. CARTER

Chairman McCain, Ranking Member Reed, and distinguished members of the committee, thank you for inviting me to appear before you as President Obama's nominee to be Secretary of Defense. I am honored by his trust and confidence, and

also by the prospect of serving once again the troops and the country that I love so much.

If confirmed, I will take the office of Secretary of Defense after one of our Nation's most honorable and conscientious public servants, Chuck Hagel. I worked for Secretary Hagel and have known him for decades, though not over all of the many decades he has served our country. Among the many traits I admire in Secretary Hagel is the tireless care with which he carried out the most solemn duty of a Secretary of Defense, which is to the relatively few brave young men and women who defend the rest of us.

I also thank Senator Lieberman for his warm and generous introduction—this is not the first time he has done so—and also for his service to this body and to the Nation.

My perfect wife Stephanie and wonderful children Will and Ava are behind me, as they always are, every day. I thank them.

The President frequently notes that America has the greatest fighting force the world has ever known. To the men and women of the Department of Defense who make it so, and to this committee which also watches over them: I pledge if I am confirmed as Secretary of Defense to keep faith with the dedication that brought them into service, to ensure that their training and equipment are as superb as they are, that the well-being, safety, and dignity of each of them and their families is fostered and respected, and that decisions about when and where they are sent into harm's way are made with the greatest reflection and care. The principal reason that Stephanie and I made a U-turn in our life to accept the offer of nomination is our respect and devotion to them.

Mr. Chairman and members of the committee, I will be brief.

If confirmed as Secretary of Defense, my responsibilities would be to protect America and its friends and allies in a turbulent and dangerous world. At the same time, I never lose sight of the fact that the United States remains the strongest, most resilient, and most influential Nation on the face of the earth. We do indeed have the finest fighting force the world has ever known. We have an innovative economy that has long set the pace for the rest of the world. Our country has friends and allies in every corner of the world, and our adversaries have few: this is clear testimony to the appeal of our values, our principles, and our leadership. All this makes me proud and hopeful, and determined to grab hold of the bright opportunities in front of us as well as to counter the very real dangers we face.

These dangers include continuing turmoil in the Middle East and North Africa, and terrorism emanating from it; an ongoing war in Afghanistan; the reversion to old-style security thinking in parts of Europe; the longstanding tensions from the past and the rapid changes in Asia, and the continuing need for the stabilizing role of the United States in a region so important to the future; the continuing imperative to counter the spread or use of weapons of mass destruction; and new dangers in new domains like cyber. Strategy needs to keep all these problems in perspective and to craft lasting approaches to each of them. I have promised President Obama that if I am confirmed, I will furnish him my most candid strategic advice. In formulating that advice, I intend to confer widely among civilian and military leaders, experts and foreign partners. When the President makes a decision, I will also ensure that the Department of Defense implements it with its long-admired excellence. I will also ensure that the President receives candid professional military advice. This is not only consonant with the law as written in this very committee, but with good sense, since our military leaders possess wide and deep experience and expertise. The law also prescribes the chain of command, and if I am confirmed as Secretary of Defense I will be a stickler for the chain of command.

I'd also like to say a word about the defense budget. Mr. Chairman and members of the committee: I very much hope that we can find a way together out of the wilderness of sequester. Sequester is risky to our defense, it introduces turbulence and uncertainty that are wasteful, and it conveys a misleadingly diminished picture of our power in the eyes of friends and foes alike. I am not familiar with the details of the fiscal year 2016 budget submitted a few days ago, and if confirmed I will come back here for a full posture hearing to discuss them. But I strongly support the President's request for relief from the sequester caps in fiscal year 2016 and through the future year defense plan. If confirmed, I will do my part to assist the President in working with Congress to resolve the overall issues of the country's fiscal future of which the defense budget is a part.

But I cannot suggest support and stability for the defense budget without at the same time frankly noting that not every defense dollar is spent as well as it should be. The taxpayer cannot comprehend, let alone support the defense budget, when they read of cost overruns, lack of accounting and accountability, needless overhead, and the like. This must stop. Every company, State, and city in the country has had

to lean itself out in recent years, and it should be no different for the Pentagon. In this matter I am echoing Chairman McCain, Senator Reed, and this committee which has long called for, and taken concrete action on, reform of acquisition and other parts of the defense enterprise, in the Weapons Systems Acquisition Reform Act of 2009 and before that, dating back to the Packard Commission and Goldwater-Nichols. I began my own career in defense in connection with the implementation of the Packard Commission's recommendations. The issues and solutions change over time, as technology and industry change. They extend from acquisition to all the other parts of the defense budget—force size, compensation, and training as well as equipment. If confirmed as Secretary of Defense, I pledge to make needed change in the Pentagon, but also to seek support from Congress, because in the end I know that Congress holds the power of the purse. I look forward to partnership with this committee in what can be a period of historic advance.

Mr. Chairman, Senator Reed, and members of the committee, thank you for giving me the opportunity to come before you. If confirmed, I will seek out your thoughts, perspectives, and combat experiences to help me do the best job.

Chairman MCCAIN. Thank you very much, Dr. Carter.

We will have multiple rounds, but we will have short ones, 5 minutes, because that will give more opportunity for members to ask questions.

In about an hour, Dr. Carter needs a short break. As we all know, he is recovering from recent surgery. So we will take a break then for as long as you need, and we will go into this afternoon so that all members are able to ask sufficiently the questions that they have.

To start with, Dr. Carter, members of this committee met with King Abdullah yesterday. He made a graphic statement about needing some weapons and the difficulties he is having with those, and we will be signing a letter this morning. As I said, it may require some legislation.

But are you aware of the problems that Jordanians are having with acquiring some of the weapons that they need?

Dr. CARTER. I am not, Mr. Chairman. I learned of them this morning as well. If I am confirmed, I definitely want to find out what they are and resolve them because we need partners on the ground to beat ISIL, and the Jordanian people have clearly reacted the way that encourages us to support them in combating what is really a savage and nasty enemy.

Chairman MCCAIN. Thank you.

Last week, General Mattis was before this committee. He said in Afghanistan, we need to consider if we are asking the same outcome there as we saw last summer in Iraq, should we pull out all our troops on the administration's proposed timeline, and the gains achieved at great cost against our enemy in Afghanistan are reversible.

General Keane said all we accomplished in Afghanistan will be at risk as it was in Iraq if the troops are pulled out not based on the conditions on the ground. How can we not learn the obvious and painful lessons from Iraq?

Do you have a position on the withdrawal from Iraq? Do you believe that it should be calendar based as it is now, or should we be looking at the conditions on the ground to base those decisions?

Dr. CARTER. Mr. Chairman, thank you and also thank you for your consideration about the back. I appreciate that.

The campaign in Afghanistan has been close to my heart for all the time that I have been associated with the Department of Defense. I have been there a number of times. I think that success

is possible there but, as you indicate, requires the United States to continue its campaign and finish the job.

I understand we have a plan. The President has a plan. I support that plan. At the same time, it is a plan. If I am confirmed and I ascertain, as the years ago by, that we need to change that plan, I will recommend those changes to the President.

Chairman MCCAIN. All I can say is it is not a matter of years. It is a matter of weeks, actually, because one of the major withdrawals is going to start this coming June. I hope that you will assess that as quickly and as carefully as possible.

In his testimony to the committee this week, Dr. Kissinger said, "In the Middle East, a multiple of evils are unfolding simultaneously. Iran has exploited this turmoil to pursue positions of power within other countries." Do you agree with that?

Dr. CARTER. Yes, I do.

Chairman MCCAIN. Do you believe that we need to have a strategy to combat ISIL and the continued successes in many respects that they are achieving?

Dr. CARTER. Absolutely.

Chairman MCCAIN. Do you believe we have a strategy at this time?

Dr. CARTER. I believe I understand our strategy at this time, Mr. Chairman. I also have the intention, again if confirmed, to make it my first priority to go there, to talk to our leaders, military leaders there, to confer with you—

Chairman MCCAIN. What do you understand the strategy to be?

Dr. CARTER.—and to—I think the strategy connects ends and means, and our ends with respect to ISIL needs to be its lasting defeat. I say "lasting" because it is important that when they get defeated, they stay defeated. That is why it is important that we have those on the ground there who will ensure that they stay defeated once defeated.

It is different on the two sides of the border. It is one enemy, but it is two different contexts. Mr. Chairman, in Iraq, the force that will keep them defeated is the Iraqi security forces. That is our strategy is to strengthen them and to make them that force.

On the Syrian side, not to take too long about it, we are trying to build the force that will keep them defeated, and that is going to be a combination of moderate Syrian forces and regional forces.

Chairman MCCAIN. It doesn't sound like a strategy to me, but maybe we can flesh out your goals. It sounds like a series of goals to me. Do you believe we should be supplying arms, defensive arms to Ukrainians?

Dr. CARTER. I very much incline in that direction, Mr. Chairman, because I think we need to support the Ukrainians in defending themselves. The nature of those arms I can't say right now because I haven't conferred with our military leaders or Ukrainian leaders. But I incline in the direction of providing them with arms, including, to get to what I am sure your question is, lethal arms.

Chairman MCCAIN. Thank you very much, Dr. Carter.

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman.

One way to evolve a strategy is to first look at the threat. The Middle East, do you believe the most immediate threat there to United States interests and to the region is ISIL?

Dr. CARTER. I hesitate to say ISIL only because in the back of my mind is Iran as well. I think that we have two immediate substantial dangers in the Middle East. One is ISIL, and one is Iran.

Senator REED. In terms of our current military operations, they are clearly directed at ISIL.

Dr. CARTER. That is true.

Senator REED. Is that the appropriate response at this moment to the threats in the region?

Dr. CARTER. It is.

Senator REED. As you point out, there are two theaters. One is Iraq, where we have more traction, and the other is Syria. You would think in terms of responding to the threat that our actions or our vigorous support of the current Iraqi Government is appropriate in responding to this ISIL threat?

Dr. CARTER. It is appropriate. As I said, whether and how to improve it will be my first job if I am confirmed as Secretary of Defense.

Senator REED. One of the issues, particularly with respect to Iraq, is that not only improvement, as you suggest in your comments, the long-term defeat of ISIL rests not just on military operations, but on political arrangements and what we have witnessed in Iraq particularly was a political arrangement that conscientiously and deliberately degraded the Sunni population, at least that is their perception, and gave rise.

Would you acknowledge that part of our strategy has to be constituting an Iraqi Government that is perceived by its own people as being a bit fairer and inclusive?

Dr. CARTER. Absolutely. That is what the previous Government of Iraq did not do, and that was instrumental in their military collapse.

Senator REED. One of the issues that complicates—and you pointed out in terms of around being a strategic issue for the United States in the region is their relative influence in Iraq and throughout the region was enhanced over the last several years by the government in Iraq, by the Maliki Government. Is that accurate?

Dr. CARTER. That is accurate, yes.

Senator REED. We are now in a position of trying to essentially contain the regional ambitions of the Iranians and kinetically defeat the Sunni radical Islamists. Is that the strategy?

Dr. CARTER. Yes, that sounds right.

Senator REED. You understand that, and that, to you, is a coherent strategy?

Dr. CARTER. It is, yes.

Senator REED. Now that means that you are prioritizing or the Administration is prioritizing these actions you have talked about and building over time a capability in Syria. In terms of using your scarce resources in addressing the most serious threats, is that a coherent response in your mind?

Dr. CARTER. I think it is the beginning of a strategic response. I think that, as I noted, on the Syrian side of the border, the as-

sembling of the force that is going to keep ISIL defeated there, we are in an early stage of trying to build that force. We are participating in the building of that force, but I think it is fair to say that we are in an earlier stage there.

On the Iraqi side, we have the existing Iraqi security forces.

Senator REED. Let me—

Dr. CARTER. Senator Reed?

Senator REED. Please.

Dr. CARTER. If I can just note one other thing? It may be something I missed in your line of questioning.

There is an issue looming over this, which is the role of Iran, in the whole region, which is why I pointed that out at the beginning. That is a serious complication.

Senator REED. I agree. Let me turn to the issue of Ukraine, which the chairman raised the issue of providing weapon systems to defend or allow the Ukrainians to defend themselves. But weapon systems have to be clearly differentiated from a commitment of American military personnel. Would that be a clear line of demarcation that you would draw?

Dr. CARTER. Excuse me. I was suggesting the provision of equipment to the Ukrainian military, yes.

Senator REED. Thank you very much, Dr. Carter, for your service.

Mr. Chairman, thank you.

Chairman MCCAIN. Senator Wicker?

Senator WICKER. Thank you very much.

Thank you for your testimony, Dr. Carter. I look forward to supporting your confirmation and look forward to working with you.

At a point some 2 or 3 years ago, the Pentagon, along with the Administration, made a decision to rebalance to the Asia Pacific. I want to ask you about that.

Would you agree that our challenges with regard to an expansionist Russian agenda, the situation in Eastern Europe, and other areas near the former Soviet Union have become more challenging, and that also our challenges in the Middle East are more problematic now than when the decision was made to pivot to the Asia Pacific?

Dr. CARTER. You are absolutely right. The issues in the Middle East and in Ukraine have developed since we first formulated that rebalance. That is true.

Senator WICKER. Tell me this, how do you understand, as a prospective Secretary of Defense, the rebalancing to the Asia Pacific will actually work? Can we afford to move resources from Europe and the Middle East to the Asia Pacific, given the circumstances that we see today in 2015?

Dr. CARTER. Thank you. Thank you for that question.

The rebalance to the Asia-Pacific region, as the term goes, is in my eyes a commitment to continue the pivotal American military role in the Asia-Pacific theater, which has kept peace and stability there for decades now.

It has been that American underwritten peace and stability in a region where there are still many historical animosities and unhealed wounds of the past, it is that stability underwritten by the United States that has allowed the Japanese miracle, then the

South Korean miracle, then the Southeast Asian miracle, and today the Chinese and Indian miracle. It is thanks to us that that environment has been created.

In a sentence, I think the rebalance is a commitment to keep that going. Now you ask can we do that and keep our commitments in the Middle East and to Europe at the same time? My view is that we can and must. Let me say why that is possible.

I think that while ISIL and events in Ukraine are terribly important in their own regard and require a lot of attention and take a lot of attention. They are on the television. They are in the headlines and so forth. The Asia Pacific is not.

We have to remember that half the population of the world and half of its economy is in that region, and our military presence there, the naval presence, the air presence, our allies and partnerships finding new allies, building new partnerships, conducting exercises, those things can be done at the same time that we are doing what we need to do in Ukraine and that we are doing what we need to do in Iraq and Syria. I think the world needs to know the United States can do more than one thing at once and we can keep our commitments there.

Senator WICKER. Is it going to be necessary to move resources from the Middle East and from concern over Europe and Russia to the Asia Pacific, to move resources? Sounds like you are proposing a continuation of longstanding, ongoing policy.

Dr. CARTER. It is a longstanding, ongoing policy. But to keep the American military predominance in the Asia Pacific requires us continually to modernize and add to what we have there. We are adding ships. We are adding electronic warfare. That is, we are improving our forces qualitatively. We are investing in them.

A new bomber, which is, importantly, intended for that theater, which I think is very important. We are buying new capabilities that won't necessarily have a role in the Middle East or in NATO but are principally designed for that theater, and I think we need to keep those investments going.

Senator WICKER. You don't advocate a diminishment of the resources we are spending with regard to the Middle East or Russia and Europe at this point, do you?

Dr. CARTER. No. I think we need to keep our investments going. When it comes to day-to-day deployments—I don't want to get into too much detail here, but I am sure you know this. When it comes to day-to-day deployments and the location of ships and so forth, we do move back and forth between the Gulf and the Pacific, and so there is some tradeoff there on a day-to-day basis.

But in terms of our fundamental investments in new capabilities and remaining ahead of any other military opponent, including in Asia, and in building and strengthening our alliances with Japan, with South Korea, with the Philippines, with Australia, with Thailand, and new partnerships with other countries like India, we need to keep all that going. It is an important part of the world.

Senator WICKER. Thank you, sir.

Chairman MCCAIN. Senator Donnelly?

Senator DONNELLY. Thank you, Mr. Chairman.

Thank you and your family.

I also want to thank Secretary Hagel for his service as Secretary of Defense and to our Nation. He took the point in Vietnam. He took the point for our Defense Department, and we are grateful for what he has done.

I was privileged to travel with some other senators recently to the Middle East, and we talked to a number of the Nations there. I just want to make sure that in your mind, do you believe when we look at ISIL our goal should be to eliminate them on a permanent basis?

Dr. CARTER. Yes, I do.

Senator DONNELLY. One of my concerns is time. What I mean by that is when you look at the map of where they were a year ago, where they are now, they have substantially grown.

We have windows that we are working in. When we look at our plan, I am concerned about how when you look at the depth and the size of our plan that what it really does, they have 30,000. We are talking hundreds. It gives them time to grow even more, and you worry about a tipping point where X crosses Y, and they become much more difficult.

What kind of time plan are you looking at to get movement on this?

Dr. CARTER. I think it is important to strike back at ISIL as we are doing from the air, but to begin to retake territory as soon as we can build the forces on the ground, which will be local forces that are capable of sustaining defeat when we have achieved defeat in a given location.

I hope that in coming months, and again, I am not in a position to have any special information about this or talk to our commanders or so forth. But it is my understanding that in coming months, the Iraqi security forces, assisted by us, will begin to take back territory from ISIL.

I think you are right that it is important to get that territory back soon because you don't want them to settle in, and you don't want the population to settle in to having ISIL to rule them in their barbaric way.

Senator DONNELLY. When we talked to the king yesterday and to others in the region, what they said is we are not asking you to fight our battle, but we need you as a partner, shoulder to shoulder, to help us train, to help us plan, to help us implement. Is that what you see our ground role as?

Dr. CARTER. Yes, I think exactly right. You are referring to the assistance we provide to the Jordanians, if I understand the question? Absolutely.

Senator DONNELLY. Right. And to the other nations that are looking at the same thing.

Dr. CARTER. That is right.

Senator DONNELLY. Switching themes a little bit, one of the things we had testimony on yesterday was in regards to DOD and the VA [Department of Veterans Affairs] with drug formularies. We lost 479 young men and women to suicide in 2013 who were in the military. We lost 132 in combat. We don't want to lose any more.

Part of what General Chiarelli was telling us is that with the drug formularies, it causes dramatic change for those who are coming off and going into the VA. All of a sudden, they look up, they

are being forced on different drugs and stuff. As Secretary of Defense, are there things you can do to help us with that?

Dr. CARTER. I think there definitely are and must be. I think the relationship between the Department of Defense and the Department of Veterans Affairs has to be a relationship like this because it is one soldier. They cross the boundary from one to the other when they move and become a veteran, but it is one soldier.

I am familiar, or that is I remember from years back when I was in the Department, of this question of the different formularies. DOD calls a drug one thing, and VA calls it another thing, and they have one set of dosages, and the other a different set.

We have to get these together. It is one patient. It is one soldier.

Senator DONNELLY. They get lost in the shuffle.

Dr. CARTER. Exactly.

Senator DONNELLY. It is at a most critical time to them personally, and so your absolute commitment to that, and I know it is, is going to be critical.

I wanted to ask you one other thing, as I am starting to get a little short on time. That is your expertise in the nuclear area, and I was wondering if you are familiar with a report issued by Madelyn Creedon [Assistant Secretary of Defense for Global Security Affairs] and Rear Admiral Peter J. Fanta [Joint Chiefs of Staff]? They did a Department-wide nuclear enterprise review. It is classified, but it is very sobering.

I just want to make sure that—I didn't know if you had seen it yet. If you have, will you take ownership of the issue and ensure its findings are addressed?

Dr. CARTER. Thank you, Senator.

I have not had access to that particular report. But with respect to the nuclear enterprise, I have a long history in that regard and am a strong believer in a safe, secure, and reliable nuclear arsenal for the United States. That encompasses both the nuclear weapons themselves and the delivery systems of the Department of Defense and the command and control systems for it.

I can well understand if they are calling attention to the enduring need to make that a priority. That is another thing that is not in the newspapers every day. Thank God, nuclear weapons being used aren't in the newspapers every day. But it is a bedrock of our security, and we can never forget that.

Continuing quality and excellence in the nuclear enterprise is very important. I am committed to that.

Senator DONNELLY. Thank you.

Chairman MCCAIN. Senator Ayotte?

Senator AYOTTE. I want to thank the chairman.

I want to thank you, Dr. Carter, for all your service to the Nation and your willingness to serve again.

I would like to ask you about according to the Director of National Intelligence [DNI], we know that at least 107 terrorists who were formerly detained at Guantanamo and then released have been confirmed of reengaging in terrorism. In fact, an additional 77 are also suspected of that. In fact, we know that public reports tell us that at least two Guantanamo detainees have also joined ISIL.

What I would like to ask you, number one, there were reports that Secretary Hagel said that he was under pressure to increase

the pace of transfers of Guantanamo detainees by the Administration. As you know, the statute says that you, as the incoming Secretary of Defense, will have to make the determination, and there is a whole set of factors. In particular, you have to determine that actions that have been or are planned to be taken will substantially mitigate the risk of such an individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States persons or our interests or I would assume our allies as well.

I would ask you, Secretary Carter—soon to be Secretary Carter, thank you. But I would ask you to tell us and to make a commitment to this committee that you will not succumb to any pressure by this administration to increase the pace of transfers from Guantanamo. Will you commit to that?

Dr. CARTER. Absolutely, Senator.

Senator AYOTTE. I would also ask you to commit to this committee that you will take with the utmost seriousness because we had General Mattis before the committee the other day, and he expressed deep concern over the notion that one of our men and women in uniform could confront a terrorist that we had previously captured and the implications to them, that you will commit to this committee and to all of us that you will not allow the release of someone that you think could reengage in terrorism so that our men and women in uniform will be confronted with them again.

Dr. CARTER. I do, Senator. I understand my responsibilities under that statute, and as in everything else I do, I will play it absolutely straight.

Senator AYOTTE. We appreciate that. That is very important because we have seen an accelerated release of detainees. As you know, there have been public reports about one of the Taliban Five reengaging in terrorist activity. This is something that I think is of utmost importance.

The last thing that one of our men and women in uniform should confront is a terrorist that we had previously captured, and I know you agree with me on that.

Dr. CARTER. Yes.

Senator AYOTTE. I wanted to follow up on the aid to Ukraine, and I really appreciate the comments that you made that you are inclined to support lethal aid to Ukraine. When we met in my office, you had told me that you were actually there and involved in the signing of the Budapest memorandum in 1994. Is that right?

Dr. CARTER. That is right.

Senator AYOTTE. As you look at what is happening in Ukraine and having been there for the signing of that memorandum, what are the implications given that the Ukrainians gave up their nuclear weapons in return for the assurances not only from the United States of America, but Russia, who has clearly violated blatantly the Budapest memorandum, if we don't support Ukraine, given that we do not want more nuclear proliferation around the world? I would assume that it would send the wrong message if you give up your nuclear weapons and we don't provide you at least defensive weapons, why would any country give up their nuclear weapons again?

Could you tell me what you think about the violation of that memorandum and the significance of it?

Dr. CARTER. Thank you, Senator.

It is a clear violation. I was there. I remember when that agreement was signed in Budapest in 1994. As I think Senator Lieberman said, I ran the Nunn-Lugar program during that period, and I was in Ukraine the day the last nuclear weapon rode across the border from Ukraine into Russia.

That agreement provided for Russia to respect the territorial integrity of Ukraine, which it has obviously not done, and that was part of the climate and context in which the Ukrainians agreed to give up nuclear weapons in the first place. By the way, the United States took on a commitment in the very same agreement to respect, but also assure, as the phrase goes, the ability of Ukraine to find its own way as an independent country.

That is at stake today, and that is why I think I think that we need to provide support to the Ukrainian government as they try to maintain a position—find their own way in Europe.

Senator AYOTTE. Thank you. My time is up, but I also think it is very important that we also buttress our NATO support for the Baltics as well in all of this.

Thank you.

Chairman MCCAIN. Senator Gillibrand?

Senator GILLIBRAND. Thank you, Mr. Chairman.

Welcome, Dr. Carter.

As we met prior to this testimony, we covered a few issues, and I am going to submit questions for the record since we won't be able to cover all of them. They include military sexual assault, issues concerning combat integration, military compensation, cyber, Iran, and Syria. I will send those so you can answer them in due course.

Specifically, let us focus a little bit on the military sexual assault issue, which you know I am very passionate about trying to solve this scourge. One of the concerns I have is that last year we had 20,000 cases of sexual assault and unwanted sexual contact within the military, and I would like your view as to whether you believe that level of sexual assault today is still the good order and discipline we would want from our Services?

Dr. CARTER. No, Senator. It is not. You used the word "passion". I have the same passion you do. This problem of sexual assault is something that persists in our military. It is widespread in our society, but it is particularly offensive in the military community because the military ethos is one of honor and trust. You have to trust the person who is, so to speak, in the foxhole next to you. These are violations of honor and trust.

Also in military life, we put people in positions, we put them in situations of austere deployment, of a situation where the hierarchy of military life is a necessity in battle, and these also provide opportunities, this context, military context for predators. It is more offensive in military life even than in civilian life, and we have to root it out.

I know that many members of this committee, but you especially, Senator, have led in that regard, and I am grateful for the

thoughts and, frankly, for keeping the heat on. If I am confirmed, I will feel that heat, and I will understand it and be with it.

Senator GILLIBRAND. The one statistic I was particularly concerned about, the most recent report is that of all those who were willing to report the assault openly were retaliated against. Sixty-two percent of those who reported these crimes were retaliated against, experienced some form of retaliation.

I am highly concerned that the military is still failing in living up to their zero tolerance policy. Do you agree?

Dr. CARTER. I do agree that retaliation is a dimension of the problem that, to me at least, is becoming increasingly apparent. This is a problem, if I may say, and you know this because you have worked so hard on it, but that the more we dig into it, the more dimensions of it we come to understand.

I think the idea that victims are retaliated against not only by the hierarchy above them, but by their peers is something that is unacceptable that we have to combat also. The survey that you referred to indicated that that is widespread, and we need to get at that.

Senator GILLIBRAND. I understand from your testimony that you place a premium on the chain of command, and I fully understand that for combat situations the chain of command is not only essential, but necessary in every respect. I would like you to, though, consider all options for how you can reform the military justice system, to actually professionalize it, make it more effective.

When our allies have reformed their military justice system to guarantee more civil liberties and to professionalize it and to take out biases, they have not seen diminution in the ability to train troops, to instill good order and discipline within the troops, and to do their jobs.

I would ask you that you would keep an open mind to look at all possible solutions for improving our criminal justice system within the military.

Dr. CARTER. I will.

Senator GILLIBRAND. Thank you.

Another concern that I have is in terms of the issue of how we can create opportunities for women in combat. One of the issues that I have looked at is how are each of the Services being able to open those positions, opening all positions to women in combat. Because, as you know, in order to become promoted within the military, oftentimes combat missions are required and having certain roles that require combat is required for promotion.

Are you committed to allowing women to serve in all positions and to gender neutral standards for each of the Services?

Dr. CARTER. I am certainly committed to gender neutral standards. What I do know is this, that the Services are examining whether there are any positions in the military that should not be open to women.

I strongly incline toward opening them all to women, but I am also respectful of the circumstances and of professional military judgment in this regard. I have not been involved in those studies. If I am confirmed, I would want to confer with our own leaders in the Department of Defense, with you and others who have thought carefully about that problem, and try to come to a view.

Senator GILLIBRAND. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Ernst?

Senator ERNST. Thank you, Dr. Carter, for being here today.

Thank you, Mr. Chairman.

Also, Senator Lieberman, thank you for joining us today.

As we sat down in my office the other day, one thing that, hopefully, was very clear to you was my passion for the National Guard and the Army Reserves and all Reserve members, actually. We have spent a considerable amount of time talking in this forum about sequestration and the effects on our Services, not just our Active Duty Forces, but also those that serve as wonderful "weekend warriors".

I would love for you to please address the panel and just talk to us and explain to us those impacts that you have seen regarding sequestration and how it has impacted those Reserve and National Guard forces, please.

Dr. CARTER. Thank you, Senator. By the way, thank you for your own service. I appreciate it.

I begin by saying we owe a great debt of gratitude to the Guard and Reserve for what they have done over the last 12–13 years. I know this from the time I was in the Department of Defense previously and the wars in Iraq and Afghanistan were at their peak. We couldn't have sustained the tempo of combat in those two locations without the contributions of the Reserve component of our military.

If there was ever a time when their value was made clear, it has been in the last 10 to 12 years. They are impacted, as every other part of the Defense Department is, by sequester. That is the terrible thing about sequester. It hits everybody, and it hits them hard, and it hits them soon, which means that we don't have time to adjust.

I think the Guard and Reserve component have borne the impact of sequester as all the rest of the departments have, sad to say.

Senator ERNST. Thank you for that. I appreciate that.

If confirmed, we do have a number of rising threats that we see all around the world and specifically in the Middle East right now. Considering those threats, with many new possible deployments coming up, then, if confirmed, how do we ensure that our Guard and Reserve units then maintain their ability to reinforce our Active Duty component as effectively as they have in the past dozen years? How do we ensure that they are being supported?

Dr. CARTER. Thank you for that, and that is the key issue, as you well know.

I think that the Reserve component forces need to be as prepared to go into action, if they are called to go into action, as any Active Duty element. You never want to send anybody into harm's way on behalf of the United States who hasn't had the training and isn't fully prepared and isn't adequately equipped to do the job.

I think it is important that the Guard and Reserve are at a state of readiness that is commensurate with the need we have for them. One other thing I will add is that they also, not incidentally at all, very importantly, play a role in responding to disasters in our own

country. That is another important and, by the way, also amply demonstrated in recent years attribute of having them.

Both for defensive or to civil authorities and for deployment in a national security emergency, they need to be fully ready when we need them.

Senator ERNST. Thank you much, Dr. Carter.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Manchin?

Senator MANCHIN. Thank you, Mr. Chairman.

Dr. Carter, thank you so much for, first of all, all the service you have given. Having such an esteemed senator introducing you, that shows your intelligence there. Next of all, willing to serve at this most difficult time. I appreciate all of that because I know how difficult it is.

We had an unusual day yesterday, and we got to speak to King Abdullah. Without revealing too much about it, I am sure that you have been briefed on that. But the bottom line was this. We are all concerned, I think, and our chairman has taken the lead on this, how we are going to accelerate what we do and what we think in this committee of quick we can get necessary military equipment to the people willing to fight, and the Jordanians are willing to fight.

About the red tape, I just couldn't believe what I heard yesterday, all the red tape that they have to go through to get something on the front lines to help them defend themselves. I didn't hear so much they need our combat troops. They need our expertise and our people in the right places to make sure we are efficient.

They just need the weapons to do the job. Do you have thoughts on that or how you can help us on that and break through this gridlock?

Dr. CARTER. I do. I don't know what you heard, but I could well believe what you heard because I have a long experience of frustration with getting equipment to the warfighter—our warfighters, never mind partner warfighters—on time. This is an element that is important when we talk about acquisition reform. The cost control is very important, but also getting things done.

When I was working on the wars in Afghanistan and Iraq, it was, even for Americans, assistance to our own forces way too much red tape stood in the way. You had to constantly try to cut through that.

I guess in the context of the Jordanian circumstance, which I am not familiar with. I am sure you know more about it on the committee than I would as a nominee, but I do read the newspapers, and I understand the need. I can well believe that it is slower than King Abdullah finds acceptable and that you and I would find acceptable.

I guess all I can say is if I am confirmed as Secretary of Defense, this is one I am pretty familiar with, and I would work to get those things out there the way we did MRAPs.

Senator MANCHIN. It seems like the greatest challenge is coming out of the State Department, and we are going to help them work on that, I think. The chairman is committed to that, and the ranking member and all of us are on the same page. This is not a par-

tisan thing. This is basically an American thing we want to get done.

If I can go to that, basically, in the auditing, I am very concerned about the cost of our military and if it is being spent efficiently. There is not a person in West Virginia, not a person in the country that won't sacrifice for a person in uniform. Not one.

They will give up something. They will pay more taxes. They will do whatever you ask them. But we have to make sure we are spending it wisely, and I think that our chairman has been very diligent on this for many, many years. I am concerned.

I am also concerned, we don't touch on this, is the size of the staff. If you look at the size of the staff and how they double and quadruple, and every time we get a new change, the staff, and we don't talk about that. We just talk about our readiness and having people be able to perform. But no one is checking the staff sizes, and I am told from people on top, they don't need these sizes. But no one can get rid of them.

Put them back where they are needed. Also using our Guard and Reserves, but the staff size, that is something you will have oversight on?

Dr. CARTER. It absolutely will. I agree with you. We need acquisition reform, but we need to reform lots of other things, too. Overhead, headquarters staffs, lots of parts of the Department, for just the reason you say.

Senator MANCHIN. Let me tell you why the audit is so important and why I am so committed to having an audit of the Defense Department. I think we can help you help yourself of the institution.

The reason I say that is there is a lot of things that you are doing that sometimes you don't ask for, you don't want. There is equipment being sent your way. There are things being produced in different parts of the country just because of who we are, and we want to make sure that our people are getting the jobs.

I agree to that, but I can tell you if there is something we are building in West Virginia you don't need, I will be the first to go and tell them we are going to find something else to do. Because we are not going to force you to buy something you don't need or don't want. I think we all have to bite the bullet there, but we have to look at this, and we won't know unless we have an audit.

I would hope that you are committed to helping us get that audit and a complete transparency of what is going on. Also the contractors, I have been here 4 years, and I cannot get an accurate count of how many contractors that we have and what branches.

Dr. CARTER. Thank you.

I am committed on the audit front. I understand what you are saying about contractors and agree with that as well, and I appreciate what you say about us working together to make sure that we buy what we need and that we buy it well.

Senator MANCHIN. Thank you, sir.

Chairman MCCAIN. We will have Senator Sullivan, and then we will take a break after that. How long do you need?

Dr. CARTER. Ten, 15 minutes.

Chairman MCCAIN. Fifteen minutes, and then after that, the next questioners would be Senator Heinrich and then Senator Fischer, and then Senator Shaheen would be in line for the next

questioners after a 15-minute break. The committee will stand in recess for 15 minutes after Senator Sullivan is finished with his questions.

Senator SULLIVAN. Thank you, Mr. Chairman.

Dr. Carter, I want to thank you for your service and particularly, and you point out, your family, your wife and kids. I know how much they go through in these hearings. Sometimes it is tougher on them than it is on the nominee. I want to thank them as well.

I wanted to start with just a little history and geography. In 1935, General Billy Mitchell, often referred to as the father of the Air Force, was testifying in front of Congress. He said that, "I believe that in the future, whoever holds blank—this place—will hold the world. It is the most important strategic place in the world. It is the most central place in the world for aircraft, and that is true either of Europe, Asia, or North America."

Do you know what place General Mitchell was referring to in his testimony in 1935?

Dr. CARTER. I think, Senator, it was Alaska.

Senator SULLIVAN. Correct. It was Alaska.

[Laughter.]

Senator SULLIVAN. Do you agree with General Mitchell?

Dr. CARTER. I do. I would point out that one proof of what he said, I suppose, is that your State is home to one of our principal missile defense batteries, and the reason for that is that it is kind of on the way to and from a lot of bad places.

Senator SULLIVAN. I look forward to hosting you in Alaska soon to show you why General Mitchell was correct. But I want to get actually to, if confirmed—

Chairman MCCAIN. Excuse me. Senator Reed says maybe that is why he was court-martialed.

[Laughter.]

Senator SULLIVAN. I think he may have had a drinking problem, but I am not sure. His strategic assessment was still very correct.

A tough part of your job is as a member of the President's Cabinet. It is also a critically important part of the job, if confirmed, is leveling with this committee. You are showing your kind of straightforward approach, which I think is great, but also with the American people. I think we all recognize there are challenges, but in some ways when the President is talking to the American people, his views seem to differ.

Let me give you a few examples. In his State of the Union, he painted a what I would consider a benign, almost delusional view of the world environment, with quotes like "The shadow of crisis is past." "We are stopping ISIL's advance." "We are opposing Russian aggression." "We have halted the progress of Iran's nuclear program." These are all quotes from the President to the American people.

Do you agree with his assessment in these areas?

Dr. CARTER. I think that if I am confirmed as Secretary of Defense, I am going to be confronting some of the most challenging problems that we have had in our national security in a very long time. My intention and my obligation will be to help our President and help our country confront those problems and provide the advice to the President that will help him deal with, though we have

many efforts and many successes because we are in the indispensible Nation in this world, we have many challenges.

I think my role for him, if confirmed, is to help him work through these challenges.

Senator SULLIVAN. But again, just in terms of straightforward approach, you have been watching the international environment. Do you agree with what the President was saying and telling the American people?

I think it is critical that he level, that you level, the Administration levels with the American people on our challenges. I will give you another example. He is talking about ending combat operations in Afghanistan, and yet we are going to maintain a robust CT [countererrorism] presence, which I think is important.

But a robust CT presence is not ending combat operations. Do you agree with what the President was saying in his State of the Union on some of these specific quotes that I mentioned?

Dr. CARTER. I certainly agree with the President's overall thrust and——

Senator SULLIVAN. That we have a benign world environment right now?

Dr. CARTER. I would say the world continues to pose serious challenges to international order and that the United States is indispensible to the solution of those challenges is what I would say.

Senator SULLIVAN. Let me ask one final question. In the hearings the last 3 weeks that the chairman has had, which have been, I think, a great education for all of us, again, for the American people. I think there was consensus that we certainly need to work on all instruments of American power to integrate those as part of a national strategy to address what I think are significant challenges that the President has not laid out.

One of these instruments that we didn't have 10 years ago, but there was common agreement on is energy and being once again the world's energy superpower in terms of producing oil and gas and renewables. Last week, the President took over 20 million acres of some of the most prospective lands in America for oil and gas development off the table.

Do you agree that having energy and using that to help our national security is important? Would you agree that taking such huge areas of land off the table, billions, potentially billions of barrels of oil, trillions of cubic feet of natural gas, do you think that helps or undermines America's national security?

Dr. CARTER. I certainly think energy security is an important part of national security, and I am incredibly encouraged by the progress that the United States has made in developing new resources, both oil and gas in recent years. I think it is showing up in terms of our economy, and also it is showing up geopolitically.

With respect to the particular issue you raise, Senator, I am simply not knowledgeable about it and can't give you a knowledgeable answer.

Senator SULLIVAN. Okay. I think those kind of actions undermine our national security significantly.

Dr. CARTER. I understand.

Chairman MCCAIN. The committee will stand in recess for 15 minutes and then reconvene. The next questioners will be Senator Heinrich, Senator Fischer, and Senator Shaheen.

[Whereupon, at 10:57 a.m., the committee recessed, to reconvene at 11:19 a.m., the same day.]

Chairman MCCAIN. The committee will reconvene, and we will recognize Senator Heinrich.

Senator HEINRICH. Thank you, Mr. Chairman.

Welcome back, Dr. Carter. It has certainly been a pleasure to work with you, and I just want to say it is really refreshing to work with someone in this potential position who has both your technical background and your ability to work with people across the Services and with Congress. You seem to balance those things remarkably well, speaking as an engineer who struggles with that myself sometimes.

If I remember right, I believe you served as staff director for the Congressional Commission on the Strategic Posture of the U.S. that released its report back in 2009, when I was sitting on the House Armed Services Committee. I think that report made some very important strategic recommendations.

In particular, I thought the idea that Los Alamos, Livermore, Sandia, should be designated as national security rather than nuclear weapons laboratories was a very important recognition of how the threat environment that we face in the world today has changed.

In addition, one of the things the commission recommended was that the President issue an executive order formally assigning the Secretaries of Defense and Energy, State, Homeland Security, and the DNI joint responsibility for the health of these laboratories, and you and I discussed this a little bit when we met in my office recently.

I wanted to ask you, based on a recommendation from the Strategic Posture Commission, what sort of joint responsibility do you believe that the Department of Defense should have for our National labs?

Dr. CARTER. Thank you, Senator.

I recall our conversation, and you are right. I was executive director of the so-called Perry Schlesinger Commission, which did make the recommendation you pointed to.

The National Laboratories, the so-called National Laboratories of the Department of Energy actually are national laboratories. I know this because when I worked in the Department of Defense as acquisition executive, we used them a lot. We asked them to do things because of their technical excellence.

Those laboratories that were founded to serve the nuclear arsenal of the United States and continue to do so now do lots of other things for national security—for the Department of Defense, for the Intelligence Community, for the law enforcement community, the Homeland security community. I think they call it "work for others".

Senator HEINRICH. Exactly.

Dr. CARTER. Which means other than the Department of Energy. But it is important, and it was certainly valuable to the Depart-

ment of Defense when I was there to be able to get that kind of technical excellence.

Senator HEINRICH. I think one of the challenges has been that originally work for others didn't really exist at the National Labs. They were solely nuclear enterprises. As that has become a larger and larger percentage of what they do, it has been more challenging to sort of feed the underlying foundational aspects of the lab, the overhead and other things.

What I would hope is that if you are confirmed, and I certainly hope that you are, that I can count being able to work with you to figure out if there is not a way we can formalize that responsibility for the health of DOD and the other agencies I mentioned, as well as for the long-term health of those national security laboratories?

Dr. CARTER. I understand. If I am confirmed, I look forward to working with you on exactly that. I understand.

Senator HEINRICH. I want to move back to Ukraine for a minute, and we heard earlier about the issue of providing additional defensive military equipment to the Ukrainians. We have also heard a lot of testimony in recent weeks emphasizing the importance of deterring additional Russian aggression in the Baltics—in Estonia, Latvia, and Lithuania—particularly by continuing to position more NATO troops and equipment in those places.

I just wanted to get your sense for are we doing enough in that region to deter additional Russian aggression in the Baltics?

Dr. CARTER. Thank you.

I think it is very important that we do deter Russian aggression in the Baltics. The Baltic states are part of NATO, after all. It is a pretty big deal.

But to answer your specific question, are we doing enough? I am familiar with what we are doing. I have not been in a position to discuss it with our commanders there or any of the European leaders and so forth. That is something that I would, if I were confirmed, be a very early priority to see whether we are, in fact, doing enough.

I know we are doing things. We are rotating forces in there to serve as a warning and a tripwire that NATO really is there, and I certainly support doing that. But everything we are doing I am probably not aware of, and what more we can do I have not investigated, but I promise if I am confirmed, I would. It is very important.

Senator HEINRICH. Thank you very much, Dr. Carter.

Chairman MCCAIN. Senator Cotton?

Senator COTTON. Thank you, Mr. Chairman.

Dr. Carter, thank you for being here today. Thank you for your service to our country.

Yesterday, we saw the Islamic State burn alive the pilot of one of our key allies. In recent months, they have buried women and children alive. They have crucified Christians. They have beheaded Americans and citizens of our allies.

The leaders of the Islamic State, the ones who direct and in some cases commit these atrocities, have critical knowledge that we need to stop them. They know where hostages are being held. They have information that would allow us to go after the Islamic State's fi-

nancial support. They know where other senior leaders are. In short, they have a lot of intelligence value.

If American forces were to capture one of these leaders, say, Abu Bakr al-Baghdadi, or one of his senior lieutenants, would you recommend that the President send him to Guantanamo Bay so he could be fully interrogated for intelligence value?

Dr. CARTER. I would certainly recommend that he be interrogated for his full intelligence value. It would be a legal determination about where he ended up and so forth. But I think it is important that we get that intelligence value if we do capture people like al-Baghdadi.

Senator COTTON. Would you recommend that he stay in American custody or that he be transferred to the custody of an ally?

Dr. CARTER. As I sit here right now, I don't know enough to answer that question. That would be a legal determination about his ultimate disposition. I think the key from a Secretary of Defense's point of view, prospective Secretary of Defense's point of view would be let us get that intelligence.

Senator COTTON. Would you want to see him transferred into the United States mainland, given his Miranda rights or otherwise put in an Article III Federal court?

Dr. CARTER. Again, I don't know enough to know what the ultimate disposition would be appropriate. I do know that it would be important to interrogate that individual. Whatever the ultimate disposition or legal process was, it should make provision for interrogation.

Senator COTTON. Thank you.

I want to move to the recommendations of the National Defense Panel [NDP] for the overall military budget. The National Defense Panel, as you know, is a bipartisan and congressionally mandated panel that reviewed the 2014 QDR [Quadrennial Defense Review].

That panel stated, "Congress and the President should repeal the Budget Control Act immediately and return as soon as possible to at least the funding baseline proposed in Bob Gates' FY [fiscal year] 2012 defense budget." The panel went on to note that while even that amount would likely be inadequate, it represents "the minimum required to reverse course and set the military on a more stable footing".

Do you concur with the National Defense Panel's recommendation that Bob Gates' fiscal year 2012 recommendation for the coming fiscal year is the minimum funding baseline needed for the Department of Defense?

Dr. CARTER. The 2012 baseline, just to make sure I understand correctly, would have removed $500 billion from the defense plan at that time. A sequester would have removed twice that.

I don't know what the National Defense Panel said, but I would say that if what they were saying was that the sequester level was unacceptable and that the level that Secretary Gates recommended was the one that they supported, I actually supported that, too, and continue to think that sequester is a bad idea.

I am familiar with the results of the National Defense Panel and its membership, which is very distinguished.

Senator COTTON. To be exact, Secretary Gates' fiscal year 2012 budget said in fiscal year 2016, the budget should be $610 billion.

At sequester levels, it would be just under $500 billion. I believe the President recommended approximately $535 billion. This would be another $70 billion plus that the defense panel recommends for the coming year.

Dr. CARTER. I see what you are saying. Yes. That is absolutely right, and I think the Defense Department budget has been under pressure now for the last 3 or 4 years in a way that I experienced the effects of firsthand, and they are damaging. That is one of the reasons why I want to get back on track to getting enough money for defense by getting rid of sequester.

Senator COTTON. While $535 billion or some congressional number in that neighborhood might be better than $500 billion, you think $610 billion, as recommended by that panel, is the minimum necessary to put our military back on the right course?

Dr. CARTER. I wouldn't say it is the minimum necessary to get us back on the right course. We are obviously not going to get that amount of funding. But I can tell you that the Department of Defense can make good use of the funding the President has requested.

I will say one other thing. If I am Secretary of Defense, I would like to see more spending on defense. I am very open about that. I want to get rid of sequester, and I would like to see us spend more on defense.

I think that—and this may have been what the NDP was getting at, we are having to accept risk in the execution of our strategy as a result of our funding problems which I would rather see us not accept.

Senator COTTON. Thank you.

Chairman MCCAIN. Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Thank you, Dr. Carter, for your past service to this country and for your willingness to continue to serve.

I want to talk a little bit about the proliferation of nuclear weapons. I remember being at the Kennedy School when you gave a very compelling presentation that showed retiring or dismantling some of the weapons through the Nunn-Lugar program. I continue to believe that this is one of the most serious dangers we face, both in the United States and in the world, particularly with terrorists like the Islamic State who seem to be willing to do anything to achieve their ends.

I wonder if you could talk a little bit about how to balance the need to address nuclear weapons and material that is still out there with the effort of DOD to modernize our weapon systems and where you see the priorities are and what we need to do to address that?

Dr. CARTER. Thank you, Senator.

I think we need to do both and can do more in the way of securing fissile materials and the other wherewithal of nuclear weapons and also biological weapons and other weapons of mass destruction around the world. I also believe that the United States needs a safe, secure, and reliable nuclear deterrent.

Because as much as we would like to see nuclear weapons and other weapons of mass destruction rid from the earth, that doesn't look like it is something that is going to happen soon. It is impor-

tant that the American deterrent that we provide to our own country but also to friends and allies who rely upon them is safe, secure, and reliable. I think we need to do both and can do both.

Senator SHAHEEN. You wrote an article last year for Foreign Affairs, entitled "Running the Pentagon Right: How to Get the Troops What They Need," and you talked about two lessons from Iraq and Afghanistan. First, that the Pentagon was not prepared to fight a nontraditional enemy and, second, that the length of those wars was underestimated, and there was little incentive to pursue acquisitions tailored to the specific fights.

Can you talk about how, as Secretary of Defense, you would avoid repeating those mistakes of the past two wars?

Dr. CARTER. Yes, thank you, and this is something that I have a lot of passion about, which is why I wrote that. The experience that I had all too often in trying to support Iraq and Afghanistan as the acquisition executive was that when the troops said they needed something, the response of the bureaucracy tended to be, "Oh, we have one of those. We are making one of those. We have one in progress. It will be finished in 10 years."

Incredibly, that is, in essence, the response that would come back from the bureaucracy. We all recognize immediately that that is nonsensical because they needed that equipment, counter-IED [improvised explosive device] equipment, vehicles. They needed it now, not 10 and 15 years from now.

Our acquisition system got in the habit, and I think the chairman was referring to this earlier because it is a driver of cost, but also this problem, got in the habit during the Cold War of doing things very slowly. With the Soviet Union, we always had plenty of time. There was the Soviet Union. It was the Cold War. It would go on for a long time.

We would have programs that extended over 10 and 15 years. You can't do that when you are in the middle of a war, and people are dying and success depends upon your acting more quickly. I obviously feel passionately about that. I think anybody who observed that bureaucratic tendency would have the same attitude I did, and we have to turn faster as a military.

It is one thing when you are in war, when you are in competition with other countries that are using the global technology base to advance their own military. If we are going to continue to be the best military in the world, we can't make steps in 15-year increments. We have to turn faster than that. I think that is the larger meaning, and the meaning going forward, the lesson, to use your word, of that experience.

Senator SHAHEEN. My time is almost over. But you and others here today have talked about the importance of procurement reform. I assume that that will be a top priority when you go back to the Department, as it has been in the past?

Dr. CARTER. It would. If I am confirmed, absolutely.

Senator SHAHEEN. Thank you very much.

Dr. CARTER. Thank you.

Chairman MCCAIN. Senator Inhofe?

Senator INHOFE. Thank you, Mr. Chairman.

Dr. Carter, I apologize for not having been here, and I don't want to ask something that has been asked over and over again. We have a conflicting meeting that is taking place right now.

Everyone who has appeared before this committee has talked about the mismatch that is out there, unprecedented mismatch, and I am talking about all the Service Chiefs. I am talking about the old-timers. You know, as you know, we had George Shultz, Henry Kissinger, and Madeleine Albright. All of them searched their memories and could not find a time in our history when we had the level of threats that we are faced with today and the limited resources we have.

That is the mismatch that they are talking about with the things all over the world I mean that are taking place right now. Do you agree with that?

Let me restate that. In the years that you have had such a variety of experience, do you ever remember a time like this?

Dr. CARTER. I think we are in a time where the number and severity of the risks is not something I have seen before in my life.

Senator INHOFE. Yes. Even the President, after what happened yesterday, I am sure, is not talking about junior varsity anymore. We know that we have a really serious problem with ISIL. We have been talking about the fact that they are building a militia, and we now have seen the brutality and what they are capable of.

I would like to have a stronger response from the President when the disaster took place yesterday. I fail to see a strategy in terms of dealing with ISIL, with that force that is over there. Do you see a strategy, and where will you be on this?

Dr. CARTER. Thank you.

I can describe what I believe to be the strategy, and just to revert to what you said at the beginning, when I started my career in defense, it was a simpler world. There was one big problem, which was the Cold War and nuclear disaster.

Senator INHOFE. Those were the good old days.

Dr. CARTER. To get to your point, I assume that this is what your other witnesses were saying, it is a much more complicated world, much more many faceted and many more problems and issues for the United States to take on. At the same time, I believe we are up to it and that we are capable of surmounting all these problems.

With respect to the strategy for ISIL, I would describe it in the following way. Strategy is about connecting ends and means, and the end here is the defeat of ISIL and the sustained or lasting defeat of ISIL. To achieve that lasting defeat of ISIL, we are trying to rebuild the morale and power of the Iraqi military and the confidence of its government in a multi-sectarian approach so that we don't revisit the Maliki experience, which led to the disintegration of the Iraqi security forces.

On that side of the border, the lasting defeat will be made lasting by an Iraqi security forces and associated forces in Iraq that are rebuilt.

One enemy, two locations. To get to the other location, Syria, I believe the approach there similarly needs to be to inflict a lasting defeat. In order to do that, we need a partner, and we are trying to build that partner in terms of a moderate Syrian force and local forces from the region that can, with our air power and other kinds

of assistance, inflict defeat on ISIL and then make it a lasting defeat.

That is how I would characterize what I see. I am obviously not in the counsels of Government, but that is what I infer.

Senator INHOFE. Yes, and I appreciate that very much. Dr. Carter, when you were in my office, we talked about having just returned from Ukraine and also Lithuania. When I first walked in, Senator Heinrich was talking about Lithuania, Estonia, and that area. Their concern was that all of our attention seemed to be in that part of the world, concentrated on Ukraine.

It is true. I happened to be there when they had their election. For the first time in 96 years, they don't have a Communist in their parliament in Ukraine. We have that problem at the same time as the others you are addressing, and what do you think about our European strength as it is right now?

Are we adequate? Are we becoming inadequate?

Dr. CARTER. I think that our strength in Europe is our alliance with NATO and the political solidarity that that represents, which is very important when it comes to the Baltic states, and also the response in Ukraine, which, while not a NATO nation, is certainly a European nation, and European unity is an important part of that. So one of our strengths is that.

Another strength, of course, is our military strength. There I understand that we are adding forces, rotational forces to the Baltic states as a presence there, as a deterrent to any Russian kind of adventurism on the part of Russia in those states. I certainly support that, and if I am confirmed, I would want to look into what more we can do to do that.

I would also say I wish the European states—and many Secretary of Defenses have said this over the years—were investing more in their own defense.

Senator INHOFE. Lastly, I am out of time, but for the record, if you would submit this for the record to me. In the event we are able to get the perpetrator of the horrible crime that took place, would you examine the expeditionary legal complex that we have as a place to do our interrogation?

I heard your response to the first question, but will you at least consider that?

Dr. CARTER. Sure. I will learn more and respond.

[The information referred to follows:]

The appropriate disposition for a detainee is determined on the basis of all the facts and circumstances, including the national security interests of the United States and its allies and partners, and the conduct the detainee has engaged in, consistent with U.S. domestic law and international law. Depending on the circumstances, detainees may be prosecuted in the United States, detained in their home countries, or detained in a third country. The Department makes assessments regarding the appropriate disposition of detainees on a case-by-case basis.

Chairman MCCAIN. Senator Hirono?

Senator HIRONO. Thank you, Mr. Chairman.

Thank you, Dr. Carter.

And thank Senator Lieberman for your continuing presence at this hearing.

Dr. Carter, I appreciate your acknowledging at this hearing the importance of and the seriousness of sexual assault in the military, and in response to questions that have been submitted to you, you

have said that you would take a personal role in addressing the prevention and dealing with this scourge in a much better way. I will have a continuing interest in seeing how you do in that regard.

I also agree with you that the security of our country is very much dependent, I would say, on maintaining the stability in the Asia-Pacific area. Of course, we need to continue our commitment to the rebalance and at the same time be able to deal with the instability in other parts of the world.

Now President Obama recently visited India and announced a series of bilateral agreements with Prime Minister Modi. Can you talk briefly about the future of the United States-India relationship in the context of our rebalance commitment?

Dr. CARTER. Thank you, Senator.

The rebalance is a rebalance not only within Asia—I mean to Asia, to the Asia-Pacific area, but within it. Our historic focus has been East Asia, and I think that your question points to the importance to pay greater attention to South Asia as well.

India is, in my view, destined to be a strategic partner of the United States. It is a large democracy, shares a lot of our political values and values of pluralism. I think that destiny will bring us together, but I am for hastening that.

In the military-to-military area and the defense cooperation and technology cooperation areas, I think there is a great deal that we can do with India. If I am confirmed, I would take a strong interest in doing that.

Senator HIRONO. Thank you.

Do you view U.S. energy security as a vital component to our overall national security and clearly on the military side? What role, if any, do you believe that the Department of Defense has in supporting efforts to increase U.S. energy security?

Dr. CARTER. I think energy security is an important part of national security, and the Defense Department does play a role, not a central role, but a role in energy security. I think every dollar we spend of the defense budget we need to be able to justify on defense grounds, and we make some investments in energy technology because they pay off for the defense budget and for the soldier.

We make investments in batteries, for example, solar cells, insulation, buildings, making them more energy efficient so we can save money. In some ways, the Department of Defense, like other large institutions in the country, is investing in energy efficiency in the future. I think that is an important thing to do.

Senator HIRONO. DOD is the largest user of energy in the Federal Government.

Regarding acquisitions, with your experience in the defense acquisition process, including the time in which you led the Acquisition, Technology, and Logistics Directorate at the Pentagon, as you review our DOD acquisition program with its various cost overruns, delays, et cetera, which others have noted, including the chairman, what would be your first priority to improve the acquisition process?

For example, would you look at the kind of contracts that we enter into? Training, requirements, process—what would be your first priority to improve in that area?

Dr. CARTER. All of those are important. To take the point you made about contract structure, contracts are a way of providing incentives to industry, to control costs and meet schedule. That is an important part of negotiating a strategy.

To get to your other suggestion, in order to negotiate those contracts well, we need people on the Government side who are capable, who understand acquisition and who understand industry. I am in favor of reintroducing to the acquisition system the role of the customer, which is the chiefs of the military services. I think that has been a proposal made by others with which I associate myself.

There is no one silver bullet. There are many things that we need to do to improve acquisition.

Senator HIRONO. Thank you.

Chairman MCCAIN. Senator Fischer?

Senator FISCHER. Thank you, Mr. Chairman.

Thank you, Dr. Carter, for your service and your willingness to continue that service to our country.

I appreciated our frank conversation that we had in my office the other day and look forward to many more in the future. In that conversation and today also, you talk about the deterrence, our nuclear deterrence in this country as being the bedrock of our defense. I appreciate your views on that, and I agree with your views.

We also talked about modernization and the importance of modernization and how as a country we need to step forward and really see that through if we are going to continue to enjoy the security that we have as a country. Thank you for your comments on that.

In 2013, you led the Strategic Choices and Management Review, and in that review, one of the decisions was to reduce major headquarters' budgets by 20 percent by 2019. That plan was required in our NDAA [National Defense Authorization Act] in fiscal year 2014. But the GAO [Government Accountability Office] has issued several reports that really cast doubt on if that is going to take place and even if we have an accurate picture on what the full resources currently are that are devoted to that headquarters staff.

A couple questions here. Will you, if confirmed, maintain the goal of that 20 percent reduction in headquarters budget and staff? How are you going to accomplish it if we don't have any idea of what those numbers are?

Dr. CARTER. I certainly think it is important to diminish headquarters staff and other forms of overhead. I think the 20 percent goal was a sound one.

I do not know where it stands in terms of implementation now. If I am confirmed, I will get back to that and try to meet that goal because we just have to get rid of the overhead here so that we can spend the dollars we have on the warfighter, which is what it is all about.

Senator FISCHER. Have you seen the GAO report questioning if those numbers are even out there, if they are even available? If you believe that, how are you going to get the numbers?

Dr. CARTER. I have not seen that GAO report, but I, if I am confirmed, will find out where the Department stands in terms of implementing that goal and, if they are off track, try to get them back on track because I think it is a good goal.

Senator FISCHER. Do you think now is the time that we should look at elevating cyber to its own command, or even with the commission that we had yesterday, there is a recommendation in that commission for a joint readiness command. When we look at overhead and administrative costs, what would be your initial response to those that are promoting ideas for additional commands?

Dr. CARTER. I am all for paying much more attention to cyber and think we need to do that. But the creation of new commands and new headquarters in this budgetary environment is something I think we need to look at very closely and very cautiously.

Senator FISCHER. As you know, our chairman, Senator McCain, is interested, as we all are, in gaining more knowledge about the information sharing with regards to our cybersecurity threats. That is one area that I believe has broad support. We know there is support not just from members of this committee and members of Congress, but also the President has discussed the need for information sharing on those cybersecurity threats.

I agree that information sharing and better defense is a first step. But do you think that we can achieve relative cybersecurity simply by improving those defenses, or do we need to perhaps go on the offense and impose more I guess you would say visible costs with regards to our actions on cybersecurity?

Dr. CARTER. I think both are important. We need to improve our defenses, but we also need to improve our abilities to respond. Those responses can be in cyberspace or in other ways, but certainly they should include the option to respond in cyberspace.

Senator FISCHER. The option to respond, would you say that would include demonstrating that we have the capability to do so? Is that part of our deterrence when it comes to protecting our country, our agencies, and private businesses when it comes to cyber attacks?

Dr. CARTER. I agree with you. I think deterrence requires that a potential aggressor know that you have the capability to respond, and they obviously can't know all the details of that or they may be able to counter your response. But they certainly should know that you can respond.

Senator FISCHER. And would respond, if necessary?

Dr. CARTER. And would respond, absolutely.

Senator FISCHER. Thank you, Dr. Carter.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator McCaskill?

Senator MCCASKILL. Thank you.

So many questions, so little time. I want to associate myself with the remarks of the chairman about the weapon systems. You are in a special position because you have been in the weeds, so to speak, on all of this in your previous position, and we worked together on wartime contracting reforms, which now are in the statutes. I know that you will be aggressive about making sure that all of those provisions are adhered to.

I also want to address a question to you for the record on the murky line of responsibility on the building of infrastructure during contingencies in theater while we are fighting. I think what we have learned in Iraq and Afghanistan through the special inspector general's reports is that this line of passing back and forth respon-

sibility for building roads, building highways, building grids, building health centers, building water systems, building power plants between USAID [United States Agency for International Development] and DOD has made it very difficult for us to really hold everyone accountable that needs to be accountable for dramatic failures.

On that note, I wanted to specifically talk about special inspector general's reports. Last week, I learned that for the first time in 6 years, the special inspector general's reports as to the way we are accomplishing our mission in Afghanistan for training and equipping the Afghan National Security Forces and Afghan police was going to be classified by General Campbell. This had never been done before.

Those reports are essential to robust oversight. I kicked up dust last week about it, and on Monday, it was announced that General Campbell was evidently reversing his decision in some regard. I want to ask your commitment to make sure that throughout the chain of command, there is an understanding that the decision to classify is a very precarious decision because if you don't do it when it needs to be done, it is a problem. But if you overclassify, it removes the ability of us and the taxpayers to hold the military accountable.

I wanted to bring that up to you and ask you for your commitment in that regard.

Dr. CARTER. I give that commitment.

Senator MCCASKILL. I also wanted to briefly talk about sexual assault in the military. The report that came out in December, while it still shows work to be done, I think it is important that on the record we talk about the success that we have had.

Reporting is up. We have gone from 1 in 10 victims coming forward to 1 in 4 in a matter of a few years. Incidence is down. Importantly, restricted reporting is up.

Maybe the most important information in that report that hasn't gotten a lot of cover is that in anonymous surveys and focus groups with victims, more than two-thirds of the victims said they had complete confident in their commanders and how they are handling these crimes and that they feel that their privacy is being respected and that they are being supported. That is huge, and I wanted to point that out because I do think we are making progress.

But on retaliation, that same report, as Senator Gillibrand pointed out, we still have a 62 percent rate of retaliation. If you look at the report, you realize it is not retaliation by the convening authority, by the command that is making the decision as to whether or not to go to general court martial. Rather, it is peer and low-level command that is causing the problem.

In our reforms, we made retaliation a crime. We expect to get a report on how many instances that crime has, in fact, been pursued within the military justice system. The reforms, obviously, just went into place a relatively short time ago.

What do you plan on doing in connection with this retaliation problem and with this new crime within the military justice system to pursue it?

Dr. CARTER. Thank you, and thank you for everything you have done. I have, from the outside looking in, observed and admired the ideas and the energy and the commitment you have shown to getting rid of this scourge of sexual assault, and so, first of all, thank you for that.

With respect to retaliation, that is one of the dimensions that I think the report you cite uncovered as very prevalent. I think the 62 percent of victims were reporting experiencing retaliation. As you say, not so much—although not to the exclusion of, but not so much from the chain of command as from peers and subordinates.

You are right. This is a crime, and its prevalence suggests that we are not doing everything we can, that we need to do to root out that crime.

If I am confirmed, you can count that I am attentive to this issue of retaliation and determined to do something about it, and I will look forward to working with you if I am confirmed.

Senator MCCASKILL. Thank you very much, Dr. Carter. I look forward to working with you.

Chairman MCCAIN. Senator Lee?

Senator LEE. Thank you very much, Dr. Carter.

It is a pleasure to have you here. I appreciate your willingness to be considered for this position. I appreciated the visit we had in my office the other day, and you have certainly proven yourself as someone who knows a lot about the Department of Defense, having served at its highest levels as Deputy Secretary in the past.

I want to talk about a few things. First, let us talk about the F–35 for a minute. The F–35 is an amazing system, with units at Hill Air Force Base that are set to be hosting the F–35 starting this fall. It is a program, however, that has been marred by some delays and some cost overruns, as you know.

As the Department of Defense looks at acquiring other new weapon systems and equipment to make sure that we maintain our technological advantage over our adversaries, I think it is important not only to work time and cost efficiencies in acquisition into the equation for such programs, but also to integrate that with logistics and maintenance processes that are absolutely essential to make sure that we get our money's worth.

With a program like the F–35, the biggest single expenses through the lifecycle isn't just acquiring it. It is also maintaining it and making sure that we get our money's worth out of it.

Given that the Department of Defense has been reforming the acquisitions process in various ways for decades, what would you do differently not only to improve that process, but to make sure that acquisitions and development and logistics are all aligned in a way that increases the lifecycle and increases the efficiency and utility of these various weapon systems?

Dr. CARTER. Thank you, Senator.

It is exactly as you say. The lion's share of the cost of any weapon system is not in buying it, but in having it. Which is why, to get to the F–35 example that you cite, the longstanding battle to control cost in the Joint Strike Fighter program, which I have been part of but is still ongoing and has to go on as long as that program is in existence—it is not perfect yet, it is a long way from that—has to extend into the sustainment phase of the aircraft.

We have worked on cost control in development. We have worked on cost control in the production of the aircraft, and we need to work on cost control in sustainment as well, exactly as you say.

Senator LEE. Thank you. Thank you, and I appreciate your thought on that especially because your experience gives you a real strong ability to appreciate the nuances involved there.

General John Kelly, the commander of SOUTHCOM [United States Southern Command], called last year's border crisis an existential threat to the United States. Do you think that our inability to adequately enforce security at our borders does present a security threat to the United States, including a security threat that could involve the possibility of terrorists entering into our country without our knowledge?

Dr. CARTER. I think control of our borders is an important part of national security, yes.

Senator LEE. That is something that you would continue to watch out for, if confirmed at this position?

Dr. CARTER. Absolutely.

Senator LEE. It was reported on February 2nd, just a few days ago, that Iran successfully placed another satellite into orbit using a two-stage rocket. Do you think that continued development of Iranian ballistic missile technology presents a threat to the United States, and if so, what do you think we ought to do about it?

Dr. CARTER. I do. I think it is a threat not only to the United States, but friends and allies in the region, and it is just one of the things that Iran is doing that is dangerous.

With respect to ballistic missiles that could threaten the United States, I think that is one of the reasons why we need to keep our missile defenses, and especially our ICBM [intercontinental ballistic missile] defenses, current, capable, and large enough in size to deal with both a prospective Iranian threat and the also very real North Korean ICBM threat.

Senator LEE. Thank you.

As has been noted in several capacities that you have had within the Department of Defense, including most recently as the Deputy Secretary, you have had to confront the issue of sequestration. Now many of us, including myself, did not want sequestration to hit. I voted against the Budget Control Act in part because I didn't think that we ought to be putting this burden disproportionately on the Department of Defense as we were.

None of us wanted the super committee to not come up with a solution even after that happened, and many of us hoped that it wouldn't come to that. Of course, it did.

One of the lessons that I think we learned from 2 years ago is that while it is good to hope for the best, we also have to prepare for the worst. What can you do to make sure that we are not caught flatfooted and that we are ready for anything that we have to confront on that issue?

Dr. CARTER. We need to continue to adapt our plans to the resources we are given. My own view is that we have made adaptations over the last few years to our strategy to accommodate the budget squeeze that are getting to the limits of what it is safe to do, and that is why I really want to see an end to sequester.

We need to do more to spend the defense dollar better, and I am all for that as well. But it is also basically the truth that we are getting to the point where we have bent the strategy, as the phrase goes, and I don't think it is safe to keep bending it.

Senator LEE. Thank you. I see my time has expired.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Kaine, but before Senator Kaine, I would like to announce that we will break after Senator Kaine and then Senator Graham. There is a vote at 2:30 p.m. We will reconvene at 2:45 p.m. for the benefit of the few remaining Senators and any second round that any member wants. We appreciate your patience, Dr. Carter.

Senator Kaine?

Senator KAINE. Thank you, Mr. Chairman. Thank you, Dr. Carter, for your strong testimony today.

The chair and the ranking member in their opening comments put the issues on the table, and I want to just focus on two of them, the elimination of ISIL and Afghanistan. Senator Donnelly asked if the elimination of ISIL should be the goal. We all had the experience, as Foreign Relations Committee and SASC [Senate Armed Services Committee] members yesterday, of visiting with King Abdullah at a very emotional and difficult time.

I was struck by something he said to us. He said, look, we need you desperately. However, this is a fight that is the region's fight. If we are not willing to stand up against extremism in the region, there is no amount of outside forces, as powerful as they can be, who will be able to beat this fight. He really took ownership of it in a way that I thought was pretty courageous.

Do you think it is possible for the United States military to eliminate ISIL on our own or even with other Western nations if the region doesn't go all in to combat the homegrown jihadism that is exemplified in its most brutal form by ISIL?

Dr. CARTER. We have to have regional partners because we have to make sure that the defeat inflicted upon ISIL is a lasting defeat, and for that, there needs to be conditions created where ISIL is now occupying territory that don't make it a breeding ground for victory for that kind of, what is the right word, malignant and vicious kind of terrorism.

The United States involvement is, I believe, essential. It is necessary, but it is not sufficient to have lasting victory.

Senator KAINE. I would share your view, necessary, essential, not sufficient. It is still my hope that the White House will send to us a draft authorization for use of military force. I think after the President's comments in the State of the Union, that seems more likely. I don't think this is a war that can be waged in perpetuity, without Congress weighing in and putting our thumbprint on the mission and saying that if we are going to ask people to risk their lives in the mission, Congress is going to debate and vote and authorize it.

If we have that debate about the American role, one of the things that I think is notable if, in fact, the region has to go all in against the ISIL threat, so far 80 percent of the airstrikes that have been carried out against ISIL have been United States flown.

Jordan has been rock solid in doing a lot of airstrikes. But the other nations in the region that seem to be directly threatened by ISIL, much more directly even than we are threatened by ISIL, I think have really not, other than being associated with the coalition, I don't think they have really stepped forward in showing—and been willing to show that they are going all in against this threat, which should be an existential one. I think that is going to be the subject of some significant debate if we get into a discussion on authorization.

Now second, Dr. Carter, on Afghanistan, I completely agree with Senator McCain, the chairman's point in his opening. I really hope we have a conditions-based strategy and not a calendar-based strategy.

Now I think it is okay to have a plan, and you indicated a plan is a plan. You can adjust the plan based on the current reality.

Senator King and I were in Afghanistan in October and talked with General Campbell, and it seemed like after those discussions, the White House did adjust the plan once already. There were some ideas about the way U.S. forces would be used in calendar year 2015 that after hearing from General Campbell and others, I think the White House adjusted the authorities granted to U.S. troops during this calendar year, and I think that was a conditions-based decision, which was good.

But I worry for the same reason that you do. We have, at the expense of blood and treasure, achieved a lot in Afghanistan. The Nation's life expectancy has gone from 44 to 61 in 10 years.

My back of the envelope math, I always say 30 million people living on an average 17 years longer, that is 510 million years of human life. That seems like a pretty good ROI [return on investment] to me, for as painful as it has been, for as expensive as it has been. Why would we want to go backward?

I think in Afghanistan that what we heard when we were there was also a little bit of the Iraq worry. Wow, they have taken their eye off the ball before because of things in Iraq and pulled resources away and that this is the perception in Afghanistan. Maybe this is getting ready to happen again, as significant a threat as ISIL is and that we need to be at it.

In Afghanistan, they are a little bit nervous that the ISIL threat will pull our attention away and that we could lose these gains. I hope in your capacity in this new role, as you dig into the plan, as you dig into the daily conditions, that we will make the right decision about how to keep the progress that we have gained in Afghanistan and that we won't let a day on the calendar be the determinant of our policy.

Thank you, Mr. Chairman.

Chairman MCCAIN. Do you want to respond to that, Doctor?

Dr. CARTER. Two thousand one hundred and six Americans, servicemembers have lost their lives in Afghanistan. Afghanistan was the place from which the 9/11 attacks emanated, and so I think finishing the job there is very important.

I have been part of that war in my previous time in the Department. It was what I woke up to every morning, and so I am very committed to success there. We have adjusted what we have been doing continuously as we went along.

I don't have anything to add to what you said, except to remind that the Afghan security forces are what we increasingly have trained to provide security on Afghan territory. They are going to need support after 2016.

In the President's budget, about which I will appear before you in a few weeks, I understand that there is, if my memory serves, $3.8 billion requested for the Afghan security forces that carries through the end of 2016. Then a question will arise, are we going to stick with them, the Afghan security forces?

It is not just about troops, American troops. It is about the overall commitment so that the Afghan security forces can keep the peace there after 2016.

Chairman MCCAIN. Senator Graham?

Senator GRAHAM. Thank you.

The idea of Joe Lieberman introducing you is a risky proposition, but we will see how that turns out.

[Laughter.]

Bottom line, do you agree with the following statement? The only reason 3,000 Americans died on 9/11 is that the radical Islamists who attacked us could not find a way to kill more of us?

Dr. CARTER. That is probably true.

Senator GRAHAM. If they could, they would?

Dr. CARTER. That is my guess.

Senator GRAHAM. Yes, I don't think it is a guess. I think it is a fact. Do you think ISIL represents a threat to our Homeland?

Dr. CARTER. I do.

Senator GRAHAM. They say they want to attack us. There is no reason to believe they are kidding, right?

Dr. CARTER. I agree.

Senator GRAHAM. The head of ISIL was in Camp Bucca, and he said, "I will see you in New York," when he was released.

Dr. CARTER. Right.

Senator GRAHAM. Everything they have said they would do, they have done. One of the things they want to do is hit us. I couldn't agree more with Senator Kaine about a regional buy-in. If you don't get that, the structural problems really don't change.

But it is just not about the region. The reason I am worried about ISIL is because I think they want to hit us. They have the best platform I have seen since 9/11 in Syria and Iraq to attack the United States. They hold a large territory. They are rich. They have a lot of crazy people under their control, and they mean it when they say they want to hit us, and I want to make sure they don't.

Do you think al-Nusra wants to hit us?

Dr. CARTER. I do.

Senator GRAHAM. They recruited a guy from Florida who was a suicide bomber I think in Syria. He came back to Florida before he actually became a suicide bomber. They are trying to hit us, too.

Do you think AQAP [al-Qaeda in the Arabian Peninsula] wants to hit us?

Dr. CARTER. Very definitely.

Senator GRAHAM. Very definitely. They are the people that hit us in Paris.

Do you think the Iranians have to believe that a military option is on the table during these nuclear negotiations?

Dr. CARTER. Absolutely.

Senator GRAHAM. If they don't, we are making a huge mistake, right?

Dr. CARTER. Absolutely.

Senator GRAHAM. Do you think the Russians are being provocative at a time when the world is already in chaos?

Dr. CARTER. Yes.

Senator GRAHAM. Do you think that a cyber Pearl Harbor is a potential threat we face?

Dr. CARTER. Absolutely.

Senator GRAHAM. And we are not ready for it?

Dr. CARTER. I agree with that also.

Senator GRAHAM. Do you think China is intimidating their neighbors?

Dr. CARTER. Certainly trying to.

Senator GRAHAM. Can you tell me in light of all of this, why in the hell would Congress be devastating the military budget? Can you explain that to me because I can't explain it to myself?

Dr. CARTER. No, I can't. No, I can't. As I am a longstanding opponent, I am against sequester.

Senator GRAHAM. Yes. I left out a bunch of threats because I just have 5 minutes. Canada is in good shape, by the way. We appreciate Canada being a good neighbor.

In 2017, the plan on the table now is to have 1,000 troops left in Afghanistan, Kabul based. Do you agree with me, given the conditions that exist in the region, the likelihood of a reemergence of al-Qaeda and other terrorist groups along the Pakistan-Afghan border, we would be wise to have troops outside of Kabul?

Dr. CARTER. That is not the plan now, Senator.

Senator GRAHAM. Can you please tell me why I am wrong? It is the plan to go down to 1,000 by 2017. They increased the number of troops in 2015, but it is the plan. If you are going to be Secretary of Defense, you need to understand the plan. The plan is to go to 1,000.

I think that is beyond unwise. That will destroy our ability to see, hear, and listen to what I think is a reemerging threat along the Afghan-Pakistan border. If I am wrong about the plan, please correct me. This is something you can go home and check out for yourself.

Dr. CARTER. No, I think you are correct—I think you are correct about the plan.

Senator GRAHAM. Yes, that plan needs to change.

Dr. CARTER. That is the understanding I have of the plan.

Senator GRAHAM. If it doesn't, we are incredibly stupid as a nation. I want to withdraw from Afghanistan responsibly. I want lines of defenses over there so they don't come here. Doesn't that make sense?

Dr. CARTER. It does make sense.

Senator GRAHAM. I am glad Afghans are living longer. I am glad that Afghan girls are going to school. I am proud of what we have accomplished. But I am worried about Americans living longer. The reason I want to continue to invest in Afghanistan, the reason I

want to deal with ISIL and al-Nusra and all the other groups is because they are trying to hit us.

Do you agree that the only way you can deter radical Islam—you can't deter it, you have to prevent the attack before it occurs?

Dr. CARTER. Sir, I can't give a simple answer to that.

Senator GRAHAM. They don't mind dying.

Dr. CARTER. I think that a comprehensive counterterrorism strategy begins foremost with defenses but has other dimensions as well in terms of removing the conditions that create safe havens and some of the ability for recruiting of terrorists. It is a complex issue. But protecting ourselves needs to come first.

Senator GRAHAM. I will close with this. To me, it is not complex. The only way you can keep them from coming back here to America is to stay over there, disrupt their operations. Keep them on the run. Do not let them gather strength. Make them poor, on the run, and less entrenched.

I will end with this thought. Syria. How in the world are we going to dislodge ISIL from Syria without a ground component? I agree with Senator Kaine that that ground component has to be regionally based.

We just came back from the region. People want to go in. Saudi Arabia said you could have our army. The Emir of Qatar said we will pay for the war, but you have to deal with Assad.

How can we train up a Free Syrian Army or send any other force into Syria if we don't first deal with the Assad air threat? How in the world could you train somebody to go fight ISIL, and then one day they turn on Assad and not expect him to kill them before they get the capacity to come after him one day? How does this work without dealing with Assad?

Dr. CARTER. Senator, let me say something about that. It is a very important question. The situation in Syria is, as you indicate, more than a problem of ISIL. It is a problem of the Assad regime as well. The forces that we are supporting there have, first and foremost, the job, as we have discussed here this morning, of defeating ISIL.

But I believe that they also need to be creating the conditions for the removal of Assad. That is a much more complex task. I understand that. I am not trying to oversimplify it. But I think that has to be at the end of the road, and if that is what you are pointing to, I completely agree with you.

Chairman MCCAIN. Could I just say you really didn't respond, in all due respect, Dr. Carter, to sending young Syrians in, training them in Saudi Arabia and sending them in to Syria to be barrel bombed by Bashar Assad. The morality of that alone, much less the unworkability of it, is in contradiction to everything the United States ever stood for or fought for.

I hope you will rethink your answer to Senator Graham's question. This idiocy of cooperating with the Iranians and also taking "ISIL first", of which Bashar Assad is the father, is nonsense and, as I say, immoral.

The committee will return at 2:45 p.m., since there is a vote at 2:30 p.m. Members who seek a second round or those members who have not had the opportunity to ask questions will be allowed to at that time. We will stand in recess until 2:45 p.m.

Thank you.

[Whereupon, at 12:23 p.m., the committee recessed, to reconvene at 2:47 p.m., the same day.]

Chairman MCCAIN. Thank you, Dr. Carter, for your patience. As usual, with the efficiency of this well-oiled machine, we have a vote now starting now, so we will be going back and forth.

Senator King is here, and so I would like to recognize him at this time.

Senator King?

Senator KING. Thank you, Mr. Chairman.

Dr. Carter, I am going to revisit a little bit of the ground that we covered this morning. But I want to make a suggestion. I would urge that you, upon your assumption of this position, undertake an all-agency review of the policy with regard to the leaving of Afghanistan and talk to General Campbell, the military people, the intelligence people, and the State Department. Because like many of the members here, I am gravely concerned that we will miss an opportunity to preserve what we have gained in Afghanistan.

I was going to say we are in danger of fumbling the ball on the 5-yard line. I think a better example might be we are in danger of throwing a pass when you have Lynch in the backfield on the 1-yard line. But we have gained a lot, and to lose it in the end because of an accelerated departure schedule that doesn't really fit the requirements on the ground I think would be tragic.

We have a partner that wants to work with us now. We have the security forces that are standing up and taking casualties, but they are going to need some additional support, particularly in the authorities under our air system. I would urge you to have such a review and to really be very strong with the White House.

You mentioned that you will be candid. I hope you will be candid to the point of being annoying. What is the worst thing they can do? Appoint you to be Secretary of Defense. Please, I think this is of some urgency.

Number two, in answer to a question, you mentioned that you were inclined to support additional arms to Ukraine. I share that position.

On the other hand, we don't live in a static world, and the danger is we supply arms, Putin sees those arms and matches them and raises us, to some extent. I wondered, with your history of studying geopolitical issues, strategy, and the like, if you could elaborate a little bit on that challenge?

If we could arm the Ukrainians and give them some strategic advantage, I think that would be great. The problem is we can't rely on the Russians not responding in some way, and then you are in an escalation situation. Your thoughts, please?

Dr. CARTER. Thank you, Senator.

I like and remembered, and I think I have used subsequently, your expression "fumbling the ball on the 5-yard line". I was superseded by the Super Bowl metaphor, I understand. But this is a war that we have carried all those yards, and so I will—

Senator KING. With some very substantial progress.

Dr. CARTER. Yes. Very substantial progress. We now have a partner in Ashraf Ghani that is very positive. I promise you I will keep

working at it, keep an open mind, and tell it like I see it, yes, in Afghanistan.

With respect to Ukraine, you raise an excellent question, and I think it is true that in strategy and working on these international problems, you always have to ask yourself not the next step, but what is the step after that? What happens after?

To your question, two observations, Senator. One is that I think that much as I incline in the direction I indicated this morning, the economic and political pressure on Russia has to remain the main center of gravity of our effort at pushing back, and the Europeans are critical to that. European solidarity and NATO solidarity are critical in this regard, as they are to all of European security and to dealing with the problem of Putin.

The other thought that comes to mind is that this is, as I consider what kinds of assistance we may give to the Ukrainian military, one does need to think two and even three steps ahead in this matter. Your point is very well taken, and I thank you.

Senator KING. I would suggest an article in yesterday's Financial Times. It talks about just this issue that I think you would find interesting and informative. I am not expressing a conclusion, but I just think we have to think hard about, as you say, one, two, three, and four steps down the chess game.

A final point, and I am close to out of time. I want to reiterate, I think Senator Shaheen mentioned, the chairman very articulately and forcefully expressed the problem with procurement and money. I am also focused on the problem with procurement and time.

Senator Inhofe had a chart recently from DARPA [Defense Advanced Research Projects Agency] that showed in 1975 it took about the same time to bring a new automobile, a new commercial aircraft, and a military aircraft from concept to operation, about 5 1/2, 6 years. Today, those lines have wildly diverged, and the automobile is down to 2 years. Commercial aircraft is up to about 7, but a military aircraft is up to 23 years.

That just won't do in terms of, you know, we are going to be building obsolete technology. I would urge you, as you focus quite rightfully on cost, to also look at how do we bring these products to market, if you will, or to operability in a shorter time? A, so we can meet the needs of the exigencies of the moment, but also so that we are not getting obsolete technology just because of the lapse of time.

I know you are aware of this. I just urge you to focus on that as well as the cost.

Dr. CARTER. I will do so, and I completely agree with you.

Senator KING. Thank you.

Thank you, Mr. Chairman.

Dr. CARTER. Thank you.

Chairman MCCAIN. Thank you, Senator King.

Dr. Carter, every member of this committee signed a letter to Secretary Hagel and Secretary Kerry concerning this issue that has been raised with you about the Jordanians and the needs that they have. Believe me, every member that met with King Abdullah was deeply moved by the requirements that he has and his inability to do so.

Finally, on the issue of Ukraine, what does it take? Do they have to send in hundreds of more tanks that the Ukrainians have no weapons to defend themselves? There are 4,000 dead now. How many more do you think before we at least do them what seems to be common decency, giving them the ability to defend themselves?

Certainly, Vladimir Putin has gone literally all in, and there is some lessons of history, sir, that of dictators and bullies who have troubles domestically have a history of striking out and being more aggressive in order to divert attention. This is reminiscent of the 1930s to me, and Neville Chamberlain might be proud.

Senator Tillis?

Senator TILLIS. Thank you, Mr. Chairman.

Thank you, Dr. Carter.

First, I think it is very clear with the questions that are being asked today, this hearing really isn't about Ash Carter. I think there is a lot of confidence in your ability, and I think there are few public servants as qualified as you for the nomination. I think you and your family should be very proud.

I appreciate the time that you and I spent in my office. I think that we have already several points of agreement, whether it is acquisition reform, training, or modernization of business practices in the Pentagon. I look forward to working with you on that and making progress.

I also think that defense is an area where you even see in the questions where there seems to be a consistent message from most of the members up here about our concerns with the safety and security of America and the need for us to work together on a bipartisan basis. Because if we don't, we fail the thousands of young men and women who volunteer to defend our freedom.

Before I get to a question, I do want to probably echo in slightly different terms what Senator Sullivan said this morning. There seems to be a disconnect between the reality of the threat that we face right now and the way the President portrays it in many instances, most recently with the State of the Union.

We have Ukraine is ablaze. I think ISIL and al-Qaeda are about as strong as ever. You have Chinese generals talking about maybe wanting to settle some millennial scores with their neighbors in the Pacific Rim.

We have a situation where I think Israel feels abandoned, and I think the prime minister being called a coward by somebody in the White House is unacceptable. We are at a very dangerous time right now, I think. I believe that you said it very well when you said the number and the severity of the threats that we are facing is probably as great as our lifetimes, as any time in our lifetimes.

I believe that you may go into your position maybe in a way to where you can work with people in the White House and the National Security Council to get them to work with you, to help us address, I think, these safety and security problems across the world.

My first question for you also goes back really to the State of the Union, where the President seems to continue to refuse to call the enemy what they are. How can we fight an enemy with an administration that refuses to name them? A President who refuses to

recognize that there is a huge difference between the Muslim religion and the Islamic terrorists that we are facing today?

Do you agree with that strategy, or can you rationalize for me why the President seems to continue that position?

Dr. CARTER. Senator, I agree with you that there is a difference between the Muslim religion and the kind of extremism that leads to terrorism that is the threat and the enemy that we are countering. If I understand the reference you are making, it is to the President's statements of a few days ago, which I interpreted as saying the same thing. Namely, it is important for Americans to make a distinction and show that they know how to make a distinction between the religion of Islam on the one hand and extremists and terrorists on the other.

I don't think, in my judgment, that is to minimize what is one of the motivating ideologies of the enemies we face, which they will say is tied to their Islamic religion. But I don't think that we serve ourselves well as Americans by conflating this kind of barbaric extremism with an entire religion.

Senator TILLIS. I have another question. It really has to do with you in relation to your predecessors.

Do you feel you can break through the barriers that Gates and Panetta seemed to be very frustrated with? You and I talked briefly about the book Secretary Gates wrote. They both seemed to have a great deal of frustration in their time in the position you will be confirmed with the White House national security team and the Pentagon. They left, they seem to have left in part in frustration with that.

I think Senator Gates in his book maybe even called it "amateur hour at the National Security Council". How are you going to be different in relating to the Pentagon and the President's national security team?

Dr. CARTER. I intend to be what I have always been in all the decades I worked in the Department of Defense, which is I will be entirely straight and upfront with the President and make my advice as cogent and as useful to him in making his decisions as I possibly can.

That is what I can do. That is what I have pledged to do. That is what I will do.

Senator TILLIS. Thank you.

Thank you, Mr. Chair.

Senator REED [Presiding]. Thank you.

Senator Rounds?

Senator ROUNDS. Thank you, Mr. Chair.

Dr. Carter, I appreciated the opportunity to visit with you last week, and one of the items that we discussed was the need for the long-range strike bomber. In that regard, we discussed the fact that it would probably be, what, 10 years from now before, under the best circumstances, it may be operational. Fair estimate of time?

Dr. CARTER. Yes, although in answering your question, I am mindful of what Senator King said just a few moments ago. I would rather say "as soon as possible".

Senator ROUNDS. I understand. In the meantime, we have challenges that have to be responded to with other existing platforms.

One of which, for conventional purposes, is the B–1B bomber. I think right now we probably have 62 or 63 in our fleet that are operational sometimes.

I am concerned about readiness right now, the mission capabilities of those platforms because those are literally on the front lines as we speak. Because of their capabilities or multiple types of weapons to be delivered out of that same platform, they are being utilized, and they are being worn out.

I think mission capability is somewhere under 50 percent, and I don't have the exact number, but in terms of those platforms. I would like you to talk just a little bit, and I really would like to give you the opportunity to talk about what sequestration has done in terms of mission capability, the need that we have for that platform to get us to the next generation of strike bombers, what your thoughts are on getting back to where we need it, and what the appropriate number of operational aircraft should be?

Dr. CARTER. Thank you, Senator.

You are right. I don't know the specific numbers on the B–1 at the moment. But in general, sequester has hit readiness very hard.

In the Air Force, I know, for example, in the summer of 2013, I remember very vividly the Nellis training range, Air Force's premier training range, closed in the summer. First time in my entire professional life I had ever seen that.

The first victim of sequester has been readiness, and so I can well believe it has affected the B–1, which is an essential part of our arsenal, as you indicate.

Senator ROUNDS. In your role, and I believe that you will be confirmed, what I am looking for is a commitment that these men and women that are literally tasked with keeping these aircraft operational, that they have your full support to get the numbers back up to where they ought to be. Right now they are taking out of the bone pile to literally harvest parts off to keep those aircraft flying today.

There has to be a better way to do it. Then if we are going to continue to do for the next perhaps 10 years, that you have an understanding and a clear commitment that you are going to help them get the parts necessary to keep these aircraft flying.

Dr. CARTER. I have the same understanding you do of the problem, the same commitment you do, and the only thing I would say is it is going to take more than my commitment. It is going to take money also and ultimately relief from sequester to deal with these kind of things. But I see the picture the same way you do.

Senator ROUNDS. But you are prepared to step in and to assist in making sure that those resources are available?

Dr. CARTER. I am.

Senator ROUNDS. Thank you, sir.

Dr. CARTER. Thank you.

Senator ROUNDS. Thank you, sir.

Senator REED. Thank you, Senator Rounds.

We have concluded all the members present with the first round, and I will defer any comments I have until the chairman has a chance. Senator Wicker, you are recognized.

Senator WICKER. Thank you.

How are you feeling, Dr. Carter?

Dr. CARTER. Thank you for asking. I am fine. Appreciate it, sir.

Senator WICKER. You are doing well, and we appreciate your willingness to serve.

According to NATO guidelines, we ask our NATO allies to devote at least 2 percent of their GDP [gross domestic product] to defense. This has been a stunning failure, actually. Only four countries spent that much in 2013, Estonia, the United States, the United Kingdom, and Greece.

Do you have any ideas about how we can do better in this regard?

Dr. CARTER. Secretaries of Defense that I have served for almost as long as I can remember have pleaded with the Europeans to spend more on their own defense, our NATO allies. With very few exceptions, those pleas have not been fully heeded.

One doesn't wish adversity on anyone, but one would hope that when they look at Russia, when they look at the Charlie Hebdo incidents and so forth, that the European public will come to share the view that they need to be part of their own defense and continue to play the role that Europe has always played, of being a partner with the United States in keeping peace and order around the world.

I regret that they are not spending as much as they used to. Again, I don't wish adversity upon anyone, but I hope that what they see around them reminds everyone you don't get this stuff for free. Security doesn't come for free. You have to pay for it.

Senator WICKER. One would hope. I hope you will, going forward, help us think of perhaps carrots and sticks and incentives to have our allies shoulder their part of the burden.

I was talking, we had a great discussion with General Scowcroft the other day. I asked about what we would do about a Russian invasion or incursion into the Baltics. We are a treaty ally of Ukraine. We were unable to do anything. We were unable to do anything when the Russians moved into Georgia.

But with a NATO ally, it really is different. General Scowcroft mentioned tripwires, stationing troops in the Baltic countries, both from the United States and from our NATO allies. What do you think of that concept? Is it something you have given any thought to, Dr. Carter?

Dr. CARTER. I have, and it is one I support. I believe it is the intention—again, I don't know this. I am not in these deliberations. I think it is the intention behind the rotational introduction of United States and other NATO forces into the Baltic countries, to reinforce deterrence and to reinforce the principle that this is NATO and that Article 5 of the NATO treaty says an attack on one is an attack upon all.

Senator WICKER. Absolutely.

Dr. CARTER. That is a very important principle, and we need to stand behind that and show that we are going to stand behind it. I think that is the meaning of the tripwire concept that General Scowcroft was thinking of.

Senator WICKER. If we don't stand behind our word on that article, then our word really does mean nothing.

Let me ask you this in conclusion. How was Cap Weinberger to work for?

Dr. CARTER. I enjoyed working for him. I was not at a very senior level, but what I did for him was advise him on space, missile defense, nuclear command and control, and the early days in those days of what are called the continuity of government efforts, which still continue. We were just beginning to put them together at that time.

Senator WICKER. What do you think he would say about our defense posture at this point?

Dr. CARTER. Secretary Weinberger was an enormous backer of defense spending and of the defense budget, and he was tireless in explaining the need for an adequate defense. In that respect, he was a lot of fun to work for.

Senator WICKER. Yes, he wouldn't be overly delighted with sequestration and with the current funding level and proposed funding level going forward?

Dr. CARTER. Not at all.

Senator WICKER. Thank you very much. Good luck to you, sir.

Dr. CARTER. Thank you. Thank you, sir.

Senator REED. Senator King?

Senator KING. I went before the vote.

Senator REED. This is the second round, Senator, if you have additional questions.

Senator KING. Oh, I am sorry. I was surprised to get called upon so soon.

Let me go back to the question that we ended with about the timing of weapon systems. You were one of the fathers of the MRAP program, were you not? It seems to me that could be a model for what we are talking about.

Could you share lessons learned in that project that might be applicable to other procurement projects?

Dr. CARTER. Yes, I think you put your finger on it, which when you pointed to the critical variable in a program being its duration. That is important for two reasons, and you indicated this already, Senator, but just to reiterate. Time is money. A 15-year program is going to cost more than a 10-year program, the way we do things. Cost control, it is essential.

But the MRAP example points to something even more important, which is technology changes very quickly. Our enemies change very quickly today, and you don't have to be in a war, which the MRAP example occasions, to understand that we need to be able to turn the corner, add new technology to systems, field new systems more quickly than our opponents are doing the same.

If we have a 15-year timetable and we are competing with any modern economy around the world, the same thing is going to happen to you if you are a commercial company that has a 15-year product cycle. You are going to lose.

I think it is very important not just for cost control, but in order to remain the best military in the world that we turn the technological corner more quickly. The MRAP example and the war's example gave me at least a lot of ideas about how we can do that even in peacetime.

Senator KING. I think part of it is instilling a sense of urgency in all the way up and down the line. I mean, the accomplishments

of this country during World War II under extreme duress in terms of production were astonishing where I live near Bath, Maine.

I can't remember the exact figure, but I think they turned out a destroyer during World War II something like once every 17 days, which is unbelievable. Granted, it was a much simpler machine then than now, and the story of the bombers in World War II is also quite extraordinary.

I think there has to be a sense of urgency. We are if not directly at war, we are certainly close to war footing on a number of fronts, and that should inform. As you pointed out, this isn't the Cold War, where you can do things with a 5-, 10-, or 15-year lead time. Our asymmetric advantage is technology.

If we are unable to deploy that technology on a timely basis, we are basically losing that advantage. I, again, very strongly urge you to follow on that. By the way, Frank Kendall, who is in your office, I think is a star, and I hope you are going to keep him.

Dr. CARTER. I can't resist seconding that emotion. Frank was my Principal Deputy when I was Under Secretary, and we are very lucky to have an acquisition executive like Frank.

Senator KING. My philosophy of leadership, which applies to this case, is hire good people and take credit for what they do. Frank falls into that category.

Second question. How do we get more value out of our allies in terms of support for the work that we are doing? I understand that in many countries of Europe, defense as a share of GDP is actually going down, which it is here, too. But it is going to 2 and less than 2 percent.

Is that part of your mission is to encourage our allies to contribute more to this what is really the common defense?

Dr. CARTER. I think they need to spend more on their own defense because their own defense is also our defense. That is what being an ally is about. I would like to see them carry their full weight of being an ally, and as I indicated earlier, I don't see how any American can be satisfied with the general level of defense spending among our European allies. I think it should be higher.

Senator KING. Finally, and I realize my time is running short, but it seems to me that one of the great strategic challenges of this moment is to enlist Muslim countries and Arab countries in the fight against ISIL. They have to realize, and I think the events of yesterday may be a galvanizing factor, but they have to realize that this has to be their fight.

If it is our fight, that is what ISIL wants. They want this to be the West against Islam. But the fact that they did this horrendous murder yesterday of one of their brothers, of a Sunni Muslim, I hope will be a wakeup call to the Muslim world that they have to deal with these guys most directly. Not simply by holding our coat, but by contributing and being involved on the ground, in the air.

This has to be their fight ultimately. It is not one that we can carry on by ourselves.

Dr. CARTER. Absolutely.

Chairman MCCAIN [Presiding]. Senator Cruz?

Senator CRUZ. Thank you, Mr. Chairman.

Dr. Carter, thank you for joining us. I enjoyed having the opportunity to visit with you in my office.

Dr. CARTER. Thank you. Likewise.

Senator CRUZ. I appreciate your many years of service to our Nation.

Dr. CARTER. Thank you.

Senator CRUZ. I appreciate your willingness to serve in this incredibly important role at a time of great challenges, great threats, and also at a time, unfortunately, when the Defense Department faces significant challenges internally.

I have for some time been critical of the Obama administration's foreign policy, that it has lacked a steady mooring and a focus on the very real national security threats facing the country. I would like to take the opportunity to briefly discuss a few of those threats with you and get your thoughts on them, and I want to start with the threat of Iran acquiring nuclear weapons capability.

In your judgment, what would be the national security implications to the United States if Iran were to acquire nuclear weapons?

Dr. CARTER. Thank you, Senator.

In a phrase, "exceptionally grave," and that is for two reasons. First of all, they might use them. But second, their having them is likely to stimulate yet others to get them. For both those reasons, very grave.

Senator CRUZ. Let us perhaps expand on each of them. What is it about the regime and Iran that poses a significant threat of their actually using nuclear weapons if they had them?

Dr. CARTER. If you take at face value what they say, they have the ambition to wipe off the map other states in the region, namely Israel. They have a long history of behaving in a disruptive way, of supporting terrorism, of trying to undermine other governments of operating around the world.

I think they give abundant evidence that they are not the kind of people you want to have having nuclear weapons.

Senator CRUZ. Would you agree as well that with radical religious extremism, ordinary notions of deterrence and cost-benefit analysis don't always apply?

Dr. CARTER. I am concerned that that is the case with people who are extremists of that kind, yes.

Senator CRUZ. Now, Dr. Carter, you also talked about the threat of nuclear proliferation and in particular the threat that other Middle East countries in response to Iran acquiring nuclear weapons capability would then feel the need themselves to acquire the same. For some decades it has been a matter of pretty widespread public knowledge that the Nation of Israel has nuclear weapons capability.

Yet throughout that time, Israel's Arab neighbors have expressed no burning desire to acquire their own nuclear weapons, apparently because they don't perceive any meaningful threat that Israel would use those weapons in an offensive manner. Yet the Arab neighbors of Iran are reacting qualitatively different to the prospect of Khamenei and the mullahs acquiring nuclear weapons.

They are saying, almost without exception, if Iran acquires those weapons, they would immediately need to get their own. What does that say about the judgment of Saudi Arabia and other countries in the region about the magnitude of the threat posed by Iran?

Dr. CARTER. I think it tends to read for us what we were just saying, namely the prospect of Iran having a nuclear weapon is a pretty fearful matter, and you don't have to be just an American or an Israeli to get that idea.

Senator CRUZ. Would you then agree that the consequences of getting these negotiations wrong that are ongoing or the consequences of these negotiations facilitating and allowing Iran to acquire nuclear weapons capability would be severe, both from the perspective of the Middle East and our allies, but also from the perspective of our own national security?

Dr. CARTER. Yes, the negotiations have precisely the opposite objective.

Senator CRUZ. Let me ask you also briefly about ISIL. How would you characterize our objective right now with regards to ISIL?

Dr. CARTER. To inflict a lasting defeat upon ISIL. I only add the word "lasting" to reinforce the idea that once they are beaten, they need to stay beaten, which means you need to create the conditions in, in this case Iraq and Syria, so that they stay defeated.

Senator CRUZ. Okay. A final question. In your professional judgment, what would be required militarily to destroy or, as you put it, inflict a lasting defeat on ISIL?

Dr. CARTER. Militarily, it would be the dismantlement of their forces and their networks. To get to the point about lastingly, there is a political ingredient of this, which I need to add, which is to have them replaced in Iraq and in Syria with a government that the people want to be part of, and so they don't have to be governed by maniacs and terrorists.

Senator CRUZ. Thank you, Dr. Carter. My time has expired.

Dr. CARTER. Thank you, Senator.

Chairman MCCAIN. Senator Blumenthal?

Senator BLUMENTHAL. Thanks, Mr. Chairman.

Thank you for your longstanding and extraordinarily valuable service to our Nation.

Dr. CARTER. Thank you, Senator.

Senator BLUMENTHAL. I am prepared to overlook your deserting the Kennedy School at Harvard to go to Stanford, and I hope you will let us know if your back requires you to stand up or take a break.

Dr. CARTER. No, I am fine. Thank you for your consideration.

Senator BLUMENTHAL. I will take it out of my time.

I want to begin with a couple of brief questions, and I hope I won't retrod the ground that you have already covered. From the conversations we have had, I assume that you will continue to back the current full support for two submarines a year in the construction of our *Virginia*-class submarines, and the ongoing R&D [research and development] and other programs necessary for the *Ohio*-class?

Dr. CARTER. I will, because undersea superiority is one of our key advantages, and we need to pursue it.

Senator BLUMENTHAL. It is one of those areas where, in a sense, we need to be on a war footing because we need to be prepared and ready, and the surveillance and intelligence functions, as well as

the deterrent capabilities, are essential to our National defense. Am I correct?

Dr. CARTER. Absolutely.

Senator BLUMENTHAL. Let me move to another area that is very close to my heart, and I again want to thank our chairman, Senator McCain, who joined with me in cosponsoring a measure, the Clay Hunt Suicide Prevention Act. Suicide remains a difficult and daunting, horrific problem not only among our veterans—22 every day commit suicide—but also in our Active military.

You and I have talked about this problem. I believe you are very much attuned to it, and I am hopeful that you will continue the military's commitment and the Department of Defense's commitment to providing the mental healthcare that is necessary to help our warriors deal with these invisible wounds and demons that come back from the battlefield with them.

Dr. CARTER. I am attuned to it, and they are our people, and we need to care about them and care for them. Those who are having these kind of thoughts need help.

Senator BLUMENTHAL. On the issue of our veterans who have suffered from post traumatic stress, as again you and I have discussed, your predecessor, Secretary Hagel, worked with me, responded to my urging him to establish a new policy guidance on September 3, 2014, that finally directed proper consideration of post traumatic stress by the Boards for Correction of Military Records when considering upgrade requests.

Post traumatic stress was unknown in the Vietnam and Korean eras, not unknown because it didn't exist, but unknown because it wasn't diagnosed. This new policy gives proper recognition to a medical condition that simply was never diagnosed at the time but may have caused less than honorable discharges.

I hope that, if confirmed, you will ensure full and forceful implementation of this policy and continue outreach, because it is so vitally necessary, outreach to anyone who may be eligible to apply under the new guidelines.

Dr. CARTER. I will. We have learned a lot about that, sadly, in recent years and understand now a lot better that it truly is a malady that we can and need to address.

Yes, and thank you for taking an interest in it, as you have done about the welfare of the troops in so many other ways. In the course of the war, I was always very grateful for your attention to the well-being of the troops.

Thank you.

Senator BLUMENTHAL. Thank you very much. I should probably stop there, but I do have a couple more questions. I really appreciate your kinds words.

On the interoperability of the Department of Defense and the Veterans Administration, I am the ranking member on the Veterans Affairs Committee of the Senate, and I think there has been an ongoing concern, you are aware of it, of the issues relating to the integrated electronic health records, integrated disability evaluation system, treating military sexual trauma, other shared efforts that really involve a gap between these two great departments, each with a vital mission.

I am hoping that you will continue the effort that your predecessor, I think, believed was very important to close that gap and make sure that there really is the kind of connection, the vibrant, vital connection that is important to our troops and then to our veterans.

Dr. CARTER. I recognized that gap, and there is only one soldier. There are two Cabinet departments. One soldier shouldn't have to worry about two Cabinet departments.

Senator BLUMENTHAL. Thank you.

Thanks, Mr. Chairman.

Chairman MCCAIN. Thank you. I would mention to my colleagues we are now into the second round of questioning. In deference to Dr. Carter's health, I would request that we be as succinct as possible, but I want everyone to have a chance to continue questioning, if you are all right, Doctor?

Dr. CARTER. I am, sir. Absolutely.

Chairman MCCAIN. I will forego.

Senator Reed?

Senator REED. I will just pass.

Chairman MCCAIN. All right. Next is Senator Cotton.

Senator COTTON. I would like to discuss the transfer of five Taliban commanders at Guantanamo Bay for Private Bowe Bergdahl. Knowing what we now know about the attempted recidivism of one of those Taliban members, as well as the ongoing investigation into Bowe Bergdahl's conduct in Afghanistan, do you think that it was a correct decision to go forward with that transfer?

Dr. CARTER. First of all, I don't know the circumstances. I have read the newspaper reports, but I don't have any other information about these individuals.

What I do know is this. I wasn't in Government at the time the decision was made, but I have read the letters from all the Joint Chiefs of Staff to Senator Levin on this matter, all of whom express support for the decision. I don't want to speak for any of them, but just speaking for myself, it really boiled down to one thing, which you very much from your own distinguished service understand.

Just to say it, it is that we have for decades and decades and decades gone back decades and decades and decades in time to battlefields to bring home our fallen. It is a sacred duty to bring back our fallen.

That was the motivation that the chiefs cited as motivating their support for the Bergdahl decision. It obviously was a difficult decision to make because of the five people that you now cite. But they supported the decision, and based on what I know about the circumstances as they were known at the time, I would have supported the decision as well.

Senator COTTON. I opposed it then, and I would oppose it now. We didn't leave Bowe Bergdahl behind. The thousands of soldiers who went after him trying to find him who faced enemy fire trying to locate him were not leaving him behind.

You are right that they tell every soldier, sailor, airman, and marine that they won't leave us behind. But that doesn't mean they will trade five stone-cold Taliban killers for us.

When this transfer happened, Congress was not notified as required by the law. Can you assure us that in the future, Congress will always receive advance notification, as required by law, for future releases of Guantanamo prisoners?

Dr. CARTER. I can assure you we will always abide by the law. Absolutely, sir.

Senator COTTON. There have been media reports, most recently from Secretary Hagel himself, that he received White House pressure to sign off on the certification that Guantanamo detainees could be released. There have been reports that Leon Panetta even declined to release these five specific Taliban members at Guantanamo Bay.

Can you talk to us about how you might resist such pressure if you receive it from the White House when it comes to Guantanamo Bay releases?

Dr. CARTER. I sure can. I am going to call it straight. I have an obligation under the law with respect to the risk associated with transfers of detainees, and I intend to discharge that responsibility in a very straight-up way.

Senator COTTON. Shifting to Bowe Bergdahl, my understanding is the investigation is still ongoing into his conduct in Afghanistan. Is that your understanding?

Dr. CARTER. That is my understanding from the newspapers, but I don't have any inside information.

Senator COTTON. If confirmed, can you assure us that that investigation will proceed without unlawful command influence at any level?

Dr. CARTER. Absolutely.

Senator COTTON. I would like to shift briefly to Russia and Ukraine and the implications for the Baltic states. Right now, there is fighting going on in Ukraine, much of it is over the so-called Minsk line where the forces were supposed to be separated since September.

One technique that Russia used in Crimea, then they used in Eastern Ukraine is the so-called "little green men". By most reports, these are Russian special operations forces, who are operating in advance in Crimea and Eastern Ukraine.

If Russia has uniformed soldiers operating on foreign territory without insignia, would that be a violation of the Geneva Conventions?

Dr. CARTER. What it is, I just don't know the international legal answer to the question you are posing, Senator. But what I do know is that is what they have been doing, and I don't know. I think the little green men are part of the big lie, the big Putin lie, where he is clearly violating the sovereignty of a neighboring country and then pretending it isn't him and pretending it isn't Russia.

As far as I understand, it very clearly is Russia. It seems to me that is very important. I don't know the legal part of it, but the common sense answer is he has violated Ukrainian sovereignty.

Senator COTTON. I believe there is a strong case that it would violate the Geneva Conventions to have soldiers operating without insignia. Since you said earlier that you would support putting NATO forces in Estonia, Lithuania, and Latvia, I would say I sup-

port that as well, especially recon forces who might be on the lookout for little green men.

Thank you.

Dr. CARTER. Thank you.

Chairman MCCAIN. Senator Heinrich?

Senator HEINRICH. Thank you, Chairman.

Dr. Carter, you have spoken quite effectively about the need to address runaway costs, needless overhead, waste at DOD. I want to touch on the fiscal impact of operating the Guantanamo detention facility.

Maintaining the prison at Guantanamo is costing American taxpayers almost $5 billion since it opened in 2002, an average of $493 million every year for the last 5 years. In fact, in 2014, we spent more than $3 million per Guantanamo detainee.

That compares to about $78,000 per prisoner a year that we use to house hardened criminals in the Florence, Colorado, supermax prison. Do you intend to review the cost effectiveness of continuing to operate the facility at Guantanamo versus placing high-risk detainees that need to continue to be detained in a more fiscally responsible setting?

Dr. CARTER. Senator, I understand the cost numbers that you are citing. They broadly correspond to what I understand. I think the issue that Guantanamo will ultimately boil down to is what do you do with the people at Guantanamo that they need to be incarcerated. If not Gitmo, where are they going to be incarcerated? That is a fundamental question that is a very difficult one.

It is partly a legal one and partly a practical one, and I don't know everything I would need to know about that. But I hope that as time goes on and engaging with members of this committee, many of whom know much more about this subject than I do, that we can discuss what might be done with these people because what is plain as day is that they need to be incarcerated, as you indicated, in a supermax-type place.

Senator HEINRICH. Yes, I appreciate that, and I look forward to working with you on that.

As someone who helped draft the Nunn-Lugar legislation, which I think was one of the high water marks for legislation in the last decades, what is the right approach to preserving that nonproliferation infrastructure in the current environment?

Dr. CARTER. The Nunn-Lugar program, since those days, has moved on to other very important missions. It is less focused on Russia and the states of the former Soviet Union than it once was. It is now focused globally.

It has picked up a big focus on biological weapons, which are also very fearsome weapons, as well as nuclear weapons. It still has a role to play in keeping us safe.

It is one of those ways that the Defense Department can act in its long-term interest to head off threats that were they to occur and materialize would be much more dangerous and much more costly to have to counter than if we can stop them from developing in the first place.

Senator HEINRICH. I appreciate that.

Back in 1995, we had our Nation's first nuclear posture review. At that time, there was some talk about potentially transitioning

to a monad where land-based missiles and bombers might not be utilized.

We have moved away from that, obviously, in recent years to the more traditional triad. What are your thoughts on the nuclear triad today, given today's global security environment? Is that something you intend to continue to look at? Do you think it is meeting the deterrent requirements that we have, and just generally, what are your thoughts on it?

Dr. CARTER. I think it is meeting our deterrent requirements. I think those deterrent requirements are going to be with us as far into the future as I can see, and that is why having a safe, secure, and reliable nuclear arsenal and all the parts of that that are necessitated is a foundational responsibility of the Department of Defense.

It is not in the newspapers every day. It is not, you know, as apparent, I suppose, to many citizens. But it is foundational to our security.

Senator HEINRICH. Thank you, Dr. Carter.

Chairman MCCAIN. Senator Ayotte?

Senator AYOTTE. I want to thank the chair.

I want to thank you, Dr. Carter, for being in such a lengthy hearing and answering so many of our questions. We really appreciate it.

I wanted to follow up on Russia, and specifically in your advance policy questions, you had stated that Russian deployment of weapon systems that violate the INF [Intermediate Range Nuclear Forces] treaty would pose an increased threat to the United States and our allies in Europe and Asia. You have also written that Russia should return to compliance with the INF treaty in a verifiable manner.

I think one of the problem we are facing as we look at the challenges we face, Russia is developing a new mobile nuclear ground-launched cruise missile, which is in direct violation of that 1987 treaty, which was likely in development even during the New START [Strategic Arms Reduction Treaty] negotiations, which not only all the behavior we have seen in Ukraine, but this makes it harder for us to have these types of conversations with Russia and be able to trust anything that they say.

What steps should we be taking in response to Russia's INF violation?

Dr. CARTER. Thank you, Senator.

My answer is not based on any inside information or intelligence information, just to be clear, but it is, I am told, quite clear that Russia has violated the INF treaty. To the question what are we going to do about it? I think you have to remind Russia that this was a two-way street.

That we signed a treaty that said you are not going to do this, and we are not going to do it either. If you don't want to have that treaty, why then you are absolved from your restrictions under that treaty, well, we are, too. What might we do, therefore, in a military sense to respond to this development if it continues on the part of Russia?

I think that there are defensive steps that we can take. There are deterrent steps that we can take, and there are counterforce

steps that we can take. We have military options, too, if they really want to get into this kind of game. Obviously, the judgment behind the INF treaty was that we both be better off if we didn't do this. That is why we agreed.

But these are always two-way streets, and I think they need to be reminded it is a two-way street.

Senator AYOTTE. Thank you. I appreciate that very much, Dr. Carter.

I wanted to follow up on two areas. First, on the Guantanamo Bay discussion, one of the things that I think is important for people to understand is that we are not at the moment talking about transfers. We are talking about releases, and I think that is an important distinction. Something, obviously, as Secretary of Defense, you should be looking at, as we talked about earlier, making sure that people can't be in a position to reengage.

One country in particular I want to ask you about, and that is Yemen. Last year, I had an amendment that passed on a bipartisan basis that would have prohibited transfers to Yemen. The situation has gotten markedly worse since that amendment passed in this committee. It did not get in the final bill.

I have 10 pages of incidents in Yemen, and obviously, the recent issues with the Houthis, the takeover of the government, as well as suicide attacks, et cetera. Do you think it is advisable or would you recommend transferring any of these detainees to Yemen?

Dr. CARTER. That doesn't sound very sensible in the environment in which we are facing ourselves, no.

Senator AYOTTE. I appreciate that. Thank you.

I also wanted to follow up, in our office discussion, we had talked about the A–10. One thing I had asked of you that I hope you will do when you are confirmed, and that is, I have opposed the Air Force's decision to retire the A–10, particularly from what I have heard from our men and women on the ground and the fact that it is the best close-air support platform for our men and women in uniform.

We have heard from the association that represents 3,300 serving, separated, and retired JTACs [joint terminal attack controller]. That is the Tactical Air Control Party Association, and what they have said about the A–10, "We believe that F–15, 16s, and B–1s cannot replicate the CAS [close air support] capabilities of the A–10. And we know from combat experience that the elimination of the A–10 before a viable replacement achieves full operational capability will cost American lives."

I asked you in my office, and I would like you to confirm again that you are willing to sit down with some of our members of this association who, as you know, are the ones on the ground calling in the strikes and working with our men and women in uniform. They work with all of our platforms.

Dr. CARTER. I remember very clearly. I have the letter that you gave me from them, and absolutely, I will.

Senator AYOTTE. Thank you. This is really important.

I have one other follow-up request that you had graciously agreed to in the office as well, and I think that Senator King from Maine will appreciate this as well, and that is that you agreed to

come to New Hampshire. We, of course, at that point will obviously love to show Dr. Carter the Portsmouth Naval Shipyard.

Senator KING. In Maine, you mean? The one in Maine?

[Laughter.]

Senator AYOTTE. Where so many of the wonderful workers are from New Hampshire.

Senator KING. Thank you.

Dr. CARTER. If confirmed, I would look forward to that.

Senator AYOTTE. Thank you, Dr. Carter.

Dr. CARTER. Thank you.

Chairman MCCAIN. It is not necessary, Doctor.

[Laughter.]

Chairman MCCAIN. Senator Ernst?

Senator ERNST. Thank you, Mr. Chair.

Again, thank you, Dr. Carter, for being here today.

As a military, we have moved a very long ways away from using the old compass and map. Many of our systems now are very heavily networked. We rely very much on technology for our weapon systems, for our command and control systems, and that is really our primary tools for achieving dominance over our adversaries on the battlefield.

But what we are seeing now is cybersecurity threat, cyber attacks that are looming out there. A number of countries out there, including Russia, China, North Korea, probably many others, have very sophisticated means of attacking networks. How do you see that impacting our acquisition strategy as we move forward, and how do we best protect our equipment, protect our personnel moving forward?

Dr. CARTER. I think you said it exactly the way I see it. You understand, but perhaps others around the country don't understand that not only is our civilian infrastructure susceptible to cyber attack, but we have to be concerned about our military infrastructure because exactly as you say, there is no point in having planes and ships and armored vehicles in today's world if the network is itself vulnerable.

I think, and I hope I can work together, if I am confirmed, with this committee on improving our cyber defenses, many aspects of cyber. But one is the defense of our own networks in the Department of Defense. That is not where it should be in terms of making them immune to attack by a potential enemy that would impair our own forces engaged with that enemy.

I agree with you entirely.

Senator ERNST. Yes, thank you. We rely on networking so very much, from the simple ordering of a part for a Humvee to targeting enemy on the battlefield. It goes from every level, from your squad level all the way up through the ranks.

Do you have an opinion on this? Just your opinion because it is more than just the military and the Department of Defense and our network security. We could look at attacks to our financial institutions, to our utilities as being a security risk for the United States also.

Do you have an opinion on where the Federal Government should be in regards to protecting our national security interests

versus the privacy of individuals out there that might be using the network?

Dr. CARTER. I do. I have some understanding of that issue, and I would say that the Federal Government does have a role in protecting the country from cyber attack in the same way that it has a role in protecting the country from other kinds of attack. I think it can do a lot more to exercise that responsibility without causing concerns over invasions of people's privacy and so forth.

For example, the Government can share information and knowledge it has collected about threats to private networks with those private parties, provided the proper legal safeguards are provided, which have less to do with privacy than they do with things like antitrust and other aspects that are important.

I think that the Government can sponsor and conduct R&D that improves the tradecraft in network defense for the good of the country. I think there is a lot we can do, and we are not anywhere near where we should be as a country.

I think if we were as unprotected in some other domain that was more familiar to ordinary people, they would be clamoring for us to do more. I think if people fully understand what you understand about how vulnerable we are in cyberspace, they would want us to do more, not in any way that compromised anybody's privacy, but they would want us to be doing a lot more than I believe we are doing now.

Senator ERNST. Thank you. I appreciate that. I think this will continue to be a vexing problem for us moving forward. It is a situation we are dealing with in many of our separate committees. But I do appreciate your opinion very much.

Thank you, Mr. Chair.

Chairman MCCAIN. Senator Sullivan?

Senator SULLIVAN. Dr. Carter, I wanted to go back to the issue of Iran for a moment. Under the chairman's leadership, we have had some tremendous witnesses over the last 3 weeks testifying on strategic challenges and how to think through them.

Dr. Kissinger's testimony in particular was very powerful, and he said, as we kind of struggle with these, "we" collectively in the legislative branch, executive branch, these strategic issues and challenges, that we need to ask ourselves questions. The first one, and I think in his view the most important one, was what do we seek to prevent, no matter how it happens and, if necessary, alone?

I will repeat that. What do we seek to prevent, no matter how we prevent it, and, if necessary, alone? In your view, would preventing Iran from obtaining a nuclear weapon fall into that first category that Dr. Kissinger laid out?

Dr. CARTER. Yes. Yes.

Senator SULLIVAN. Okay. Thank you.

Second, I want to get back to the issue we were talking about a little bit earlier, this issue of kind of being straight up with not only Congress and the American people on our challenges. I think you have been doing that today in your testimony.

Again, I have some doubts that that is happening at the highest levels. The President's mention in his State of the Union referring to 9/11 and then saying "The crisis has passed." I don't think most Americans would agree with that.

But the discussion today about ISIL and you were talking about lasting defeat, it really is actually Islamic extremism and the threat it poses to the United States and our citizens. What, in your view, is the timeline? Because I think this is an issue that really hasn't been discussed.

Some people think that we are going to declare victory next year, 2 years? There have been others who have been saying, no, this is much more like the Cold War. Former CENTCOM [United States Central Command] commander General John Abizaid talked about "the long war".

Where do you see this kind of defeat playing out? If it is going to take a long time, maybe a generation, shouldn't we be preparing the American people for that, as opposed to saying, oh, we are going to defeat ISIL within a year?

Dr. CARTER. I certainly hope that we defeat ISIL quickly, but that won't be a lasting defeat necessarily, unless we have a political dimension to that defeat as well as a military defeat. That won't be the end of terrorism, Islamist extremism's terrorism.

Our experience has been this is a movement that changes and morphs and moves around the world. One would like to hope that at some point its inherent unattractiveness would cause it to burn out, but we can't be confident of that.

Senator SULLIVAN. How do you think we should be thinking about it from a time standpoint?

Dr. CARTER. I think we need to be thinking about terrorism, more generally, as an enduring part of our national security mission. I believe that Secretaries of Defense, many in the future, even if Islamist extremism, which I certainly hope burns itself out at some point, will always be facing the problem of the few against the many.

There are aberrant people out there, and technology in today's world gives smaller and smaller groups of people and even individuals destructive power that they would never have had in previous eras. It is going to be the job of our security authorities—defense, law enforcement, homeland security, and everything—to protect our people against these people, whatever their thinking.

They may not be thinking in the ISIL way. They may have something else on their mind. Or nothing at all on their minds. But I do think it is going to be a continuing part of the human condition and of defending our people.

Senator SULLIVAN. I want to just ask one final question. I think one thing that is going to be very important is to continue a very strong focus on training. Severe, hard training for our troops.

As you know, in periods of drawdown or changes, as a country, historically, we haven't always done this well. We talked about this. When you are an infantry officer in the Marine Corps, you are strongly encouraged to read this book called "This Kind of War". I encourage you or your staff to take a look at it. It is called "a study in unpreparedness," and it shows what happens when you have troops that are not trained.

If confirmed, you are obviously going to have a myriad of responsibilities, pressures on you. I would like to get a commitment that you will keep as certainly one of your top, if not top priorities this issue of training—hard, severe training. Because as you know, the

best way to ultimately take care of the troops is to make sure that they are ready to fight, destroy the enemy, and come home safely.

Can we get that commitment from you?

Dr. CARTER. You absolutely have it. I just would say your authoritativeness on that exact subject is very much appreciated and respected.

Senator SULLIVAN. Thank you.

Chairman MCCAIN. Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Dr. Carter, I know we are trying to get you out. I will be very brief, but I did want to come back to an issue that you and I had a chance to talk about briefly when you came in to see me, about the importance of our public shipyards and the good work that they do. Senator King, I know Senator Ayotte, and I are all very proud of the Portsmouth Naval Shipyard, and that you were issued an invitation to visit, which I would second.

We would love to have you come up. While you are at it, you can come to Pease Air National Guard Base and see the home of the new KC–46 air refueling tanker, which we are also very proud of.

One of the challenges of sequestration is the impact on not just our men and women serving in uniform, but also on our civilian workforce. Can you talk about the threats that is posed by the uncertainty, especially for the engineers, the scientists, the mathematicians that we are going to need to continue to fill those civilian jobs to keep our shipyards at their highest level of efficiency and production and all of our depots as well?

Dr. CARTER. Yes. Thank you.

I do want to take the opportunity to express my gratitude for what our civilian members of our Department of Defense do. A lot of people have the image of the civilian as a bureaucrat sitting behind a desk somewhere, and that is an issue we also need to get at because there is that, too, and that is costly in headquarters and overhead and so forth.

But most of DOD civilians are not sitting behind a desk. They are actually doing maintenance work and repair work that actually needs to get done. They are not a waste. They are there doing something essential.

I think that sometimes we talk about them as though we don't appreciate them, and I think we do need to appreciate them. Even as we cut down, as I believe we need to do, the overall number of civilians in the Department of Defense, I think you do that by getting rid of the overhead and the unnecessary layers and offices and so forth.

But I don't think anybody ought to be talking about somebody who fixes and maintains an essential piece of equipment. We ought to be giving our thanks to those folks for what they are doing for the country.

Senator SHAHEEN. Are you concerned about the impact that sequestration might have on our ability to continue to maintain those civilian workers who have the backgrounds that we need to continue to do those jobs?

Dr. CARTER. Yes. Because one of the things that sequester does because it hits fast and hard is cause managers in defense to take

away dollars from exactly that kind of work, and it gets back to the readiness issue.

Senator SHAHEEN. Thank you very much.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Tillis?

Senator TILLIS. Dr. Carter, sorry I had to step out. I had another committee meeting. If this question has been asked, I apologize.

In your response to some of the written questions submitted to you, there was a concern expressed over the size of our naval fleet and how it has reduced in numbers. In your response, you commented that you can't just look at the absolute number of ships to determine what our capabilities are.

My question for you is what can you share with us that should make us feel okay with some reduction in the fleet, if you believe that that is okay as a long-term position? Secondly, what do you think the long-term plan should be for our naval readiness?

Dr. CARTER. Thank you, Senator.

It is true that, as you say, that you have to look at quality and not just quantity. I mean, that said, I think the Navy's shipbuilding plan calls for it to increase the number of ships, not to decrease the number of ships. I certainly think that is important.

Our Navy is the paramount navy of the world, and that is one of the things that makes us a global power. It is what allows us to be present when things break somewhere. Whether it be a conflict or a natural disaster, you see the Americans show up first in either case. Why do they do that? One of the ways they do that is through the Navy.

I have a strong interest in maintaining not just the quality, but the quantity as well. Obviously, this gets back to the budget and how many dollars we have. Another reason why we need to have enough dollars.

Senator TILLIS. Thank you.

I have another question and final question. It relates to a report I am expecting the Secretary of the Air Force to submit to Congress, saying that they are going to be pulling out the Air Force assets from Pope Field. You and I touched on this briefly when we met.

I think the result of that is going to be the Army requiring planes to be flown in to support training exercises there. I am more worried about Pope Field, going forward. It looks like the current course and speed, it could wither away, and I think it is an important strategic asset.

Rather than ask you to take a position on this decision, I would like to get your commitment once you are confirmed to meet with me and others who have a concern with this not as a North Carolina issue, but as a perhaps not a good strategic decision. Walk through this and see if either I can be convinced that it is the right decision or you can be convinced it may be something we have to rethink. I would appreciate your commitment to doing that.

Dr. CARTER. Absolutely, you have that.

Senator TILLIS. Thank you.

Thank you, Mr. Chair.

Chairman MCCAIN. I am told that Senator Lee is on his way. Is his staffer here?

[Pause.]

Chairman MCCAIN. From the airport?

Senator TILLIS. Pope Field.

[Laughter.]

Chairman MCCAIN. I just don't think we can hold up the witness. Can I just say we intend to receive as many written questions as necessary by the end of business today. You can review them and have your answers returned so that we can get your confirmation to the floor early next week.

If not, as you know, the week after that, we are in a recess. We will try and get it accomplished.

I heard a door close. Yes, go ahead, Jack.

Senator REED. I just simply want to thank Dr. Carter for his service to the Nation, for his testimony today, and thank the chairman for an extremely thoughtful hearing and a very productive hearing.

Thank you.

Dr. CARTER. Thank you, Senator.

Chairman MCCAIN. I just can't hold the witness any longer.

[Pause.]

Senator TILLIS. Senator McCain, I think he is running around the ante room to this entrance here. I would expect him to pop through in about 10 seconds.

Chairman MCCAIN. Senator Lee, welcome.

Senator LEE. Thank you very much, Mr. Chairman.

You have been very patient today and answered a lot of questions, and I just wanted to talk to you briefly about religious freedom within the military. I think the ability to believe according to one's own belief system and to express those views appropriately is of utmost importance to the morale of all of our service men and women and to their families.

I think it is also something of a pillar of our society, something that we have always expected would be tolerated is a diversity of religious viewpoint and religious expression. Certainly one's religious freedom should never be curtailed merely because one decides to serve one's country in the military.

I was concerned late last year to hear about a situation in the Army in which a chaplain in the course of some suicide prevention training was reprimanded for sharing his faith, talking about how his faith played a really important role in his personal recovery from depression.

My understanding is that he was reprimanded despite the fact that the Army itself, of course, recognizes the importance of spiritual wellness and the importance that faith can play in a person's life in dealing with mental health issues of all kinds and an Army that has affirmed the important role that chaplains tend to play in our armed services.

Congress, of course, has acted several times in recent years to prioritize protection of religious freedom and religious expression within the armed services, respecting the necessity, of course, of maintaining good order and discipline and making sure that those things aren't ever compromised.

What is your view on religious freedom and freedom of religious expression within the military? What will you do, if you are con-

firmed as Secretary, to make sure that those rights are respected and that the obligations imposed by Congress on the military are honored?

Dr. CARTER. I do think it is important, and I don't think there is any inherent conflict between religious freedom and religious expression and good order and discipline. We can have both.

I don't know anything about the particular case you adduced, but that this idea of having both and that they are not in inherent conflict with one another I think is extremely important and one that if I am confirmed in this job, I would want to see to it that no one thought that there was an inherent conflict between those two.

Senator LEE. Thank you. I appreciate that, and I know those who serve us certainly appreciate that as well.

I appreciated what I heard you say earlier. I think it was in connection with a question asked by Senator Ernst regarding the valuable contributions of our National Guard and our Reserve units in combat. I hope that as the Services continue to reassess their force mixture that those sentiments that you expressed very well will continue to be at the forefront of your mind and that you will be conscious of those things.

As I look at the Guard units in my home State of Utah, those Guard units have served us very well, and a lot of our servicemembers who serve in our Guard units have been deployed many, many times just over the last few years. They have served exceptionally well, and I hope you will continue to recognize them, their contributions, and to utilize them appropriately.

Dr. CARTER. I will. You just said it very well. They have really come through for us.

Senator LEE. Thank you very much.

Dr. CARTER. Thank you, sir.

Senator LEE. Thank you, Mr. Chairman. I see my time is rapidly expiring.

Chairman MCCAIN. Thank you.

Doctor, as I mentioned, we will try to ask our members to get in any written questions they have for you by noon tomorrow so that you will have time to return those either before the weekend or just after.

We will see, talk to the Majority Leader to see if we can't get your nomination to the floor so that you can get to work.

We thank you for your patience today and thank you for your appearance and thank you for your willingness to continue to serve this Nation.

Dr. CARTER. Thank you, Mr. Chairman.

Chairman MCCAIN. The hearing is adjourned.

[Whereupon, at 4:09 p.m., the hearing was adjourned.]

[Prepared questions submitted to the Honorable Ashton B. Carter by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delin-

eated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I do not see a need for modification of any Goldwater-Nichols Act or special operations provisions at this time. The success of our Armed Forces since the enactment of these provisions amply demonstrates that they have served the Department and our Nation well.

DUTIES OF THE SECRETARY OF DEFENSE

Question. Section 113 of title 10, United States Code, provides that the Secretary of Defense is the principal assistant to the President in all matters relating to the Department of Defense (DOD). Subject to the direction of the President, the Secretary of Defense, under section 113, has authority, direction, and control over DOD.

Do you believe there are actions you need to take to enhance your ability to perform the duties of the Secretary of Defense?

Answer. No.

Question. What changes to section 113, if any, would you recommend?

Answer. At this time, I believe that the authorities in section 113 for the position of Secretary of Defense are appropriate.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I have spent more than 3 decades working on defense and national security issues, both in and out of government. Most recently I served in two senior positions in the Department, including as the Deputy Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics. As Deputy Secretary of Defense I served as the Department's Chief Operating Officer with management over the Department's budget and civilian military personnel. During my tenure as Under Secretary for Acquisition, Technology, and Logistics, I had responsibility for the department's efforts to accelerate the production of urgent operational need such as MRAPs which saved countless lives in Afghanistan, increase the taxpayer's buying power, and strengthen the Nation's defense against emerging threats.

Previously, in the 1990s, I served as the Assistant Secretary of Defense for International Security Policy where I was responsible for a variety of strategic issues. Between my periods of government service I have served in a variety of academic and government advisory roles focused on national security and defense issues.

PRIORITIES

Question. If confirmed, you will confront a range of critical issues relating to threats to national security and ensuring that the Armed Forces are prepared to deal with these threats.

In your view, what are the major challenges confronting the next Secretary of Defense?

Answer. The challenges include preserving and enhancing the finest fighting force in the world and taking care of their families; providing a strategic perspective to the threats and opportunities in the world; and implementing significant reforms that are crucial in a time of budget uncertainty.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I look forward to addressing these challenges by consulting with the civilian and military leadership of the Department, seeking the perspective of our partners, allies and friends, working closely with my interagency partners, seeking the best ideas from outside the government, and working closely with this committee and Congress.

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Secretary of Defense?

Answer. The top priorities are to ensure the security of the American people, defend our vital interests, and fight and win our Nation's wars.

CHAIN OF COMMAND

Question. Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Section 163(a) of title 10 further provides that the President may direct communications to combatant commanders be transmitted through the Chairman of the Joint Chiefs of Staff and may assign duties to the Chairman to assist the President and the Secretary of Defense in performing their command function.

Do you believe that these provisions facilitate a clear and effective chain of command?

Answer. My understanding of these laws and my experience leads me to believe that they establish a clear and effective chain of command, which is an essential element to successful military operations.

Question. In your view, do these provisions enhance or degrade civilian control of the military?

Answer. In my view, these provisions significantly enhance civilian control of the military and place the President and the Secretary of Defense in position to best exercise civilian control of the military by occupying the top positions in the military chain of command.

Question. Are there circumstances in which you believe it is appropriate for U.S. military forces to be under the operational command or control of an authority outside the chain of command established under title 10, United Sates Code?

Answer. I believe that U.S. military forces normally should operate under the chain of command established under title 10. However, today's threats are such that there may be circumstances involving certain sensitive operations where an exception to that chain of command may be appropriate to provide military support to the head of a non-DOD U.S. department or agency. It is my understanding that only the President may approve such an exception, as also provided in section 162 of title 10. If confirmed, I will consider these situations very carefully and provide the President with my best advice regarding where an exception to the established chain of command may be appropriate.

ADVICE OF THE SERVICE CHIEFS AND THE COMBATANT COMMANDERS

Question. Section 151 of title 10, United States Code, provides, in part, that the Chairman of the Joint Chiefs of Staff is the principal military adviser to the President, the National Security Council, and the Secretary of Defense and that if any member of the Joint Chiefs submits to the Chairman advice or an opinion, in disagreement with, or advice or an opinion in addition to, the advice presented by the Chairman, the Chairman shall present that advice or opinion at the same time he provides his own advice to the President, the National Security Council, and the Secretary of Defense. Section 163 of title 10, United States Code, provides that the Chairman of the Joint Chiefs of Staff serves as the spokesman for the combatant commanders, especially on the operational requirements of their commands.

What is your understanding and assessment of the distribution of responsibilities and authorities for providing uniformed professional military judgment, advice, and opinions to the President, National Security Council, and civilian leadership of the Department?

Answer. Based on my understanding of the law and my experience, I believe the distribution of responsibilities and authorities for providing professional military judgment, advice, and opinions is adequate and functioning well.

Question. What changes in law, if any, do you think may be necessary to ensure that the views of the Service Chiefs and of the combatant commanders are presented and considered?

Answer. Based on my understanding of the law, and my experience, I do not recommend any changes to the law.

USE OF MILITARY FORCE

Question. The question as to whether and when U.S. forces should participate in potentially dangerous situations is one of the most important and difficult decisions that the national command authorities have to make. Prior Secretaries of Defense and Chairmen of the Joint Chiefs of Staff have proposed criteria to guide decision-making for such situations.

In your view, what factors should be considered in making recommendations to the President on the use of military force?

Answer. The factors that should be considered are: the necessity of removing a critical threat to the U.S. Homeland and citizens and its allies and friends; the pros-

pects and strategy for achieving lasting success through the use of force; complementary employment, as appropriate, of other instruments of national power; and the assistance as appropriate of allies and partners.

NATIONAL SECURITY BUDGET REDUCTIONS

Question. The 2011 Budget Control Act established discretionary budget caps to realize nearly $1 trillion in budget savings spending over 10 years. Half of those budget cuts are to national defense discretionary accounts.

Do you believe that defense spending reductions of this magnitude can be accomplished without significant adverse impact on our national security?

Answer. No. During my tenure as Deputy Secretary and Acquisition Executive the Department developed a comprehensive strategy. I said then, and I will reiterate now, that the strategy is not executable under the sequestration-level budget caps of the Budget Control Act.

Question. How would you assess the national military strategy to deal with the changed budget environment?

Answer. Any strategy must continue to protect and advance this Nation's interests, within the resources the Nation is willing to commit to national defense. If confirmed, I will seek a balance between maintaining an agile and ready force to address today's demands while investing in the capabilities we need to address future challenges.

Question. If confirmed, by what standards would you measure the adequacy of DOD funding?

Answer. The measure must be, can the Department meet the security challenges of today, while also investing adequate resources to prepare for future security challenges, both the expected and the unexpected.

Question. If confirmed, and given this era of budget austerity, how will you prioritize the objectives of meeting ongoing operational commitments around the world, re-setting of the force, and investing in the future force?

Answer. There has to be a balance. The Department should have sufficient capacity to deal with the wide range of challenges we face, yet not maintain more capacity than we can afford to modernize and keep ready, given that we also have a responsibility to the force of the future.

READINESS OF THE ARMED FORCES

Question. What is your understanding and assessment of the current readiness of the Armed Forces?

Answer. I believe that readiness has been especially affected by sudden and uncertain budget reductions. Readiness is essential to our security and to ensure troops sent in to conflict are fully prepared. The Service Chiefs testified last week before this committee that there have been some readiness gains over the last year, but that there are still critical readiness deficits in many areas. Any readiness gains over the last year appear to me to be extremely fragile and will certainly reverse without sufficient resources.

Question. What is your understanding and assessment of the Department's readiness reporting and monitoring systems, such as the Defense Readiness Reporting System (DRRS)? In you view, does DRRS provide civilian and military leaders with the information necessary to make informed resource and operational decisions?

Answer. The readiness systems in place provide senior leaders with the information they need to determine which forces are ready to deploy considering a variety of mission criteria. These systems contain current and historical readiness data from the tactical to the strategic level. In my view, the DRRS does provide the necessary information to make informed resource and operational decisions.

Question. If confirmed, what changes, if any, would you propose making to the Department's readiness systems to ensure timely and accurate information is available for decisions on commitment of military forces and to judge the impact of budget conditions on the readiness of the Armed Forces?

Answer. The Department's readiness reporting systems, the DRRS in particular, contain a variety of readiness resourcing and capability data that is useful for senior leaders to gain an understanding of our operational vulnerabilities and shortcomings.

Question. If confirmed, to what key indications and indicators of a "hollow" or unready military will you pay closest attention? What are the most dangerous risks or consequences associated with a "hollow" or unready force in your opinion?

Answer. Key elements of readiness include the quality of our military personnel and the status of their individual training in the military specialties, the manning and training of the units in which they serve to meet the mission essential tasks

they are given, and the availability of their required equipment from basic small arms to major platforms. This individual and unit readiness must be assessed against the requirement of the contingency plans of the combatant commanders. I have always paid considerable attention to these elements and I will continue to do so if confirmed as this is an essential obligation of leaders to the forces we send in harm's way.

AUDIT READINESS

Question. DOD remains unable to achieve a clean financial statement audit. The Department also remains on the Government Accountability Office's list of high risk agencies and management systems for financial management and weapon system acquisition. Although audit-readiness has been a goal of the Department for decades, DOD has repeatedly failed to meet numerous congressionally directed audit-readiness deadlines.

What is your understanding and assessment of the Department's efforts to achieve a clean financial statement audit?

Answer. My understanding of the Department's efforts is that the Department has made progress in the last 5 years following the strategic plan and priorities established early in this Administration. If confirmed, I will get a detailed assessment from my Chief Financial Officer, and hold him responsible and accountable for making auditability one of my top business reform priorities.

Question. Do you believe that the Department is likely to meet the current 2017 statutory objective for ensuring that its financial statements are validated as ready for audit?

Answer. If confirmed, I will be in a better position to inform Congress on the 2017 objective after I have the results of the ongoing military departments' audits.

Question. What is the likeliness that this audit will produce a clean opinion? In your view, how long is it likely to be from the time when the Department certifies its financial statements as "ready for audit" to the time when the Department achieves a clean audit opinion? If confirmed, what specific actions would you propose taking to promote compliance with the statutory objective?

Answer. Experience throughout the government, with agencies that are far smaller and less complex than DOD, demonstrates it takes several years to move from an initial audit to a clean opinion. So I do not think it is realistic to expect that a first year audit of the entire Department will produce a clean opinion. If confirmed, I will continue to make this a high priority and hold our senior leaders, civilian and military, accountable for positive progress towards a clean opinion.

Question. What is your understanding of what the validation of audit readiness means? What steps will the Department go through to validate its financial statements as ready for audit and when will these steps be taken?

Answer. My understanding is that a validation of audit readiness is an independent assessment to ensure key elements required by a financial audit are in fact part of the day-to-day processes and internal controls and can be demonstrated to show they are compliant with accounting standards. If confirmed, I will develop a complete understanding of the department's validation of audit readiness in order to hold the Chief Financial Officer responsible and accountable to monitor key critical path milestones so the Department is ready for audit in fiscal year 2018.

Question. What steps do you believe that Congress and/or the Department should take if the Department fails to meet the statutory objective, given that the current administration will not be in office in 2017?

Answer. If confirmed, I intend to do everything I can to position the Department to comply with the statutory guidance. The Chief Financial Officer should lay out a clear set of interim critical path milestones and ensuring those gates are met. If confirmed, I will ensure that this receives an appropriate priority and that accountability is instilled into the performance appraisals of senior leaders. I believe Congress should continue to provide constructive oversight to ensure full understanding of the Department's direction and progress and to help when applicable.

Question. In your view, what evidence, if any, can we point to today that provides Congress and taxpayers confidence that the Department's resources are being spent appropriately given its inability to pass a financial statement audit?

Answer. The Department continues to meet the mission of defending our country's basic values with a world-class military. It trains and equips our men and women to carry out critical missions to protect us and our allies around the world. While the department currently falls short of having a clean audit of our financial statements, we do receive positive audit opinions on a significant amount of our resources, and there are numerous controls in place to ensure taxpayer resources are spent as intended by the Congress. Independent of auditability, the department has

a detailed track of where the money goes and what it supports. If confirmed, I intend to demonstrate to the taxpayers that DOD is a good steward of our resources and worthy of their confidence.

DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS COLLABORATION

Question. DOD and Department of Veterans Affairs (VA) have in recent years increased collaboration to support servicemembers as they transition to veteran status. This support includes access to health and mental health care, improved disability evaluation, and coordination of compensation and other benefits.

If confirmed, what would you do to ensure that the DOD and VA fully cooperate with each other to develop simplified processes to achieve seamless transition as servicemembers move to veteran status?

Answer. We must be unwavering in our commitment to our veterans and their families. DOD and the VA continuously collaborate to better support transitioning servicemembers. This effort includes the Transition Assistance Program to ensure our servicemembers receive the skills and tools necessary for a successful transition from Active Duty to civilian life. In addition, I am aware that the two Departments have improved information sharing, such as timely availability of Service Treatment Records to VA and enhanced sharing of health information, and are working toward greater interoperability of their records systems. If confirmed, I will continue to direct those responsible in DOD to work toward a seamless transition from recovery to reintegration or transition for our servicemembers, especially those who are wounded, ill, or injured.

INTEGRATED DISABILITY EVALUATION SYSTEM

Question. The Integrated Disability Evaluation System (IDES) integrates the DOD and VA disability systems to improve and expedite processing of servicemembers through the disability evaluation system. Servicemembers continue, however, to experience lengthy delays getting their disability ratings. Although DOD has shown progress in meeting IDES timeliness goals, IDES casework remains backlogged in the VA's portion of the system.

What is your assessment of the need to further streamline and improve the IDES?

Answer. DOD must continually evaluate its disability evaluation system to identify and implement process improvements. A key initiative underway is the development of a DOD Disability Evaluation System (DES) IT system to provide new capabilities to support end-to-end DES case management—tracking, reporting, and electronic case file transfer. We need to continue to work with VA to ensure our IT systems for evaluating and compensating disabled servicemembers and veterans are interoperable.

Question. If confirmed, how would you work with the VA Secretary to ensure both DOD and VA meet or exceed timeliness goals through each phase of the multi-step disability evaluation process?

Answer. If confirmed, I will continue to engage directly with the Secretary of the VA and at DOD with senior leaders in the Services. I will direct the DOD to collaborate with our VA partners to identify necessary changes and appropriately address them. If confirmed, I will ensure that the DOD maintains an effective joint and integrated disability program.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. What is your assessment of the Department's progress on implementing recent legislative changes intended to prevent and respond to sexual assaults in the military?

Answer. First, I want to make clear that I consider sexual assault absolutely and without exception unacceptable. It is reprehensible in any aspect of society but particularly consequential in the military, which must operate quickly with complete trust and delegates so much authority to commanders and where missions often require long deployments in austere environments. I understand the Department is implementing many new provisions of law, mandating many changes in programs and procedures. I am told that implementation of the provisions in the NDAA for fiscal year 2014 is ongoing. I believe DOD needs to do better in its prevention efforts and in responding to the needs of survivors compassionately, quickly and effectively.

My understanding is the Department is also working on the implementation of the relevant Carl Levin and Howard P. "Buck" McKeon NDAA for fiscal year 2015 sections, which were enacted in December 2014. If confirmed, I will personally continue to make this a top priority and continue the collaboration with Members of Congress, which is crucial in identifying issues and crafting solutions.

Question. What is your view of the adequacy of the training and resources the Services have in place to investigate and respond to allegations of sexual assault?

Answer. If confirmed, I will take a personal role in assessing these issues and holding people accountable for outcomes. I am aware that training exists for all servicemembers, at all levels, and it is tailored specifically to resonate within each Service and rank's culture. I will continue to assess the effectiveness of this training, and ensure adjustments are made as necessary. It is my understanding that the investigators in recent years have largely changed from an incident-focused investigation to an offender-focused investigation, which emphasizes that an offender's behavioral history may extend beyond the confines of any one particular incident. I am also aware that the relevant agencies have developed training that helps investigators better understand the impact of trauma on memory. If confirmed, I will ensure that the Department continues to work to refine and improve training.

Question. What is your view of the willingness and ability of the Services, and military commanders in particular, to hold assailants accountable for their acts?

Answer. A top priority of DOD must be to hold assailants appropriately accountable for their acts. This must be carried out by the Services and military commanders.

Question. What is your assessment of the potential impact, if any, of proposals to remove from military commanders' disposition authority over violations of the Uniform Code of Military Justice, including sexual assaults?

Answer. Leaders have offered thoughtful perspectives on both sides of this issue. As a matter of first principle, I believe that the Secretary of Defense and other leaders need to be able to hold everyone in an organization accountable. I understand the Department is concerned that this change could tell commanders that it is not their job to root out the evil of sexual assault. I further understand that a congressionally-mandated independent panel found no evidence that removing commanders from the process would improve accountability of offenders or reporting by victims. If confirmed, I will take a direct personal role in this issue.

Question. What is your assessment of the results of the recently reported survey of military members on the prevalence of sexual assault in the Armed Services?

Answer. The existence of sexual assault within our ranks is deeply disturbing and the conduct is utterly unacceptable. The Department must continue its work to eliminate sexual assault. The incidence of sexual assault and the percentage of victims who are retaliated against or concerned about retaliation remain unacceptably high. I am particularly concerned by the finding that a substantial portion of victims perceived some level of retaliation associated with their sexual assault report, including alienation and other forms of social ostracism from their peers. This destroys good order and discipline and fosters a climate that is inconsistent with the dignity and respect that our servicemembers deserve.

Question. What is the status of the review of the Manual for Courts-Martial directed by Secretary Hagel and when do you anticipate the Department will provide a report on this review to this committee?

Answer. I understand that at Secretary Hagel's direction, the DOD's Military Justice Review Group (MJRG) is conducting a comprehensive review of the military justice system. It is my understanding that the MJRG will issue two reports, one in March 2015 recommending changes to the Uniform Code of Military Justice and one in September 2015 recommending changes to the Manual for Courts-Martial. If confirmed, I anticipate directing the relevant DOD components to review the reports and recommendations for appropriate action, and if necessary, proposed legislation.

Question. Secretary Hagel conducted a weekly oversight review to ensure continued progress on implementing legislative changes intended to combat sexual assault. If confirmed, what actions will you take to ensure senior level direction and oversight of efforts to prevent and respond to sexual assaults?

Answer. If confirmed, my personal involvement will be frequent and regular, which will guide the Department to adapt its sexual assault policies and systems with agility. If confirmed, I plan to continue this personal commitment to eliminating sexual assault in our ranks and restoring victim confidence in our response system. I recognize that it will be critical to work closely with Congress and Service leaders to deliver consistent and effective prevention initiatives to influence behavior with the goal of eliminating the crime of sexual assault across the Department.

Question. What is your assessment of the military's protections against retaliation for reporting sexual assault?

Answer. Based on the recent report to the President, they are not adequate. The report underscores the need to better understand the complex ways in which the retaliation manifests itself, and to ensure that victims of sexual assault have choices in the form of assistance they engage to address this behavior. If confirmed, this effort will be a priority of mine.

Question. What is your assessment of military programs for the prevention of domestic abuse, including spousal rape?

Answer. The Department is committed to addressing the prevention of and response to domestic abuse, including spousal rape, which is a serious public health issue. The Family Advocacy Program (FAP) is a comprehensive Department-wide program that provides victim advocacy and counseling for victims and offender treatment programs. FAP utilizes evidenced-based programs to address domestic abuse, and works in collaboration with Command, medical, legal, and law enforcement to support victims of domestic abuse and child abuse and neglect. FAP collaborates closely with the Sexual Assault Prevention and Response Office and shares best practices on victim assistance.

ROLE OF NATIONAL GUARD AND RESERVES

Question. What is your understanding and assessment of the Reserve components' size and force structure, including mix of capabilities and capacities, to meet the requirements of the 2014 Quadrennial Defense Review (QDR) and the current National Military Strategy?

Answer. The seven Reserve components have proven essential during 13 years of war and natural disasters at home. I understand that questions about the size and makeup of the Active component and Reserve component are currently under consideration as the Department continues to implement the new defense strategy and respond to the current fiscal environment. If confirmed, I will insure that the Military Departments, the Chief of the National Guard Bureau, and the combatant commanders work closely together to determine the most effective mix and makeup of Active, Reserve, and Guard personnel to maximize the value of these organizations in a way that is balanced against needs.

Question. In your view, what is the definition of "operational Reserve" when referring to the Reserve components?

Answer. In my view, the term "operational Reserve" refers to our need to have a Reserve component that is made ready and available to operate in peacetime, in wartime and in support of civil authorities.

Question. What is your understanding and assessment of how the concept of an "operational Reserve" is currently used by the Department for Reserve component sizing, force structure, readiness reporting and evaluation, and resourcing? If confirmed, what changes, if any, would you propose regarding the use of the concept of an "operational Reserve" with respect to the Reserve components?

Answer. The National Guard and Reserve is a critical source of many of the capabilities required in ongoing operations and contingency surge requirements. As an operational Reserve the Reserve component would make certain capabilities available on a continuing basis and others to augment and reinforce the Active components when mobilized over time.

Question. In your view, what are the most significant challenges to the realization of the Reserve component as an "operational Reserve"? If confirmed, what actions would you propose taking, if any, to deal with these challenges?

Answer. In my view, some of the most significant challenges in employing the Total Force are declining resources and the subsequent impacts on the Services' abilities to man, train and equip the Force. If confirmed, I will insure the Service Chiefs, the Chief of the National Guard Bureau and the combatant commanders work together to balance the Total Force.

Question. What is your understanding and assessment of current statutory authorities for the mobilization and utilization of members of the Reserve component? If confirmed, what changes in law would you propose, if any, to make Reserve component mobilization and utilization more efficient and effective or to enhance their ability to perform various national security or domestic support to civil authorities missions?

Answer. Current statutory authorities make the Reserve component an accessible force. If confirmed I will insure the Service Chiefs, the Chief of the National Guard Bureau, and the combatant commanders review lessons learned after over a decade of unprecedented mobilization to determine if changes are needed to make mobilization and utilization of our Reserve component more efficient and effective. Key considerations in this review are early notification for deployments, mobilization lengths, dwell-to-mobilization targets and predictability for the service personnel, families and employers.

ACTIVE DUTY AND RESERVE COMPONENT END STRENGTH

Answer. The Department is implementing its 5-year plan to reduce Active Duty end strengths by over 100,000 servicemembers by 2017, and the Reserve compo-

nents by another 21,000 over the same period. These cuts do not include any additional personnel reductions that could result from sequestration or any agreement to avoid sequestration.

Do you agree with this plan to reduce Active Duty and Reserve component end strengths?

Answer. My understanding is that these planned reductions reflect an effort to balance the capability, capacity, and the readiness impacts of budget reductions with the requirements of the defense strategy.

Question. How will these reductions impact the Armed Forces' ability to meet national defense requirements?

Answer. Fiscal uncertainty and new operational demands driven by unforeseen world events have the potential to jeopardize the Services' ability to both provide ready forces for today's fight and guarantee ready forces for tasked operational plans.

Question. What additional military personnel reductions do you envision if the Department is required to operate under the budget caps for fiscal year 2016 as currently set out in law?

Answer. If sequester returns in 2016, I believe the Services may be compelled to implement additional force structure reductions. The consequences of sequestration have been significant for the Joint Force and its ability to meet our strategic objectives. The Department needs to continually examine the force structure and personnel levels required to meet our national security objectives.

Question. In your view, what tools do the Department and Services need to get down to authorized strengths in the future, and which of these require congressional authorization?

Answer. My understanding is that Congress has supported the Department with the force shaping tools necessary to meet the drawdown under its current plan. However, further budget reductions would make it necessary to revisit the size of all components of the Total Force—Active Duty, Reserve component, DOD civilians, and contractors. Consequently, future assessment may require us to request additional congressional authorization for force shaping tools.

WOMEN IN THE MILITARY

Question. Do you believe that the services are conducting appropriate and objective evaluations to inform decisions on the integration of women into previously closed units and military occupations?

Answer. It is my understanding that the Services and U.S. Special Operations Command have been conducting evaluations in accordance with their respective implementation plans. If confirmed, I will closely monitor their progress and ensure they stay on track and meet the Department's timelines. If I receive requests for exception to policy, I will carefully consider them when the time comes.

Question. In your view, should the Military Selective Service Act be amended to require females to register for possible military service?

Answer. I understand a recent law requires the Department to provide an analysis of the constitutionality of continued application of the Military Selective Service Act to only men.

Question. In your view, and if the Military Selective Service Act is so revised, in a future exigency in which the Nation may need to implement a draft, are there any reasons why qualified males and females should not be subject to the draft?

Answer. Given that the Armed Forces have waged the longest continuous conflict in our history with an All-Volunteer Force, and the fact that most military career fields are now open to women, a review of the military selective service act would be prudent. This is not solely a Defense issue, but rather part of a much broader national discussion.

COSTS OF MEDICAL CARE

Question. What is your assessment of the long-term impact of the Department's rising health care costs on military readiness and overall national security?

Answer. In a constrained fiscal environment, if confirmed, I will seek a balanced approach to control rising health care costs by continuing to drive greater efficiencies within the system and to pursue reasonable health benefit reforms that offers exceptional value to our beneficiaries.

Question. If confirmed, what actions would you take to mitigate the effect of the Department's rising medical costs on DOD's budget top-line while simultaneously implementing programs to improve health outcomes and to enhance the experience of care for all beneficiaries?

Answer. Controlling health care costs is a priority for the Department. In recent years, additional emphasis was placed on achieving savings and efficiencies within the operational environment of the Military Health System (MHS). However, these internal savings initiatives are not enough to curb the projected increase in health care costs for the Department in the coming years. In addition to internal savings, I understand that DOD is trying to reform TRICARE into a more integrated health care system, which is less complex and provides greater choice and value to our beneficiaries.

The Military Compensation and Retirement Modernization Commission report provides another set of proposals that require careful review and consideration. If confirmed, I will work with Congress on all responsible efforts to improve the quality and cost-effectiveness of the health system.

Question. If confirmed, what would you do to create a value-based military health system—a system that creates value for beneficiaries and the Department by ensuring the delivery of quality health care and improving health outcomes for beneficiaries at reasonable costs to beneficiaries and DOD?

Answer. A value-based military health system starts with the department's ability to meet the DOD mission. Unlike civilian healthcare systems, the primary mission of the MHS is to ensure a medically ready force and a medical force that is ready to carry out its wartime mission. The Army, Navy, and Air Force medical services maintain that primary mission through the Military Treatment Facilities (MTFs). The MTFs alone cannot provide the care for all beneficiaries and therefore the TRICARE program is a critical component to the integrated health system.

DEFENSE HEALTH AGENCY

Question. In 2013, as Deputy Secretary of Defense, you signed a DOD directive that chartered a new Defense Health Agency (DHA) to reform the governance and management of the Military Health System.

What efficiencies and related savings have resulted from establishment of the DHA?

Answer. Although it's still in its infancy, the DHA stood up ten shared services and I understand it is reducing performance variation across the MHS. The DHA was critical to facilitating a coordinated implementation of the MHS Review, which focused on access to care, quality, and patient safety. The DHA's focus on business process reengineering is looking to achieve a net savings in such areas as pharmacy operations, health information technology and medical logistics. Another goal is to improve coordination of care in our largest health care markets, now being governed as enhanced multi-service markets.

Question. If confirmed, how would you ensure continued progress towards making the military health system a more efficient health care delivery system while improving health outcomes for beneficiaries?

Answer. The MHS, like most other health care systems in this country, needs to provide efficient, quality health care that is safe and effective, whether delivered on a battlefield or in one of our hospitals. If confirmed, I will direct those responsible to look for ways to improve not only the efficiency and performance of the system, but I will insist that critical medical capabilities are ready to support our warfighters anywhere and anytime.

INTEGRATED ELECTRONIC HEALTH RECORD (EHR)

Question. Last year, DOD published a RFP for a modern EHR with plans to award a contract in 2015 with an estimated total life cycle cost of over $11 billion.

Considering the many problems the Department has experienced with its existing EHR and its failure to deploy a modern EHR over many years despite strong congressional support, do you have confidence that the Department will finally be successful with this effort?

Answer. I have not had the opportunity to review the program status since leaving the Department, but, if confirmed, I will direct those responsible to keep me fully informed of its status.

Question. If confirmed, what would you do to ensure this procurement comes in on time and on budget without any waste of taxpayers' money?

Answer. I am committed to ensuring that our EHR solution meets the needs of our servicemembers while providing maximum value for the taxpayer. The timely and cost-effective acquisition and deployment of a new, modern EHR system is one of the department's top priorities in the health care area.

Question. If confirmed, how would you work with the VA secretary to ensure DOD and VA will seamlessly share real-time health information electronically?

Answer. If confirmed, I fully intend to personally continue the close collaboration that has been ongoing between the DOD and VA, and will personally engage with Secretary McDonald. Interoperability of our medical records system with theirs will be essential to the success of the EHR solution.

HEALTH CARE QUALITY AND ACCESS TO CARE IN THE MILITARY HEALTH SYSTEM (MHS)

Question. If confirmed, what actions would you take with respect to each of the following:

Eliminating performance variability throughout the MHS;

Answer. I am aware that the MHS Review ordered by Secretary Hagel demonstrated that there is performance variability both among and within our Military Treatment Facilities (MTFs). We need to develop a more robust enterprise-wide capability to establish common performance measures, identify associated standards, monitor performance relative to those standards, and mitigate critical deficiencies. I understand the Department has begun to create these capabilities, and I will make it a priority to oversee their successful implementation.

Question. Improving health outcomes of the Department's beneficiaries in the direct and purchased care components of the MHS;

Answer. If confirmed, I will direct that the MHS has a well-developed performance management system that permits data-driven decisions. Leaders will be held accountable for continuous improvement of outcomes in both the direct and purchased care systems.

Question. Delivering quality health care at lower cost to create value for beneficiaries and the Department; and

Answer. Improved readiness, better care and better health outcomes for our beneficiaries while operating the MHS more efficiently and at lower cost will create better value for those we serve as well as the taxpayers. The MHS should continue the enterprise management reforms to standardize business and clinical processes with a goal to optimize utilization, effectiveness and reduce variability.

Question. Promoting transparency of information that will help beneficiaries become more involved in making their healthcare decisions.

Answer. The department has developed a plan to increase transparency throughout the MHS for beneficiaries and key stakeholders. If confirmed, I will ensure that those directly responsible will review this plan and its implementation to make certain the Department and the MHS has met its obligation to meet the information needs of beneficiaries so that they can make important decisions about their healthcare.

MENTAL HEALTH CARE

Question. If confirmed, what actions would you take to ensure that sufficient mental health resources are available to servicemembers in theater and to servicemembers and families upon return to home station locations with insufficient community-based mental health resources?

Answer. If confirmed, I will support efforts to reduce the stigma associated with seeking mental health care, encourage help-seeking behavior and increase the use of available resources among servicemembers and their families. This would include an integrated approach for ongoing mental health research, prevention, and evidence-based treatment efforts that will continue to allow the Department to provide high-quality, timely mental healthcare services. Finally, I will continue to work with the VA and Department of Health and Human Services to coordinate mental health initiatives on behalf of servicemembers, Veterans and their families.

Question. If confirmed, what would you do to ensure that robust mental health resources are available for Guard and Reserve members and their families?

Answer. If confirmed, I will ensure those directly responsible remain committed to ensuring the Reserve components receive all medical and mental health resources necessary to meet their needs and promote smooth re-integration. This begins with ensuring pre and post-deployment health and mental health assessments with prompt referral for those identified as having needs. Additionally, I will ensure those directly responsible work with the VA leadership to improve processes for "hand-offs" to prevent lapses in services. I will continue to assess the adequacy of family support/re-integration programs that are vital to support servicemembers and their families who are facing mental health problems.

SUICIDE PREVENTION

Question. If confirmed, how would you maintain a strong focus on preventing suicides in the Active and Reserve components and in their families?

Answer. DOD has a strong and longstanding relationship with public and private partners and has recently adopted the National Strategy for Suicide Prevention, which is being integrated into the Department's strategy. If confirmed, I will ensure those directly responsible support all efforts to examine gaps and overlaps in efforts across the Department to ensure we provide the best policies and programs to both prevent suicide and build resilience.

PERSONNEL AND ENTITLEMENT COSTS

Question. What do you believe to be an appropriate percentage of the Department's budget for military personnel costs?

Answer. While military personnel costs have historically been roughly one-third of the Department's overall budget, pegging these costs to a specific percentage of the budget is not a useful metric for managing the force or executing the national defense strategy. The Department must maintain the force at sufficient levels with the right capabilities to meet the national defense strategy. Providing an appropriate pay and benefits package is essential to this task, but compensation and benefit costs must be balanced with readiness and modernization requirements to ensure we maintain the highest quality, ready, and modern military force now and for the future.

Question. If this percentage remains constant as overall defense spending flattens, or even declines in real terms, what would be the impact on the size of the force and the Department's ability to execute the national defense strategy?

Answer. If overall defense spending flattens or declines in real terms, military personnel costs will increase as a percentage of the budget in the short-term and, therefore, require larger reductions to readiness and modernization. In the longer-term, additional force reductions will likely be required to balance the program. The resulting smaller force would create additional risk to meet our security challenges.

Question. In your view, what would be the impact on other areas of the Department's budget if military personnel costs continue to rise while the overall defense budget remains flat, or even declines in real terms?

Answer. If military personnel costs were to continue to rise within a flat budget, consuming ever larger portions of that budget, the Nation will face the prospect of a hollow force—with resulting decreasing capability and readiness and a dwindling technological edge on the battlefield.

Question. What actions do you believe can and should be taken, if any, to control the rise in personnel costs and entitlement spending?

Answer. Personnel costs are a significant portion of the Defense budget. During the past several years the Department engaged in a number of broad-based reviews in search of efficiencies and generated proposals to reduce spending. The Congress, too, created the Military Compensation and Retirement Modernization Commission in search of ways to attract and retain the quality people we need while controlling these personnel and entitlement costs. If confirmed, I will seek ways to keep our current and future force and our defense program in balance within the resources Congress provides.

RECOMMENDATIONS OF THE MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

Question. The National Defense Authorization Act (NDAA) for fiscal year 2013 established a commission to review all elements of the military compensation and retirement systems and to make recommendations to modernize those systems to ensure the long-term viability of the All-Volunteer Force, enable a high quality of life for military families, and to achieve fiscal sustainability for the compensation and retirement systems. That Commission will release its report on January 29, 2015.

If confirmed, what will be your plan to review the report and to provide recommendations to the President?

Answer. I appreciate the difficult task that was presented to the Commission. If confirmed, I intend to carefully review and evaluate the Commission's recommendations on reforming military compensation and retirement.

Question. Will you instruct the Department to take the Commission's recommendations into consideration within the base budget request for fiscal year 2017?

Answer. If confirmed, I would expect the Department to fully consider the recommendations of the Commission in future budgets.

RELIGIOUS ACCOMMODATION IN THE MILITARY

Question. In your view, do DOD policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other be-

liefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. The current DOD policies appropriately accommodate the free exercise of religion by all servicemembers. The Department respects, and supports by its policy, the rights of individuals to express their own religious beliefs, including the right to hold no religious beliefs.

Question. Do you agree that the primary role of the chaplaincy is to provide for the free exercise of religion by all servicemembers and that chaplains are sufficiently trained to perform or provide for this constitutional right in today's pluralistic military community? If not, why not?

Answer. The Service Chaplaincies advise and assist commanders in the discharge of their responsibility to provide for the free exercise of religion in the context of military service and to assist commanders in managing Religious Affairs. Chaplains also serve as the principal advisors on all issues regarding the impact of religion on military operations. I believe Military Chaplains should be sufficiently trained to carry out their assigned duties.

Question. Do you believe it is the role of the chaplaincy to provide for the religious and spiritual well-being of all members of the Armed Forces, regardless of their faith beliefs?

Answer. In today's pluralistic military environment, the Chaplaincies of the Military Departments recruit, access, train, and equip chaplains with the knowledge and skill to balance their own faith practices with their role in assisting commanders in providing for the free exercise of religion and spiritual well-being of all servicemembers, including those who may hold different or no religious beliefs.

Question. Do you believe that current policies provide sufficient guidance to chaplains who conduct non-religious command training where attendance is required or encouraged to allow chaplains to discuss their religious faith anecdotally and respectfully in a pluralistic setting to support the training objectives?

Answer. It is my understanding that DOD policies provide sufficient guidance to chaplains concerning respectful incorporation of religious and belief principles that support training objectives in a pluralistic setting. Such policies also protect the right of a chaplain to refuse, without any adverse action, this type of duty if it is contrary to his or her conscience, moral principles or religious beliefs.

STRATEGY

Question. According to the force sizing construct in the 2014 QDR, U.S. forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region."

In your opinion, is the QDR's force sizing construct an adequate approach given the dynamics of the current and projected geostrategic and fiscal environments?

Answer. The 2014 QDR envisioned a complex and variable security environment coupled with fiscal uncertainty. Therefore, it directed the Department to size and shape the Joint Force to respond to a wide range of challenges. At the fiscal year 2015 President's budget level, the force planning construct depicts the challenges that the Department must be prepared to respond to and frames its efforts to deliver agile, technologically advanced forces of sufficient size to defend our Nation and secure our interests globally while preventing America's adversaries from achieving their objectives. However, as underscored in the QDR, the force planning construct cannot be fully resourced at sequestration-level funding, casting significant doubt on the Department's ability to implement its overall defense strategy at that reduced budget level.

Question. In your view, are the services currently adequately sized to meet the requirements of the QDR and current National Military Strategy?

Answer. U.S. forces remain able to prevail in more than one conflict at a time, but at higher levels of risk given the cumulative effects of reduced funding, an uncertain budget process, and unrealized force structure and compensation savings. The force will need to become smaller and more efficient over the next 5 years to offset the costs of gradual modernization and improved readiness. Provided sequestration is avoided, the QDR indicated that the Joint Force will remain able to defeat a regional adversary while denying the objectives of, or imposing unacceptable costs upon, a second aggressor. In addition, the force will remain able to conduct sustained, distributed counterterrorism operations and protect the Homeland. However, the QDR also indicated even in the best case, the margin for error in executing the defense strategy is smaller than it has been in many years and requires close cooperation between the administration and Congress to realize necessary savings in

force structure and compensation reform to ensure that the strategy can be implemented.

Question. If confirmed, how would you propose to manage the risk associated with the demands placed upon the Department by the National Security Strategy, the requirements of the National Military Strategy, the geostrategic environment, U.S. international security commitments, and the availability of military capability in an era of declining resources?

Answer. Risks associated with the demands upon the Department must be managed by striking a balance between force capacity, readiness, and modernization in order to be prepared for an uncertain and complicated future. In some cases, and in line with the 2014 QDR, capacity will be reduced to allow for necessary modernization and readiness. The Department plans to continue several internal measures to manage risk, including developing innovative business practices, capabilities, and operational concepts; revising and updating operational plans; enhancing collaboration with allies and partners; reviewing overseas access and basing agreements; resetting the force after two wars; and striving for efficiencies and compensation reform. A return to Budget Control Act-level funding in fiscal year 2016 would increase risks, prolong readiness recovery, and delay necessary modernization programs.

Question. In your view should we accept higher risk with current strategy, change the strategy, or increase resources to increase or preserve military capability and capacity?

Answer. The Department concluded that the fiscal year 2015 budget, combined with Congressional support for the Department's proposed reforms, will enable our military to execute the current strategy. If sequestration level cuts return in fiscal year 2016 or if we do not gain congressional support for proposed force structure reductions and compensation reforms, we may need to revisit the strategy as updated in the 2012 QDR.

Question. What is your understanding and assessment of excess capacity or capabilities, if any, relative to the National Military Strategy? In your view, if there is excess capacity or capability relative to the strategy should it be reallocated across services to reduce risks in areas for which there are gaps?

Answer. The 2014 QDR assessed that after more than twelve years of conflict and amid ongoing budget reductions, the Joint Force was out of balance with respect to capability, capacity, and readiness. As those wars have come to a close, the Department has sought to return these Services to a sustainable budget level and end strength. Looking forward, the Department, with congressional assistance, needs to continue the process to ensure we deliver agile, technologically advanced, ready forces of sufficient size to defend our Nation and secure our interests while evolving threats and challenges.

DETAINEE TREATMENT POLICY

Question. Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes.

Question. If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with the Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes.

Question. Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts?

Answer. Yes.

NATIONAL MILITARY STRATEGY AND STABILITY OPERATIONS

Question. In light of Russia's annexation of Crimea, the growth of the Islamic State of Iraq and the Levant (ISIL) and its control over large areas of Syria and

Iraq, and a more muscular China, do you believe that the current National Security Strategy and National Military Strategy should be updated to more accurately account for a changed global security environment?

Answer. Although it is impossible to predict exactly how challenges will develop, we must continue to reexamine global threats to ensure our resources match the threats and opportunities ahead.

The 2010 National Security Strategy is undergoing a necessary revision, to be released in early 2015. Any revisions should address the challenges to the international order and stability that are posed by Russia's occupation and attempted annexation of Crimea and the growth of ISIL, recognizing that the United States is strongest when it employs all elements of national power to address security threats in a coordinated fashion. The United States welcomes the rise of a prosperous, peaceful, and stable China that respects international law and settles disputes without the threat or use of force. The National Military Strategy should be revised to align with the 2015 National Security Strategy, once it is released.

Question. The January 2012 Defense Strategic Guidance called for U.S. forces to be ready to conduct limited counterinsurgency and other stability operations if required, and to retain and continue to refine the lessons learned, expertise, and specialized capabilities that have been gained over the past 10 years of operations in Iraq and Afghanistan. At the same time, the Strategic Guidance states that, "U.S. forces will no longer be sized to conduct large-scale, prolonged stability operations."

In your view, how should strategic guidance for the DOD manage risk and articulate the types of missions or operations U.S. forces will or will not be expected to execute?

Answer. The Department's strategic guidance documents—especially the QDR and National Military Strategy—need to identify the kind of security environment that we anticipate in the future and seek an appropriate balance between capability, capacity, and readiness. As a full spectrum force and a global leader, the U.S. military should continue to be prepared to execute missions in the national interest across the threat spectrum. A full spectrum, ready and modern Joint Force is the best risk mitigation measure.

Question. In your view, what are the appropriate roles and responsibilities, if any, of DOD and between DOD and other departments and agencies of the Federal Government in the planning and conduct of stability operations?

Answer. Because of its unique capabilities, the Department should support other U.S. Government departments and agencies in the planning and execution of stability operations efforts. History has shown that coordinated and integrated interagency and international efforts are essential to successful stability operations. Under the right circumstances, the Department should conduct stability operations activities to establish security, restore essential services, repair and protect the most critical infrastructure, and deliver humanitarian assistance. As security and public order are established or restored, the Department should transition responsibility to other agencies, foreign governments, or international governmental organizations.

Question. If confirmed, in developing the capabilities necessary for stability operations, what adjustments, if any, would you propose making to prepare U.S. forces to conduct stability operations without detracting from their ability to perform combat missions?

Answer. If confirmed, I would assess the requirements for U.S. forces to conduct stability operations successfully without detracting from or degrading their ability to perform combat missions. After nearly 2 decades of serving in Afghanistan, Iraq, the Balkans, and elsewhere, United States forces have made great strides in their abilities to conduct stability operations under difficult circumstances. If confirmed, I would seek to maintain the stability operations expertise the Department has gained, and ensure that the Military Departments have the mechanisms necessary to expand their capacities when required.

Question. In your view, does the U.S. Government need to define or reallocate responsibilities and authorities among Federal agencies, and establish new procedures to manage stability operations? If so, why?

Answer. Our efforts abroad over the past 13-plus years highlight the importance of collaborative and coordinated planning with interagency and international partners, which is fundamental to the successful management and effectiveness of stability operations. As we have seen in both Iraq and Afghanistan, it takes a robust interagency effort, as well as international participation, to develop institutions that can contribute effectively to peace, security and stability. If confirmed, I would review the Department's policies and procedures with respect to stability operations and make appropriate recommendations to ensure our success, both as a department and as part of the U.S. Government as a whole.

Question. If confirmed, what recommendations would you make, if any, to improve U.S. Government approach to planning, resourcing, and conducting stability operations?

Answer. If confirmed, I would work with other departments and agencies to explore opportunities to integrate and coordinate the full range of available interagency stabilization tools and make appropriate recommendations.

STRATEGY IN IRAQ AND SYRIA

Question. On 10 September 2014, President Obama said "Our objective is clear: We will degrade, and ultimately destroy, ISIL through a comprehensive and sustained counterterrorism strategy."

What criteria do you believe should be used to evaluate whether or how much ISIL is degraded and what is your assessment of the progress to degrade ISIL in Iraq and in Syria?

Answer. The United States is at the beginning of what could be a long campaign to degrade and inflict a lasting defeat on ISIL. DOD's contributions are one part of a whole-of-government strategy and an effort that includes many of coalition partners to create both the political and military conditions needed for success. Ultimately the Iraqis must offer a national program of reform and reconciliation in order for the Iraqi Security Forces to succeed. The coalition effort must also involve strengthening and working with the Iraqi Security Forces and affiliated Kurdish and tribal elements, who are critical to inflict a lasting defeat of ISIL. If confirmed, I will consult closely with my military commanders, civilian advisors, foreign partners, interagency counterparts and Members of Congress to examine progress and offer my best strategic advice to the President on this complex and vitally important campaign.

Question. Do you believe the strategy against ISIL needs to include both conventional and counterinsurgency elements given that ISIL has demonstrated significant conventional and insurgency capabilities?

Answer. Yes. I believe that a strategy for countering ISIL must bring to bear all elements of national power, including military force as well as diplomatic, intelligence, economic, humanitarian assistance, and other key tools. Many of these tools are important in a counterinsurgency as well as a conventional campaign. If confirmed, I would continue to support a whole-of-government approach.

Question. What does the end state President Obama has declared to be the objective of our operations—"ultimately destroy ISIL"—look like in your opinion?

Answer. I believe that ISIL must no longer be a threat to Iraq, the region, the United States, and our partners.

Question. A large part of the support for ISIL and other extremist groups like al Nusrah by the local Syrian population is based on the fact that these groups pledge to go after President Assad, to remove him from power.

Is removing Assad part of the current United States strategy in Syria? If not, what is your assessment of the impact of not going after Assad on our ability to work with the Syrian population to counter ISIL and other extremist groups like al Nusrah?

Answer. As the President has said, Assad has lost legitimacy and cannot be a part of the long-term future of Syria. However, the most immediate threat to United States national interests is ISIL—and there is no sustainable solution in Syria without addressing the threat of ISIL. If confirmed, I will consult with my military commanders, civilian advisors, interagency partners, foreign counterparts and Members of Congress to formulate by best strategic advice for the President.

Question. The NDAA for fiscal year 2015 authorizes assistance in Iraq to "local security forces with a national security mission" including "tribal security forces or other local security forces."

How important do you consider arming of the Sunni tribes in Anbar province to degrading ISIL and how do you assess progress to date?

Answer. Political inclusion in Iraq is a key element of countering ISIL in a lasting way. Integrating Sunni tribal fighters into the Iraqi Security Forces and enabling them to combat ISIL is therefore important to ultimately defeating ISIL. I have not been briefed in detail on this effort. If confirmed, I would continue to work with the Department of State, coalition partners, and the Government of Iraq to encourage efforts to arm and integrate Sunni tribal forces into the Iraqi Security Forces to fight ISIL.

AFGHANISTAN STRATEGY

Question. What lessons should we learn from the experience of a calendar-based drawdown of United States troops in Iraq as they apply to executing the drawdown of United States and international troops in Afghanistan?

Answer. Each country has a unique set of underlying governance, security, and cultural circumstances. With the United States-Afghanistan Bilateral Security Agreement in place, and with the support of the Afghan Government, the Department's train, advise, and assist mission with the Afghan security forces is intended to help ensure continued progress in developing Afghanistan's security capabilities and preserve the security gains we have made collectively. Based on what we have learned in Iraq, progress on political reform is key to this effort. I believe that the new government in Kabul will be the biggest driver in whether Afghanistan has a positive future. I welcome that President Ghani has stated that a continued United States and the North Atlantic Treaty Organization (NATO) presence is an important component of his strategy for Afghanistan. That provides a key foundation for the transition to a robust, sustainable security relationship in the future. I am mindful of the new and dynamic global threat environment, and you can be assured that if there are instructive lessons from Iraq or anywhere else that are relevant to Afghanistan, I will always take them into account in the advice I offer to the President.

Question. If confirmed, are there changes you would recommend to the United States strategy in Afghanistan?

Answer. The next 2 years represent an important transition period from more than a decade of war toward an enduring defense relationship with an Afghan partner that is capable of providing for its own security and preventing al Qaeda and other extremists from threatening United States interests. The NATO-led train, advise, and assist mission and the United States counterterrorism mission are cornerstones within our overall strategy that will provide the Afghans an opportunity to make progress on the security situation in Afghanistan, and serve as a balance against terrorist exploitation of Afghan territory. If confirmed, I will continue to seek the advice of our military leadership and partners.

Question. What is your assessment of the progress of the campaign in Afghanistan?

Answer. Over the last 13 years, our campaign in Afghanistan has placed constant pressure on al Qaeda and prevented Afghanistan from being used to launch terrorist attacks against the United States Homeland. The United States Government has supported the Afghan people and protected United States national interests by helping Afghanistan strengthen the capacity of its security forces. The Afghan National Security Forces (ANSF) have continued to progress, and have proven increasingly capable in leading operations and prevailing over insurgents. Although I am encouraged by the positive strides made in Afghanistan, it is clear that much work remains to be done. We must stay engaged with our Afghan partners and support them, as they own the fight. This must be an interagency and international effort – with appropriate funding for the ANSF as well as economic and diplomatic support for the Afghan people.

Question. If reports of ISIL operating in southern Afghanistan are true, and ISIL is fighting with the Taliban, how should that affect the United States strategy for Afghanistan?

Answer. I support the President's strategy to degrade and ultimately destroy ISIL, wherever it may attempt to establish a foothold. I am aware of recent press reporting that ISIL is attempting to recruit militants in Afghanistan and is considering expansion to the region. If confirmed, I will learn more about these developments and will work with the Afghan Government and our coalition partners to address all terrorist threats to United States personnel in Afghanistan and to prevent any terrorist groups from using Afghanistan to threaten the United States and our allies and partners.

Question. If security conditions on the ground in Afghanistan degrade in 2016, would you consider recommending to the President revisions to the size and pace of the drawdown plan announced by the President in order to adequately address those security conditions?

Answer. Yes.

Question. In your opinion, should the authorities granted to the commander of United States forces in Afghanistan take into account the security conditions on the ground faced by United States troops?

Answer. If confirmed as Secretary of Defense, I will take seriously my responsibility to ensure that our commander in Afghanistan has the authority needed to

execute the missions directed by the President effectively, and that these authorities allow U.S. forces to take the appropriate measures to protect themselves.

AFGHANISTAN NATIONAL SECURITY FORCES

Question. What is your assessment of the progress in developing a professional and effective ANSF?

Answer. If confirmed, I will assess this issue firsthand but my assessment has been positive. I will ensure that the Department continues building the ANSF's institutional capabilities, and I will work with our allies and partners to retain critical coalition support to the ANSF where capability gaps remain, particularly in the areas of close air support, intelligence, special operations, sustainment, and Afghan security ministry capacity.

Question. What do you see as the main challenges to building the capacity of the ANSF and, if confirmed, what recommendations, if any, would you make for addressing those challenges?

Answer. I understand that the main challenges to address with the ANSF are fielding and integrating capabilities such as close air support, special operations, and intelligence, surveillance, and reconnaissance; and developing the capacity of the Ministries of Defense and Interior to manage planning, programming, budgeting, logistics, force generation and force sustainment. Corruption and the flow of funding from illicit narcotics is also a significant challenge that requires an international and interagency response. If confirmed, I will assess our progress in helping the ANSF develop these areas and will focus on solutions to identified gaps.

Question. What are the key enablers in security force capabilities that need to continue to be developed to ensure the long term efficacy of the ANSF against the Taliban and other extremists and when do you forecast those capabilities will be in place?

Answer. I understand that the NATO Resolute Support mission places a high priority on developing the ANSF's capability to provide fire support from the air, and on developing organic airborne intelligence, surveillance, and reconnaissance (ISR) capabilities to maintain advantages over the Taliban and other extremists.

Question. Do you support plans for building and sustaining the ANSF at 352,000 personnel?

Answer. Based on the information available to me and given Afghanistan's current security challenges, I support the current authorized level of 352,000 ANSF personnel and will work with Congress to ensure that our efforts to sustain this force are appropriately resourced. If confirmed, I will ensure the Department will continue to work with the Afghan Ministries of Defense and Interior to determine the timing for reducing the ANSF to an appropriate size, given available resources, capabilities, and the magnitude of the threat.

Question. Do you agree that any reductions in the ANSF from this 352,000 level should be based on security conditions in Afghanistan at the time those reductions would be expected to occur?

Answer. Although the security condition on the ground will be a critical factor in determining any future reductions in the ANSF, we must also look closely at the Afghan ability to sustain the ANSF financially. My understanding is that current Resolute Support mission efforts are focused on optimizing the effectiveness of the ANSF force structure while increasing the Afghan capability to sustain that structure. I believe we have an obligation to the Afghan people, our allies, and United States taxpayers, to ensure that the ANSF is a combat-effective, sustainable, and affordable force in the long-term.

RECONCILIATION

Question. In your view, what should be the role of the United States in any reconciliation negotiations with the Afghan Taliban and other insurgent groups?

Answer. The United States supports an Afghan-led political peace process in which all opposition groups, including the Taliban, engage in a dialogue about the future of their country. I believe the United States should continue to support President Ghani's efforts to engage in peace talks, as long as any outcome of reconciliation includes that the Taliban and other armed groups end violence, break ties with al Qaeda, and accept Afghanistan's constitution—including its protections for women and minorities.

Question. What additional steps, if any, should the United States be taking to help advance the reconciliation process?

Answer. President Obama has made clear that an Afghan-led peace and reconciliation process is the surest way to end the violence and ensure lasting stability for Afghanistan and the region. It is my understanding that President Ghani is putting

considerable effort into re-energizing reconciliation and is reaching out to regional partners and the international community to take part in the process. I believe the United States should support these new initiatives and, if confirmed, I look forward to engaging with my Afghan counterparts on how DOD can best support reconciliation efforts.

Question. In your view, what should be the role of Afghanistan's neighbors, in particular Pakistan, in the reconciliation process?

Answer. Afghanistan's neighbors should play constructive and supportive roles in an Afghan-led reconciliation process, since a stable and peaceful Afghanistan will promote long-term stability and prosperity for the entire region. I hope signs of improved Afghanistan-Pakistan relations provide fresh opportunities for Pakistan to reinforce President Ghani's efforts toward peace talks between the Afghan Government and the Taliban.

UNITED STATES STRATEGIC RELATIONSHIP WITH PAKISTAN

Question. What would you consider to be areas of shared strategic interest between the United States and Pakistan?

Answer. Counterterrorism cooperation remains a critical shared strategic interest. Pakistan still faces a real and potent threat from several militant groups within its borders, such as the Pakistani Taliban, responsible for the recent school attack in Peshawar.

We also share Pakistan's strategic interest in improved relations between Islamabad and Kabul. I believe that the United States and Pakistan should continue to work to promote peace and reconciliation in Afghanistan and to improve regional security.

Question. In what areas do you see United States and Pakistani strategic interests diverging?

Answer. It is important that the United States continues to engage with Pakistan in areas where our strategic interests diverge, including the direction of Pakistan's nuclear program and its tolerance of terrorist organizations like the Haqqani Network and Lashkar-e Taiba. In addition to threatening United States forces in Afghanistan, these groups threaten regional security, endanger the prospects of a political settlement in Afghanistan, and undermine Pakistan's own stability. I understand that Pakistan has pledged to target all militant groups operating within its borders, including the Haqqani Network and Lashkar-e Taiba. If confirmed, I will ensure that the Department holds Pakistan to this pledge, and works against actors who are exploiting Pakistani territory to destabilize the region.

Question. If confirmed, what changes, if any, would you recommend for United States relations with Pakistan, particularly in terms of military-to-military relations?

Answer. If confirmed, I would continue to work on improving our relationship with Pakistan by collaborating where our strategic interests converge and engaging where they diverge. Moving forward, I believe it is in the United States' interest to expand counterterrorism cooperation with Pakistan in our fight against al-Qaeda, and to counter any emerging threats. Additionally, I would seek to facilitate cooperation between Afghanistan and Pakistan, and encourage communication between Pakistan and India, as these relationships will continue to be vital to stability in the region.

UNITED STATES ASSISTANCE TO PAKISTAN

Question. Since 2001, the United States has provided significant military assistance to Pakistan. In addition, the United States has provided significant funds to reimburse Pakistan for the costs associated with military operations conducted by Pakistan along the Afghanistan-Pakistan border.

In your view, how effective has the assistance and other support that the United States has provided to Pakistan been in promoting United States interests?

Answer. I understand that since last summer, Pakistani forces have been clearing militants from their strongholds along the Afghanistan-Pakistan border. Pakistan's military has been able to carry out these operations at a more effective pace and scale in part thanks to United States reimbursements for Pakistan's operational expenses. Additionally, I understand United States security assistance programs have provided the Pakistan military with many of the tools necessary to conduct successful operations in this region. Continued U.S. support will remain critical to the success of these efforts.

Question. Do you support conditioning United States assistance and other support to Pakistan on Pakistan's continued cooperation in areas of mutual security interest?

Answer. If confirmed, I will consult within the Department and the United States interagency on how best to incentivize Pakistani action that is in the mutual interest of the United States. The United States and Pakistan do work together on common objectives, and I believe we should carefully examine the impact of conditions on Pakistani cooperation. If confirmed, I will evaluate what additional support would be appropriate from the U.S. Government.

LIBYA

Question. Following the evacuation of the United States Embassy in Tripoli on July 26, 2014, there is no longer an active American presence in the country and the situation in country remains dire.

What role, if any, should the United States have in Libya moving forward?

Answer. The United States has a national security interest in a stable Libya and in preventing its use as a terrorist safe haven. The United States should assist the ongoing United Nations-led political process to bring moderate Libyans into a unity government and bring an end to the conflict—which exacerbates the terrorist threat—and take measures to prevent terrorists from using Libya as a safe haven. When circumstances allow, the United States should once again consider supporting official Libyan security forces and their development.

U.S. MARINE CORPS SUPPORT TO THE STATE DEPARTMENT EMBASSY EVACUATIONS

Question. The Accountability Review Board for Benghazi supported the "State Department's initiative to request additional marines and expand the Marine Security Guard (MSG) Program—as well as corresponding requirements for staffing and funding. The Board also recommended that the State Department and DOD identify additional flexible MSG structures and request further resources for the Department and DOD to provide more capabilities and capacities at higher risk posts." The NDAA for fiscal year 2013 authorized up to 1,000 additional marines in the MSG program to provide the additional end strength and resources necessary to support enhanced Marine Corps security at United States embassies, consulates, and other diplomatic facilities.

In your view, should the current arrangements between the Department of State and U.S. Marine Corps be modified?

Answer. I understand that DOD has taken measures to expand the Marine Security Guard (MSG) Program, and has taken the additional step of creating the MSG Security Augmentation Unit, which may be used to provide additional security at diplomatic facilities as threats change. In 2013, the U.S. Marine Corps (USMC) and the Department of State (DOS) signed a new Memorandum of Agreement (MOA) on Marine Security at DoS facilities. I understand that DOD and DOS are reviewing policies, programs, roles, and responsibilities—including the MSG program—to maximize the protection of our overseas diplomatic facilities and personnel, and would support this review if confirmed.

Question. In your view, would it be beneficial to the security of diplomatic facilities, many of which house U.S. military personnel, to have appropriate DOD personnel to assist in the conduct of vulnerability assessments of such facilities?

Answer. Yes. To that end, the Department has directed its Geographic Combatant Commands (GCCs) to conduct planning and coordination with Chiefs of Mission at high-threat, high-risk posts identified by DoS. The GCCs are also directly engaged with the Chiefs of Mission to plan and coordinate response options. Likewise, GCC Security Assessment Teams have deployed to numerous high threat posts such as Baghdad and Sana'a to help Embassy staff with their security and evacuation planning. I would review these issues if confirmed and offer my best recommendation.

AL QAEDA IN THE ARABIAN PENINSULA

Question. What is your assessment of the threat posed by al Qaeda in the Arabian Peninsula (AQAP) to the United States?

Answer. AQAP poses a significant terrorist threat to the United States Homeland and United States interests in the Middle East. Since 2009, AQAP has attempted at least three attacks on the United States, including through the use of sophisticated concealed explosive devices. Additionally, AQAP attack plotting led to the temporary closure of several United States Embassies in the Middle East in August 2013.

Question. What is your assessment of the current United States strategy to counter AQAP, specifically in Yemen?

Answer. Countering AQAP should be a top priority for the U.S. Government. The United States counterterrorism (CT) strategy in Yemen focuses on a mix of partnership activities and limited direct action against those who threaten the United

States. The United States Government, in partnership with its allies and the Yemeni Government, have made a number of important gains against AQAP, including the removal of numerous AQAP leaders and the disruption of plotting against the United Sates, although AQAP remains resilient and we must maintain our vigilance in addressing this threat. If confirmed I intend to receive a detailed briefing to inform my assessment.

YEMEN

Question. What are United States national security interests in Yemen?

Answer. Our primary national security interest in Yemen is to disrupt, dismantle, and defeat AQAP and eliminate the ungoverned territory that AQAP or any hostile group may seek to exploit to threaten the United States, our regional interests, and those of our partners. We also have an interest in a stable government in Yemen, and support a responsible transition to an inclusive and capable government that helps achieve those objectives.

Question. What is your assessment of United States strategy in Yemen to date?

Answer. I believe that although the United States Government has helped the Yemeni Government build the capabilities of its security forces, the political instability that has long plagued Yemen—particularly in recent weeks—hinders Yemen's ability to respond the threat posed by AQAP.

Question. What are the implications of recent events in Yemen for United States counterterrorism policy both in Yemen and globally?

Answer. Continued political turbulence in Yemen risks further hindering Yemeni efforts against AQAP and enabling AQAP to continue to plot attacks and recruit operatives in Yemen's ungoverned spaces. AQAP's claim of responsibility for the Charlie Hebdo attack in Paris demonstrates that AQAP continues to pose a threat to the United States and its allies and partners. The political situation in Yemen is difficult and fluid, and it remains to be seen how this will affect our relationship with the Yemeni Government. Nevertheless, I believe the United States should continue to maintain pressure on AQAP by using all necessary means to eliminate terrorist threats to our national security.

NORTH AFRICA

Question. In recent years, there has been a growth of terrorist networks, capabilities, operations, and safe havens throughout North and East Africa, including groups that have the intention to target United States and western interests. In the face of growing instability and threats, the U.S. counterterrorism effort in the region has been described as an "economy of force" effort.

Do you agree with that characterization of the situation in North and East Africa and the United States counterterrorism efforts to combat the related threats?

Answer. I would characterize United States counterterrorism efforts in North and East Africa as working by, with, and through our allies and regional partners. In North Africa, the United States works with allies such as the French and regional partners such as Tunisia, Niger, and Chad. Specifically, DOD has supported their combined operations against groups such as al Qaeda in the Lands of the Islamic Maghreb (AQIM) and al-Murabitun. In East Africa, the United States has continued training, equipping, and enabling the African Union Mission to Somalia troop contributing countries in their efforts to stabilize Somalia and counter the threat posed by al-Shabaab.

Question. What is your assessment of the current U.S. counterterrorism strategy in the region?

Answer. I understand the current United States strategy seeks to prevent and disrupt terrorist plots that threaten United States interests at home and abroad, while helping the Yemeni government build its own CT capabilities to combat AQAP over the long run. I am aware that the United States has removed several key AQAP operatives from the battlefield and disrupted AQAP plots. In 2012, Yemeni forces, with training and advisory support from the Department, succeeded in driving AQAP from large areas of Yemen. However, I believe the turbulent political situation in Yemen will complicate these efforts, and will require adapting the strategy to these changes.

Question. In your view, is the U.S. military allocating adequate resources to effectively address the terrorism threat in the region?

Answer. In my view, given the counterterrorism challenges we face in numerous areas, United States military resources are adequately balanced to meet the many competing counterterrorism requirements in North and East Africa.

Question. General Rodriguez noted in his March 2014 testimony that "North Africa is a significant source of foreign fighters in the current conflict in Syria."

What is your understanding of the foreign fighter flow from North Africa to the conflict in Syria and Iraq?

Answer. I believe foreign fighters pose a threat to the United States, and that this threat is exacerbated by the ongoing political and security instability in Libya. If confirmed, I will focus attention on the foreign fighter flow as the Department works with regional partners in North Africa to address the challenge posed by the terrorist safe haven in Libya and broader counterterrorism issues.

Question. In your view, is it likely that many of these fighters will eventually return home from Syria and Iraq to North Africa and continue their fight against regional governments?

Answer. There is a real possibility that as we address the situation in Syria and Iraq, some of these fighters may choose to return home to North Africa. This could pose a serious challenge for our regional partners. These returning fighters will have the benefit of training and combat experience. It is therefore important that the United States continue its close collaboration on counterterrorism with our partners in North Africa so that they are prepared to respond in the event that the fighters decide to take up arms upon their return.

We must also work closely with the neighbors of Syria and Libya to build up their security capabilities to counter instability and the negative regional impact it could cause. If confirmed, I would ensure that DOD supports the diplomatic efforts to secure a political solution in Libya, work closely with Libya's neighbors to ensure regional stability, and maintain an active and robust counterterrorism presence in the region.

COLLABORATION BETWEEN THE DEFENSE DEPARTMENT AND THE INTELLIGENCE COMMUNITY

Question. Since September 11, 2001, collaboration—both analytical and operational—between DOD and the Intelligence Community has grown increasingly close. On one hand, seamless collaboration is a vital component of effective and rapid responses to non-traditional threats, and bringing together the strengths of the full spectrum of defense and intelligence missions creates opportunities for solutions to complex problems. On the other hand, such collaboration—without effective management and oversight—risks blurring the missions of agencies and individuals that have cultivated distinct strengths or creating redundant lines of effort.

What are your views regarding the appropriate scope of collaboration between DOD and the Intelligence Community?

Answer. Collaboration between DOD and the Intelligence Community (IC) is an essential element for supporting our national security objectives. For example, DOD depends on capabilities provided by the IC to support weapons systems acquisition and to enable military operations. The IC depends on capabilities provided by DOD to support special forces. This collaboration is essential to make progress toward dismantling and strategically defeating al Qa'ida, to counter the proliferation of WMD, to defend against space and cyber threats, and to operate in denied areas.

Question. In your view, are there aspects of the current relationship between the Department and the Intelligence Community that should be re-examined or modified?

Answer. I am not aware of any specific areas requiring immediate modification, however, if confirmed, I will look for opportunities to build on the existing strong relationship.

RUSSIA

Question. Crimea was formally annexed when President Putin signed a bill to absorb Crimea into the Russian Federation on March 18, 2014, and Russia continues to fuel instability in eastern Ukraine despite a ceasefire agreed to in September 2014.

How effective do you assess the sanctions of the United States and the European Union have been in deterring additional aggression by Russia?

Answer. United States and European Union sanctions, combined with declining oil prices, have significantly impacted the Russian economy and highlight the consequences of Russia's actions in Ukraine. Unfortunately, despite these costs, Russia has not abided by its commitments in the Minsk agreements and is continuing to foment instability in eastern Ukraine. If confirmed, I would work with U.S. departments and agencies to review and adjust our sanctions regime as appropriate.

Question. In your opinion, what other specific actions has the United States taken that have helped to deter additional Russian aggression in Eastern Europe?

Answer. The United States has taken action, both bilaterally and within the NATO Alliance, with the goal of deterring additional Russian aggression and reas-

sure European Allies. These include the establishment of the European Reassurance Initiative (ERI), which provides an enhanced rotational presence in Europe; support to United States allies and partners in the region; and increased training and exercises. If confirmed, I plan to take a close look at what additional actions we might take to deter Russia and impact Putin's calculus.

Question. In your opinion, what steps have proven or are likely to prove most effective at deterring Russian aggression in Eastern Europe?

Answer. If confirmed, I would take a close look at what actions may have worked best, and what additional actions we might take, to deter Russia from aggression in Eastern Europe.

Question. Do you believe that Moldova and Georgia are at a heightened state of vulnerability given Russian willingness to take aggressive action in Ukraine?

Answer. Yes. Russia has long fomented "frozen conflicts" in Moldova and Georgia in order to limit their freedom of action and hinder their Euro-Atlantic ambitions. Following Russia's actions in Crimea and eastern Ukraine, Moldova and Georgia have increased their efforts to deepen cooperation with the United States and NATO.

Question. Russian tactics in eastern Ukraine have been called "hybrid" and combine hard power with soft power, including elements such as lethal security assistance to separatists, the use of special forces, extensive information operations, withholding energy supplies and economic pressure.

If confirmed, what elements should make up the strategy you would recommend to counter this "hybrid" approach?

Answer. Through the European Reassurance Initiative and the NATO Readiness Action Plan, the United States is supporting our Allies and partners in Eastern Europe with training activities, rotational presence, and capacity-building programs. These efforts focus on making our allies and partners more resistant to asymmetric threats; demonstrating United States resolve to support European and global security; and deterring Russian aggression. If confirmed, I would seek opportunities to support and work with our Allies and partners in creating more activities, training, and exchanges that build their resistance to asymmetric, or hybrid, methods of coercion.

Question. In light of Russia's actions in 2014, what do you believe are appropriate objectives for United States-Russian security relations?

Answer. As I understand the situation, DOD suspended military cooperation with Russia as a result of its occupation and attempted annexation of Crimea. Russia's behavior is inconsistent with that of a responsible, global stakeholder, and I support this response. If confirmed, I would be open to seeking measured avenues that allow more productive engagement with Russia, but only on issues where we have a clear national interest.

NATO ALLIANCE

Question. The reemergence of an aggressive Russia has resulted in NATO developing the Readiness Action Plan that NATO Secretary General Jens Stoltenberg called "the biggest reinforcement of our collective defense since the end of the Cold War." NATO also continues to be central to our coalition operations in Afghanistan and elsewhere, even as many NATO members have significantly reduced their national defense budgets in response to economic and fiscal pressures.

In your view, particularly in light of the Russian Federation's aggression against Ukraine, what are the major strategic objectives of the NATO Alliance in the coming years?

Answer. The greatest responsibility of the Alliance is to protect and defend its territory and populations against attack, as set out in Article 5 of the North Atlantic Treaty. The best way to protect our populations and territories is to cooperate with Alliance partners to deter challenges to our security from emerging; to effectively manage challenges when they do emerge; and to be prepared to mount a strong defense if deterrence fails. When allies feel threatened—as many do as a result of Russia's aggression against Ukraine—it is important for the Alliance to carry out the necessary training, exercises, and planning and to provide visible reassurance to vulnerable Allies in order to reinforce confidence in Article 5 and sustain Alliance solidarity. NATO must also remain prepared to undertake its other "core tasks" of crisis management and cooperative security, drawing on its unique political and military capabilities to prevent and respond to crises and to work with partners and other international organizations to address threats that emanate from outside Alliance territory.

Question. What are the greatest opportunities and challenges that you foresee for NATO in meeting its strategic objectives over the next 5 years?

Answer. NATO's greatest opportunities lie in how it deals with the expanding range of challenges it will face over the next five years. While I cannot predict all the challenges the alliance will face, NATO's ability to respond effectively and with resolve against Russia's aggression; to counter non-state actors that threaten the alliance and its periphery, such as ISIL; and to manage the transition in Afghanistan will be critical over the next 5 years. Managing these myriad challenges will require the political will, solidarity, and adequate defense investment to fulfill the vision of the Wales Summit. Ensuring that happens will be NATO's greatest challenge over the next 5 years.

Question. In light of the reductions in national defense spending by some NATO members, are you concerned that the Alliance will lack critical military capabilities? If so, what steps, if any, would you recommend be taken to address potential shortfalls in Alliance capabilities?

Answer. The United States should be concerned about continued reductions in defense investment by our Allies, particularly the NATO Allies that have been our most reliable partners for managing global security issues. These capabilities can be costly, but we need to ensure that in the future the United States is not the only Ally with such capabilities. That means holding Allies to the Defense Investment Pledge they agreed to at the Wales Summit and working with Allies on defense planning to ensure they maintain the specific capabilities that are needed.

Question. What do you see as the proper role, if any, for NATO in addressing the threat posed by ISIL and in addressing the problem of illegal immigration across the Mediterranean Sea?

Answer. NATO nations have a vested interest in defeating ISIL, both to promote stability in the Middle East and to eliminate the threat posed by ISIL to NATO nations and partners. If confirmed I would work with NATO Allies to appropriately scope our collective efforts. To date, NATO nations have committed forces to counter ISIL under unilateral and multilateral efforts. On illegal Mediterranean immigration, NATO should continue its efforts to share information gained through maritime situational awareness operations. If Allies agree, NATO could also help address regional security crises and instability, or humanitarian crises, which are often associated with displaced populations and flows of refugees.

Question. The concept of defense cooperation between NATO members was emphasized at the NATO summit in Chicago in May 2012.

What areas or projects would you recommend, if confirmed, that NATO nations cooperate in to improve NATO alliance capabilities?

Answer. Cooperation among allies on capabilities is increasingly important in light of the worldwide challenges and the fiscal straits facing allied nations. If confirmed, I would work to ensure allies honor their recent Summit pledge to move toward the two percent defense spending target, which also called for focusing those resources on specific alliance capability needs, such as command and control and joint intelligence, surveillance, and reconnaissance.

Question. Under what conditions, if any, would you envision further enlargement of NATO in the coming years?

Answer. The door to Alliance membership remains open to those European nations deemed ready for membership by the 28 allies. The United States and our allies, through Partnership for Peace and other Partner programs, work with candidates to help prepare for membership, such as through improving military capabilities and interoperability. If confirmed, I would ensure DOD is working both at NATO and bilaterally to ready candidates to be considered for membership.

Question. In your view, is there a continuing requirement for U.S. nuclear weapons to be deployed in NATO countries?

Answer. NATO will remain a nuclear Alliance for as long as nuclear weapons exist. The Alliance's nuclear force is an effective deterrent. Allies reaffirmed this stance at the Wales Summit last September, and I support the conviction that NATO must maintain the full range of capabilities necessary to maintain Alliance security, based on an appropriate mix of nuclear, conventional, and missile defense capabilities.

Question. Turkey continues to be a gateway for foreign fighters proceeding to and from Syria and Iraq.

What steps would you recommend, if confirmed, to encourage Turkey to address this threat?

Answer. The threat posed to the United States and the west by foreign fighters moving in and out of Syria—many of whom transit through Turkey—remains a concern. If confirmed, I would continue to support United States interagency efforts to assist Turkey in disrupting this threat—including strengthening the Department's partnership on this issue with the Turkish military—as well as to assist the source

countries for foreign fighters around the world in doing more to identify and halt potential violent extremists before they travel.

KOSOVO

Question. Approximately 700 United States troops remain in the Balkans as part of the Kosovo Force (KFOR) that first deployed to Kosovo in 1999 and today is comprised of over 4,600 personnel from 30 countries. Spikes in violence in 2011 required the deployment of the NATO operational Reserve Force battalion of approximately 600 soldiers to bolster KFOR and maintain a secure environment. Progress is required in both the military and political realms before further troop reductions can be made.

What major lines of effort do you think are required to further reduce or eliminate United States and NATO presence in Kosovo?

Answer. The key line of effort that will define United States and NATO presence in Kosovo is the continued normalization of relations between Serbia and Kosovo, under the EU facilitated dialogue that led to a normalization agreement in April 2013. A further line of effort is the transition of the Kosovo Security Forces into a Kosovo Armed Force that integrates the various ethnic communities of Kosovo and contributes to the strength of national governing institutions.

Question. In your view, can the European Union play a more significant role in Kosovo?

Answer. The EU plays a significant role in Kosovo as one of the three major guarantors of Kosovo's peace and stability, along with the Kosovo national police and NATO's Kosovo Force. The EU-facilitated political dialogue between Serbia and Kosovo, along with the reforms and concessions the EU requires of Serbia as it seeks EU membership, are major factors contributing to the normalization process between Kosovo and Serbia. This active engagement by the EU has been an essential part of the progress made to date.

SPECIAL OPERATIONS FORCES

Question. The 2006 and 2010 QDRs mandated significant growth in our Special Operations Forces (SOF) and enablers that directly support their operations. The most recent QDR released in 2014 QDR capped this growth at 69,500, approximately 2,500 below the original planned growth.

In light of the increase in terrorist threats worldwide, do you believe the revised end strength for SOF is sufficient to address such threats?

Answer. Since 2001, the Department has continuously examined the U.S. Special Operations Command (SOCOM) force structure to ensure that there are adequate SOF capabilities and capacities to meet the worldwide terrorist threat. The Department has invested in SOF readiness and modernization efforts to meet emerging requirements and to address the needs of the future security environment. If confirmed, I would work closely with my interagency counterparts to develop options for the best use of these capabilities and with those responsible in the department to examine this issue further.

Question. SOFs are heavily reliant on enabling support from the general purpose force.

In light of current fiscal challenges, do you believe sufficient enabling capabilities can be maintained within the general purpose forces and that such capabilities will remain available to SOFs?

Answer. I believe that it is important for our SOFs to receive excellent support from the Services. If confirmed, I would work closely with those responsible in the Department to ensure the Department achieves an appropriate balance.

COMBATING TERRORISM

Question. What is your assessment of the threat posed by al Qaeda and associated forces to the United States Homeland, U.S. interests overseas, and western interests more broadly? Which al Qaeda affiliates and associated forces are of most concern?

Answer. Al Qaeda and its affiliates and adherents continue to pose a significant threat to the United States, its interests, and the interests of our key western allies. The recent attacks in Paris, which have been linked to AQAP demonstrates this fact.

Question. What is your understanding of the Department's role in the U.S. strategy to combat terrorism?

Answer. DOD has a two-fold role in carrying out the President's guidance contained in the 2011 National Strategy for Combating Terrorism. First, the Department's principal function in support of this strategy is to work with key partners around the globe to build their own capacity to take action against terrorist groups

and networks both internally and within their particular regions. Capacity building efforts are part of a broad multi-departmental and multi-agency effort in support of the strategy's long-term goal to advance effective democracies. Second, the Department actively works to prevent terrorist network attacks by collecting and sharing intelligence with key partners, conducting information operations, and, when appropriate, conducting U.S. operations to capture or kill terrorists who pose a continuing, imminent threat to U.S. persons.

Question. Are there steps the Department should take to better coordinate its efforts to combat terrorism with those of other Federal departments and agencies?

Answer. In the decade following the events of September 11, the U.S. Government learned many lessons relating to the value of active cooperation and sharing among the various departments and agencies. DOD has internalized many of these lessons as part of our institutional culture; it routinely coordinates and collaborates with other Federal departments and agencies to combat terrorist networks and threats to U.S. interests. Success in today's complex threat environment requires an interagency approach.

Question. In your opinion, how does the fighting between ISIL and al Qaeda for preeminence among terrorist organizations alter the nature or scope of the global security threat as it relates to violent extremists? What elements of our strategy best take advantage of the infighting between major terrorist groups?

Answer. The fighting between ISIL and al Qaeda for preeminence of the global jihadist movement does not significantly alter the scope of the threat posed to the Homeland, our overseas bases, and our deployed personnel. We must remain vigilant against all threats to the United States Homeland, overseas infrastructure, and interests, and we must remain flexible to meet the threat posed by either ISIL or al Qaeda, and potentially other violent groups as necessary. However, there exists the potential that competition between the groups could escalate the threat we face, as each group increases external plotting efforts in an attempt to bolster their credentials within the global jihadist movement.

As opportunities may emerge for the United States to further disrupt their activities. I would direct the Department to monitor these opportunities and recommend steps to address them as needed.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan NDAA for fiscal year 2005 (Public Law 108–375), as amended by subsequent bills, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. SOFs to combat terrorism.

What is your assessment of this authority?

Answer. It is my understanding that section 1208 authority is an effective tool to support U.S. SOFs conducting counterterrorism operations. If confirmed, I would look for ways to maximize our return on the investments we are able to make in support of partner forces under section 1208 authority.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

What are your views on the role the United States plays in the prevention of mass atrocities and genocide?

Answer. The United States can help prevent mass atrocities and genocide worldwide. That role is consistent with our values, and is in our national security interest. The military has unique capabilities to counter atrocities; in a recent example, United States air strikes helped protect Yezidi refugees on Mount Sinjar in Iraq. There is more to atrocity prevention than use of military force, however. For example, adequate warning mechanisms and international pressure, including sanctions, can also help prevent atrocities and genocide.

Question. What are your views on the adequacy of the Department's tools and doctrine for contributing to this role?

Answer. I believe the Department has effective tools and doctrine to help deter both mass atrocities and genocide. These tools include providing humanitarian assistance and helping secure territory to protect civilians. If confirmed, I would continue to look for ways to enhance the tools and doctrine available to us in preventing mass atrocities and genocide.

UNITED STATES FORCE POSTURE IN THE ASIA PACIFIC REGION

Question. The Defense Department's January 2012 strategic guidance, "Sustaining U.S. Global Leadership: Priorities for the 21st Century", states that "while the U.S. military will continue to contribute to security globally, *we will of necessity rebalance toward the Asia-Pacific region.*" Likewise, the 2010 report of the QDR states that the United States needs to "sustain and strengthen our Asia-Pacific alliances and partnerships to advance mutual security interests and ensure sustainable peace and security in the region," and that, to accomplish this, DOD "will augment and adapt our forward presence" in the Asia-Pacific region.

What does the "rebalance toward the Asia-Pacific region" mean to you in terms of force structure, capabilities and funding?

Answer. The rebalance to the Asia-Pacific region, as announced by the President, incorporated in the 2012 Defense Strategic Guidance, and reinforced by the 2014 QDR, has resulted in a significant rebalancing of U.S. force structure and capabilities to this region, commensurate with its vital importance to U.S. security interests and global peace and prosperity. As we plan for the future, we will need to prioritize investments in advanced capabilities that are critical for the future operational environment. If confirmed, I will continue to support the ongoing efforts to increase DOD presence in the region and invest in and deploy critical advanced capabilities.

Question. If sequestration cuts move forward as planned beginning in fiscal year 2016, do you feel DOD has adequate resources to implement the January 2012 strategic guidance?

Answer. If we return to sequestration-level cuts in fiscal year 2016, we will face significant risks across the board, and may have to reassess the defense strategy. If confirmed, I look forward to working with Congress to help solve this pressing problem.

Question. What do you see as the United States security priorities in the Asia-Pacific region?

Answer. First and foremost, we must work tirelessly to protect security and stability in the Asia-Pacific region, which is vital to the prosperity of all Pacific nations, including the United States. The United States faces a range of challenges in the Asia-Pacific region, including provocations by the DPRK and the growth of its ballistic missile programs, the emergence of new technologies intended to prevent open access to the air and maritime domain, widespread natural disasters and transnational threats, and territorial disputes.

To address these challenges, I believe the Department must continue to modernize U.S. alliances and partnerships, which provide a critical role in underwriting regional security. The Department should also continue to strengthen our ability to deter threats to the U.S. Homeland and our allies and citizens overseas, enhance United States force posture and capabilities in the region, work with China to encourage greater transparency about how it will use its growing military capabilities; and encourage the peaceful resolution of territorial disputes in accordance with international law.

Question. Do you believe that it is a "necessity" to rebalance the United States military toward the Asia-Pacific region? If so, why?

Answer. Yes. The United States has been—and always will be—a Pacific nation, due to both our geography and our critical interests in the region. The Asia-Pacific region is home to over half of the world's population, half of the world's GDP, and nearly half of the world's trade. It is also home to some of the world's fastest growing economies and largest democracies.

The United States military presence has played a vital role in undergirding peace and stability in the Asia-Pacific region for over 60 years. Our presence deters potential adversaries; protects core principles, such as freedom of the seas and the peaceful resolution of conflicts; and reassures key allies and partners. I believe this presence is critical to the continued security of the region and the future prosperity of the United States and our allies and partners.

Question. Do continuing operations in the Middle East hamper this pivot?

Answer. It is important to continue to advance the force structure changes, new forces station plans, improvements in advanced weapon systems, and other measures that make up the military aspects of the rebalance, as well as to continue the political and economic aspects, even as U.S. forces respond to other global contingencies.

Question. Why, if at all, do you believe it is important for the United States military to maintain and even augment its forward presence in the Asia-Pacific region, and what are the advantages to having a forward presence?

Answer. It is critical for the United States military to evolve its forward presence in the Asia-Pacific region to respond to the changing strategic environment. If con-

firmed, I will continue ongoing efforts to achieve a more geographically distributed, operationally resilient, and politically sustainable force posture in the Asia-Pacific in order to reassure allies and partners and deter aggressive acts by adversaries. I believe that improving access and presence enables building regional partner capacity that is a force multiplier for U.S. military forces in the event of a contingency or humanitarian crisis in the region.

Question. Secretary Hagel has said that the Army could "broaden its role," after more than a decade of continuous operations in Iraq and Afghanistan, "by leveraging its current suite of long-range precision-guided missiles, rockets, artillery and air defense systems" to build a modern coastal defense force that could contribute to operations in anti-access/area-denial environments.

Do you concur that U.S. defense policy would be served if the Army were to adopt such a mission? What do you see as possible obstacles to the Army taking on such a mission?

Answer. If confirmed, I would support Army's ongoing efforts to improve its integrated air and missile defense capabilities. In the coming years, the drawdown in Afghanistan will allow the Army to focus on resetting, to look forward to new missions, and to invest in innovative technologies and concepts of operations that will contribute to the resiliency of the joint force.

Question. Are you confident the Guam Distributed Laydown Plan can be executed at the cost estimate and under the political assumptions previously presented by the Department?

Answer. The Joint Force is developing Guam into a strategic hub for the region. Following the submission of the Guam Master Plan to Congress in July 2014, execution of the Guam program is moving forward. I understand that the new plan is comprehensive, but I am not fully briefed on the updated details at this time. If confirmed, I will direct that efforts continue within the Department to scrutinize costs and program execution, as well as to engage with my Japanese counterparts on their continued contributions.

Question. Do you see value in the Department conducting another East Asia Strategy Report, as was last done in the late 1990s?

Answer. Yes, I believe it is in the Department's interest to clearly articulate our priorities and security objectives in this vital region of the world. The report required section 1251 of the NDAA for fiscal year 2015 provides the Department with the opportunity to address these issues.

Question. Do you see a need for enhanced United States security engagement in the Indian Ocean, and if so, in what areas and with whom?

Answer. Yes. The Indian Ocean is one of the world's busiest trade corridors and the United States and our regional partners have a shared interest in ensuring safe and secure access to its maritime routes. As Asian economic growth continues to increase traffic in the Indian Ocean, it will increase the potential for threats in the region, including piracy, extremist attacks, or illegal trafficking. The United States has a strong interest in working with long-time allies and partners such as India and Australia to combat these threats, while also increasing security assistance and military-to-military engagement with other strategically positioned states such as Bangladesh, Sri Lanka, and the Maldives.

CHINA

Question. From your perspective, what effect is China's expanding economy and growing military having on the region at-large and how does that growth influence the United States security posture in the Asia-Pacific region?

Answer. China's economic growth can be a positive force in the Asia-Pacific region, and the United States and many countries in the region welcome China's economic rise. However, China's increasing military might, in the absence of greater transparency from China, is causing rising concern throughout the region and must be closely watched. China's military expenditures continue to grow annually at double-digit rates even as China asserts territorial and maritime claims in ways contrary to international norms. These developments are spurring other Asia-Pacific countries to modernize their militaries and causing increased demand in the region for security cooperation with the United States.

The United States should continually evaluate our force posture and capabilities in order to sustain peace and stability in the region. If confirmed, I will work to ensure that the United States remains the preeminent military power in the Asia-Pacific region in order to sustain the conditions that have fostered peace and prosperity.

Question. As China continues to invest in capabilities designed to deter or deny United States military forces seeking to operate in the Western Pacific, are you con-

fident that the United States is investing in the right programs, posture, and operational concepts to sustain a favorable military balance with China?

Answer. It is necessary for the United States to continue to monitor closely trends in Chinese military modernization, strategy, doctrine, and training, and in concert with allies and partners, to adapt investment programs, posture, and operational concepts to maintain a stable and secure Asia-Pacific security environment and a favorable military balance with China.

Question. What can the United States do, both unilaterally and in coordination with allies and partners, to counter the increasing challenge posed by China in the East and South China Seas?

Answer. As a Pacific nation, the United States has a vested interest in maintaining peace and stability, the free flow of commerce, and freedom of navigation and overflight in the East and South China Seas. United States security presence, including our strong alliances and partnerships, as well as our force posture and capabilities, have protected these interests and helped maintain maritime stability for more than 60 years.

The United States must continue to encourage China to clarify its claims in the South China Sea in accordance with international law. We should also reaffirm our strong commitment to our allies and partners and the need for all parties to develop confidence-building measures that will increase transparency and reduce risk.

If confirmed, I will work to ensure that the United States sustains its ability to deter aggression and coercion and maintain free and open access to the maritime domain in the Asia-Pacific region. To this end, I will continue the Department's efforts to modernize U.S. security alliances and partnerships, enhance U.S. force posture, and update our military capabilities.

Question. United States-China military-to-military dialogue has been strained over the past several years and efforts to establish and maintain mutually beneficial military relations has been hampered by China's propensity for postponing or canceling military engagements in an apparent effort to influence United States actions, although there is some evidence that the relationship is improving.

What is your view of the purpose and relative importance of sustained military-to-military relations with China?

Answer. It is profoundly in the United States' and China's interests that we find ways in the overall relationship, as well as in the military-to-military relationship, to increase cooperation where our interests overlap and to manage our differences where we disagree. In recent years, the Department's sustained and substantive dialogue with the Chinese People's Liberation Army (PLA) has enabled both the United States and China to reduce the risk of misperception and miscalculation, as well as to deepen practical cooperation in areas ranging from humanitarian assistance to military medicine. In addition to making investments that ensure our technological advantages in all domains, the military-to-military relationship is an important component in managing competition.

I believe we should continue to use our military engagement with China to establish deeper cooperation where there is clear, mutual benefit and to enhance dialogues to reduce risk and manage our differences. As the Department continues to develop the military-to-military relationship with China, it will be important to also adapt forces, posture, and operational concepts in cooperation with our allies and partners to maintain a stable and secure Asia-Pacific region.

Question. Do you believe that we should make any changes in the quality or quantity of our military relations with China? If so, what changes would you suggest and, given Chinese resistance to military-to-military dialogue, how would you implement them?

Answer. If confirmed, I would seek to strengthen the United States-China military-to-military relationship in ways that best serve the interests of the United States and our allies and partners. Military-to-military ties are beginning to demonstrate positive outcomes. China is devoting more attention to operational safety and preventing incidents that could seriously harm the overall relationship. If confirmed, I will continue to pursue a sustained, substantive dialogue that aims to reduce risk and manage our differences, while building concrete, practical cooperation in areas of mutual interest.

NORTH KOREA

Question. What is your assessment of the current security situation on the Korean peninsula?

Answer. The United States-ROK alliance continues to be the critical linchpin to deterring North Korean aggression and maintaining stability on the Korean Peninsula.

North Korea remains one of the most intractable security problems for the United States and our allies and partners in the region. North Korea continues to take actions that are destabilizing for the region, including its December 2012 missile launch, February 2013 nuclear test, series of short-range ballistic missile launches in 2014, and its recent cyber-attack against Sony Pictures Entertainment.

The limited information we have on Kim Jong Un, his regime, and North Korea's motivations also add to my concern. Despite the recent signals from both North and South Korea about openness to inter-Korean engagement, the United States should remain vigilant against the strong possibility that North Korea will use brinkmanship and provocations to try to coerce the United States and its allies and partners back into negotiations on its own terms. If confirmed, I will ensure that the United States-ROK Alliance continues to strengthen alliance capabilities to counter North Korea's increasing missile and nuclear threat.

Question. What is your assessment of the threat posed to the United States and its allies by North Korea's ballistic missile and WMD capabilities and the export of those capabilities?

Answer. North Korea's ballistic missile and weapons of mass destruction (WMD) capabilities clearly present a serious and direct threat to United States forces postured in the Asia-Pacific region as well as to our regional allies and partners. These capabilities, although untested at longer ranges, could also pose a direct threat to the United States. Moreover, North Korea's history of proliferation activities amplify the dangers of its asymmetric programs.

If confirmed, I will ensure that we draw upon the full range of our capabilities to protect against, and to respond to, these threats.

Question. In your view, what additional steps should the United States take to defend against the North Korean ballistic missile threat and dissuade North Korea from its continued pursuit of ballistic missile technology and to stop or slow North Korean proliferation of missile and weapons technology to Syria, Iran, and others?

Answer. If confirmed, I will continue efforts to strengthen our strong defense posture against the North Korean ballistic missile threat. This includes supporting our current efforts to increase the number of ground-based interceptors in California and Alaska, enhancing DOD's ability to highlight and disrupt the illicit proliferation networks that North Korea uses, and promoting cooperation with partners to interdict vessels and aircraft suspected of transporting items of proliferation concern.

Question. What is your view on Kim Jong Un's proposal to cease future nuclear tests in exchange for the United States cancelling annual military exercises in 2015 with South Korea?

Answer. I believe the United States annual combined exercises with the Republic of Korea, including Key Resolve and Foal Eagle during the first part of 2015 and Ulchi Freedom Guardian during the summer of 2015, are routine, transparent, and defensive exercises that are meant to strengthen military readiness and Alliance preparedness. There is no equivalence between conducting these exercises and North Korean nuclear tests, which are violations of United Nations Security Council resolutions.

INDIA

Question. What is your view of the current state of the United States-India security relations?

Answer. India and the United States have built a strong strategic partnership. India is an important net provider of security in the region, and a partner on issues ranging from maritime security to humanitarian assistance to broader regional stability. The past decade has been transformative in the United States-India relationship, and we are seeing greater convergence in our interests and concerns than ever before, particularly between our rebalance to Asia and India's "Act East." Strengthening the United States-India defense relationship was a priority for me as Deputy Secretary of Defense and, if confirmed, I will continue to prioritize the steady growth of this relationship.

Defense plays a vital role in United States-India relations, which includes a robust series of military exchanges and exercises, a strong track record on defense trade, and increasingly close consultations on regional security issues. DOD also remains committed to technological cooperation with India through the Defense Technology and Trade Initiative (DTTI), under which the President announced four pathfinder projects, a working group on aircraft carrier cooperation, and the possibility of cooperating on jet engine technology. As Deputy Secretary of Defense, I launched DTTI, now led by Under Secretary Frank Kendall. If confirmed, I will lean-forward to expand DTTI with additional co-production and co-development activities.

Question. If confirmed, what specific priorities would you establish for this relationship?

Answer. If confirmed, I will continue to find ways to strengthen our military-to-military relationship by expanding the scope and complexity of our exercises, and ensure the consistency of our engagement. I will prioritize exchanges at all levels of our military, and encourage frequent high-level visits. I will also build upon the progress achieved under the Defense Technology and Trade Initiative (DTTI). This includes pursuing additional opportunities for co-production/co-development projects, developing the defense trade relationship into increasingly sophisticated areas, and encouraging broader defense S&T engagement with India. Finally, I will continue to look for ways to expand upon our maritime security relationship and identify specific areas for increased cooperation, including in the Asia-Pacific.

Question. What is your assessment of the relationship between India and China and how does that relationship impact the security and stability of the region?

Answer. As with the United States and China, India's relationship with China displays both cooperative and competitive aspects. It is hampered by a trust deficit stemming from China's long-time, close relations with Pakistan; a long-time border dispute; and on-going competition for resources. Efforts to mitigate this mistrust are further complicated by a growing competition for influence in the South and Southeast Asian regions, a trade imbalance in China's favor, and recent Chinese naval activity in the Indian Ocean region.

Despite these factors, the two countries often find common ground in international groupings, such as the BRICS and G20, due to shared interests and a desire to shape the international system to ensure their respective domestic development and economic growth. This cooperation helps to maintain stability in Sino-Indian ties and preclude more overt security competition. The United States, India, and China all have an important role in ensuring the peace and stability of the region and a rules-based order.

DEPARTMENT OF DEFENSE COUNTERNARCOTICS ACTIVITIES

Question. DOD serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of drugs flowing toward the U.S. On an annual basis, DOD's counter narcotics (CN) program expends nearly $1 billion to support the Department's CN operations, including building the capacity of U.S. Federal, State, and local law enforcement agencies, and certain foreign governments, and providing intelligence support on CN-related matters and a variety of other unique enabling capabilities.

In your view, what is the appropriate role of DOD in counterdrug efforts?

Answer. DOD should continue to play an important role in identifying counter narcotics networks and supporting the interdiction of illicit drugs entering the United States. In addition, DOD should continue to support U.S. law enforcement and partner nations' enforcement capabilities by facilitating training, providing equipment, and improving infrastructure that strengthens their operational reach and their own sustainment capabilities.

Question. Do you believe that the United States broadly, and the U.S. military more narrowly, has been effective in achieving its counterdrug objectives?

Answer. The United States has supported the interdiction of hundreds of tons of illegal drugs by law enforcement personnel annually. The United States has also, through multi-agency efforts, put pressure on major drug trafficking organizations and their leaders. The Department's efforts to build the counter narcotics capacity of partner nations' security forces also contribute to counterdrug objectives by strengthening security institutions and by equipping and training security personnel to disrupt, degrade, and deter drug trafficking networks in both source and transit countries.

Question. In your view, what should be the role of the United States in countering the flow of narcotics to nations other than the United States?

Answer. I believe that the United States, along with other countries, should continue to assist other nations in the fight against drug trafficking by supporting efforts to enhance the capacity of these nations to disrupt and degrade narcotics trafficking networks.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Transnational criminal organizations are having a debilitating impact on the ability of our foreign partners to govern their nations and provide opportunities for their people. DOD is by no means the U.S. Government's law enforcement agency, but it does bring unique enabling capabilities to our Nation's Federal law enforcement agencies. The NDAA for fiscal year 2015 expanded several of the De-

partment's primary counterdrug authorities to include "countering transnational organized crime (TOC)" as an approved activity to reflect the increasingly diverse nature of these illicit, global networks.

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime recognizes that TOC has expanded in size, scope, and influence over the past 20 years, and now poses a significant and direct threat to national and international security. The Strategy, with amplifying implementation guidance, calls for combatting networks that pose a strategic threat to U.S. interests, and ultimately aims to reduce TOC networks from a national security threat to a manageable public safety problem.

Question. What role, if any, should the Department play in combatting transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime declares TOC a threat to national security, and calls on the U.S. Government to build, balance, and integrate the tools of national power to combat TOC and related threats. Although DOD does not serve as the lead for combatting TOC, it can provide unique and critical support to U.S. law enforcement efforts. Specific DOD capabilities include military intelligence support and counter-threat finance support, training of foreign partners, and detection and monitoring. The expanded authorities provided by Congress in the NDAA for fiscal year 2015 provide additional opportunities for DOD to support efforts to counter illicit networks and to contribute further to the achievement of U.S. Government objectives.

COUNTER THREAT FINANCE

Question. DOD and the Intelligence Community (IC) have begun investing more resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking, but the opportunities for tracking and degrading illicit financing flows are not yet matched by the effort and resources devoted to them. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats.

What are your views on the role of DOD in counter threat finance activities?

Answer. Terrorists, drug traffickers, and other adversaries rely heavily on licit and illicit funding sources to support their activities. I believe it is essential to engage all available tools to track and halt the flow of money and to fight our adversaries' ability to access and use global financial networks. Although DOD is not the lead agency for Counter-Threat Finance (CTF). CTF can be important to achieving DOD goals. I am aware that the Department works with other departments, agencies, and partner nations to provide planning, network analysis, and intelligence analysis.

Question. Are you aware of any policy, legal authority, or resource shortfalls that may impair U.S. counter threat finance efforts?

Answer. I understand that the Department has concerns that we do not have enough fidelity on the sources of corruption that can impact our ability to achieve our goals in partner nations and, in non-terrorism cases, there are still difficulties fully sharing relevant information between law enforcement and intelligence entities.

Question. In your view, how should DOD coordinate and interface with other key agencies, including the Department of Treasury and the Intelligence Community, in conducting counter threat finance activities?

Answer. I am aware that DOD works with other U.S. Government departments and agencies, including the Department of the Treasury and the Intelligence Community, on counter-threat finance efforts to limit our adversaries' ability to use global financial networks.

CENTRAL AMERICA AND MEXICO

Question. During a March 13, 2014, Senate Armed Services Committee hearing, General John Kelly, Commander of United States Southern Command, stated that the "unprecedented expansion of criminal networks and violent gangs is impacting citizen security and stability in the region" which has led the United Nations to characterize Latin America "the most unequal and insecure region in the world." Despite this reality and the region's proximity to the U.S. Homeland, DOD efforts in the region have routinely been plagued by resource shortfalls, which have only been exacerbated by sequestration. To this point, General Kelly stated before the

committee: "the severe budget cuts are now reversing the progress and forcing us to accept significant risks. Because of asset shortfalls, we're unable to get after 74 percent of suspected maritime drug trafficking. I simply sit and watch it go by." General Kelly went on to state that "the cumulative impact of our reduced engagement won't be measured in the number of canceled activities and reduced deployments, it will be measured in terms of U.S. influence, leadership, relationships in a part of the world where our engagement has made a real and lasting difference over the decades."

Do you share General Kelly's concerns about the impact of DOD resource shortfalls to our operations and security interests in the region?

Answer. Yes.

Question. What are your views on the threats posed by transnational criminal organizations in this region and their impact on U.S. security interests?

Answer. Transnational criminal organizations have become entrenched in places like the Northern Triangle of Central America, where they take advantage of weak government institutions, endemic corruption, large under-governed spaces, and the lack of viable economic opportunities. Many of our partners in the region are challenged to control the influence of transnational criminal organizations, which present a real threat to stability and expose vulnerabilities to the southern approaches to the United States.

Question. What is your assessment of DOD's role and current activities in Mexico and Central America?

Answer. DOD supports the broader U.S. interagency effort to promote security and stability in the region. The Department's security cooperation activities in Central America focus on professionalization, respect for human rights, building capacity of local security forces, including maritime, and facilitating internal defense institutional reform efforts that will help those governments plan, resource, and maintain enhanced capabilities. The Department contributes to efforts to help Mexico address internal and transnational security challenges, as well as to support Mexico's growing regional and international defense leadership role.

Question. What changes, if any, would you propose to DOD's current role and activities in this region?

Answer. If confirmed, I would direct my team to examine whether there is more DOD could do to support U.S. strategies to address the root causes of insecurity in the region. Steps the U.S. Government can take include supporting efforts to strengthen government institutions and fight corruption, develop infrastructure, address control of under-governed spaces and help diminish criminal organizations. Lasting solutions will require an interagency approach by the United States and will require the United States to cooperate and coordinate with other partners in the region.

CUBA

Question. On December 17, 2014, President Obama announced changes in the diplomatic relationship between the United States and Cuba which includes the easing of several longstanding restrictions.

Would you recommend the establishment of military-to-military engagement between the United States and Cuba? If so, what, if any, prerequisites should there to their establishment?

Answer. I believe that with the recent efforts to begin normalizing relations with Cuba there is an opportunity to consider carefully whether to expand defense relations. If confirmed, I would examine this issue carefully and work to ensure any military-to-military engagement is nested within a larger, comprehensive U.S. Government engagement strategy.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. It is critical to draw lessons learned from Afghanistan and Iraq. A key lesson is that strategy requires a close integration of military, economic, intelligence, and diplomatic elements and the full range of American power. Increased collaboration, transparency, and communications among the interagency are important. If confirmed, I will focus on maintaining and improving these relationships to ensure that interagency collaboration is as effective as possible.

Question. How do you believe these efforts can be improved?

Answer. Given the complexity and scope of the national security challenges we face, a whole-of-government approach is essential to our success in order to harness the full capabilities of all U.S. departments and agencies. We must work with interagency partners to evaluate continually the effectiveness of our coordinated efforts and make adjustments where necessary. We must also acknowledge that every tool is not appropriate for every task.

Question. How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future contingency operations?

Answer. We must have a rigorous approach to capturing our lessons learned and including them in our professional military education system and doctrine review process. If confirmed, I would keep these principles in mind as I work with the military departments and the combatant commands to maintain and cultivate enduring and agile partnerships with key departments and agencies across government.

STRATEGIC REVIEWS

Question. What is your understanding and assessment of the DOD processes for analysis, decisionmaking, and reporting results for each of the following strategic reviews:

The Defense Strategy Review (section 118 of title 10, United States Code, as amended by Public Law 113–291);

Answer. The purpose of the QDR is to articulate the Nation's defense strategy in support of the President's National Security Strategy. DOD is tasked, per Title 10 U.S.C. Section 118, with conducting a comprehensive examination of the national defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward establishing a defense program for the next 20 years. In my experience, effective QDRs incorporate inputs from various stakeholders, both within and outside the Department, and provide effective guidance to develop U.S. military force structure, plans, and programs.

Question. The National Military Strategy (section 153 of title 10, United States Code);

Answer. The Chairman of the Joint Chiefs of Staff prepares the National Military Strategy (NMS) in order to assist the President and Secretary with unified strategic direction of the Armed Forces. The Chairman uses a robust Joint Strategic Planning System to develop the NMS and biennially submits the strategy to the Armed Services Committees of the House and Senate. The strategy specifies military objectives, strategic and operational missions required to achieve those objectives, and the necessary capabilities to carry out each mission. The NMS also describes the strategic and operational risks associated with accomplishing the strategy.

Question. Global Defense Posture Review (section 2687a of title 10, United States Code); and

Answer. The Global Defense Posture annual report to Congress, authored by the Under Secretary of Defense for Policy in coordination with the Joint Chiefs of Staff, offers an operational view of the Department's military personnel and facilities, and assesses changes to overseas posture required to meet evolving security environment and strategic priorities outlined in documents such as the QDR. DOD global posture decision-making processes continually review the appropriate mix of deployed and forward stationed U.S. forces, the distribution of enduring locations, and status of international agreements to meet national security requirements. If confirmed, I will ensure this thorough process continues to meet the Congressional intent.

Question. If confirmed, what recommendations would you make, if any, to change title 10, United States Code, and to improve DOD's processes for analysis, policy formulation, and decision making relative to each review above?

Answer. I have no specific recommendations at this time. If confirmed, I look forward to working with Members of Congress to ensure that these reviews continue serving the needs of both DOD leaders and Congress.

TACTICAL FIGHTER PROGRAMS

Question. Based on the current defense strategy, defense planning scenarios, and force-sizing construct, what are your views on the ability of the Department to meet combatant commander requirements with regard to fighter force capability and capacity now and into the future?

Answer. U.S. fighter forces currently enjoy technical superiority and will continue to contribute to the overall success of our forces. Other nations are making significant investments in modernizing their fighter fleets and in building advanced air

defenses. The U.S. must maintain the ability to control the air space in any current and future operations.

The largest and most costly modernization effort we will face over the next several years is the F–35 Joint Strike Fighter (JSF) program to upgrade our tactical aviation forces to fifth generation technologies.

Question. Based on current and projected threats, what are your views on the continued requirement for and timing of this program?

Answer. While the F–35 program has experienced a number of program delays and other significant acquisition issues, when fielded it will provide a significant edge in the number of high capability aircraft. The 5th generation technology that is the backbone of this system will be required for success in future conflicts.

Question. What is your assessment of whether the restructuring of the JSF program that we have seen over the past several years will be sufficient to avoid having to make major future adjustments in either cost or schedule?

Answer. The restructuring initiated in 2010 put the F–35 program on better footing. However, a program of this scope and importance requires continued aggressive management attention.

Question. Are there any initiatives you would propose to help reduce operating and support costs for the JSF program?

Answer. There are many factors that drive the operating and support costs for a weapons system like the F–35. Aggressive management of these initiatives will be required because the operating and support costs will be a major part of the JSF's overall cost. I understand that the F–35 program is undertaking a number of reliability and maintainability initiatives that are focused on improvement in those areas.

STRATEGIC BOMBER

Question. Secretary Hagel said on January 13, 2015, "I think the Long-Range Strike Bomber is absolutely essential for keeping our deterrent edge."

What are your views on the requirement for this capability, and how to acquire such a platform while providing the best value for the American taxpayer?

Answer. I believe the Department requires global power projection capabilities across the full spectrum of conflict in order to deter and dissuade potential aggressors. To maintain these capabilities, the Air Force requires a new generation of stealthy, long-range strike aircraft that can operate at great distances, carry substantial payloads, and operate in and around contested airspace. If confirmed I will work with the Under Secretary of Defense, Acquisition, Technology and Logistics to ensure that the program will provide best value for the American taxpayer by ensuring the program is based on mature technologies and through program competition across a highly capable industrial base.

NAVY SHIPBUILDING

Question. Today's Navy is at its smallest size in decades and could decline further without additional urgent shipbuilding recapitalization efforts. Over the past several years, successive Chiefs of Naval Operations have concluded that the Navy requires a fleet of at least 306 ships to perform its mission. The Navy's current naval battle force is only 289 ships, and will not be at the 306 level until sometime after 2020.

What are your views regarding the CNO's conclusions about the appropriate size and composition of the fleet, and the adequacy of the Navy's current and projected plans to achieve a fleet with that number of ships?

Answer. A strong and capable Navy is essential to meet our Nation's strategic requirements across the spectrum of operational demands. Therefore the Navy needs a broad set of capabilities among the mix of ships in its inventory. Ship count is only one metric to measure to evaluate fleet effectiveness. If confirmed, I will work with the Secretary of the Navy and the Chief of Naval Operations to ensure that the appropriate force structure requirements are fully identified and supported.

Question. At about that same time (2020) the Navy will need to begin acquiring the *Ohio* Replacement Ballistic Missile Submarines (SSBNs). The new *Ohio* class boats are projected to cost well over $10 billion per ship and the Navy has publicly indicated it cannot afford to buy both the new SSBNs as well as procure at least nine other ships annually.

Do you believe the Navy can meet its goals for the size of the fleet in the current budget climate particularly in light of the *Ohio* Replacement Program?

Answer. Procurement of the *Ohio* Replacement SSBN, as well as recapitalization of the other elements of the nuclear triad, poses significant resourcing challenges to the DOD. The Ohio Replacement Program will present unique constraints on the Navy's shipbuilding plan, particularly if the DOD is required to be funded at the

levels specified in the Budget Control Act (BCA) of 2011. The Secretary of the Navy and the Chief of Naval Operations have stated that recapitalizing our ballistic missile submarine force is the top shipbuilding priority for the Navy and have taken steps to reach the affordability targets of the Ohio Replacement Program. If confirmed, I will work with the Navy and the Congress to manage the impact of this critical endeavor on the rest of the shipbuilding programs and ensure naval forces are structured to meet our national defense needs.

Question. In the 1970s and 1980s, the Nation procured the initial *Ohio* SSBN submarines within the Navy's shipbuilding (SCN) account, do you believe using the SCN is possible for *Ohio* replacement or is a new method needed?

Answer. I believe the important decision is to make the commitment to modernizing the ballistic missile submarine fleet. It is a vital component of our nuclear deterrence strategy. The Department needs adequate resources for modernization in order to ensure we can make the orderly transition to this new generation ballistic missile submarine. Which account it is funded in is of lesser importance. It makes the most sense to include the *Ohio* Replacement in the shipbuilding account, but this is a decision that can be made in the future.

To maintain a Navy fleet with roughly 300 ships would require an annual new construction build rate of about 10 ships per year, assuming ship service lives of 30 years. The fiscal year 2015 President's Budget request included only 7 new construction ships.

Question. Do you believe that the Navy's goal can be achieved without recapitalizing the fleet at a larger rate? If not, will you recommend to the President that he significantly increase funding levels for the Navy to support both:

(1) buying ships at an annual rate of at least 10 new ships per year; and
(2) in particular replacing our *Ohio*-class ballistic missile submarines (SSBN)?

Answer. I understand DOD remains committed to sustaining the force structure required to maintain our Nation's security, and that recapitalization of the Nation's sea-based strategic deterrent is critical to this mission. If confirmed, I will work with the Navy to reduce risk in their force structure with particular focus on *Ohio*-class replacement submarines and other high priority ships.

Question. The Navy has in recent years proposed the long-term lay up of CG–7 class cruisers and LSD–41 class amphibious ships in order to achieve manpower cost avoidance savings and stretch out the life of these ship classes in order to defer new build replacement ships. Congress has consistently rejected the Navy's proposal noting the Navy's initial investment of more than $11.6 billion in the nine CG/LSD ships and the fact these ships are very unlikely to return to service after a lengthy layup approaching 5 years in some cases. Retiring these ships before the end of their planned service life creates unnecessary and unaffordable future shipbuilding requirements.

What are your views on the Navy's proposed plan to lay up in a reduced operating status both CG–47 class and LSD–41 class ships?

Answer. If confirmed, I will work with the Secretary of the Navy and other Department leadership to better understand and assess how the Navy would execute the proposed plan, to ensure that it appropriately balances the needs of current readiness, modernization and future force structure to make the best use of existing assets.

Question. Would you support modernizing these ships within the Navy's SCN account to ensure they can serve out their full service lives?

Answer. The SCN account, like virtually all modernization accounts, is under enormous pressure to finance the shipbuilding program the Nation needs. Difficult tradeoff decisions have been made and will need to be made in the future. It is important that the Congress and the Department find a way to move forward on the appropriate funding.

AIRCRAFT CARRIERS

Question. DOD has repeatedly reaffirmed, despite budget pressures, that the United States is committed to maintaining a fleet of 11 nuclear powered aircraft carriers (CVNs), and maintaining carriers on patrol in the Persian Gulf. Yet, in the Department's fiscal year 2015 budget request only 10 carriers were funded. We also understand carrier deployments have been extended for as long as 9 months. The NDAA for fiscal year 2015 reiterated the statutory requirement for the Department to maintain not less than 11 carriers.

If confirmed as Secretary of Defense will you ensure the Department adheres to the statute requiring that the Navy shall include not less than 11 operational carriers?

Answer. I understand that the Department has reported that if it is forced to operate at sequestration level funding, it would have to seek relief from the 11-carier requirement.

Question. Can you articulate for this committee your views on the number of CVNs that need to be maintained, and whether naval forward presence, particularly in areas such as the Persian Gulf, should be maintained and can be maintained without an urgent recapitalization of the fleet?

Answer. I understand that a sizable carrier force is required to support our current strategy and provide sufficient carrier strike groups to meet overseas presence requirements. If confirmed, I will work with the Navy to ensure that we resource a sustainable level of presence that continues to support our Nation's strategic goals.

FUTURE ROLE OF THE ARMY

Question. The NDAA for fiscal year 2015 directed the establishment of a National Commission on the Future of the Army to review the size and structure of all three components of the Army: regular Army, U.S. Army Reserve, and Army National Guard. The Commission will also consider and evaluate key policies concerning the make-up, training and the distribution of Guard resources across the states. Additionally, the commission will review the Army's Aviation Restructure Initiative which recommended the transfer of National Guard Apache helicopters to the regular Army. The legislation allows the Army to transfer 48 Apache helicopters in fiscal year 2016.

What are your views regarding the National Commission on the Future of the Army?

Answer. If confirmed, I will fully support the commission as enacted by law.

Question. In your view, what are the key factors in determining the role of the Active and Reserve components in their support of the National Military Strategy?

Answer. In my previous time in the Department I have seen the value of the operational contributions of all components. Their response in crisis has been and will be a Total Force response. The key factor is insuring the Total Force has the appropriate mix to support the requirements to the combatant commanders.

Question. General Raymond Odierno, Chief of Staff of the Army, has stated that the Army will continue to be an indispensable part of the joint force and that there is a synergy that is gained of all the services in order for the military to meet the Nation's needs. He has also said the Army provides more than Brigade Combat Teams—the Army is the largest contributor to SOFs and it provides a broad range of essential services to combatant commanders to include intelligence, surveillance, reconnaissance; air and missile defense; logistical support; and signal communication support.

In your view, what are the most important considerations or criteria for aligning the Army's size, structure, and cost with strategy and resources?

Answer. Our national security requirements are the most important considerations when aligning the Total Army's size, structure, and cost with strategy and resources.

Question. If confirmed, what actions, if any, would you propose to properly align the Army's size and structure with the requirements of security strategies and the likely availability of resources?

Answer. If confirmed, I will review how the Department should align the Army's size and structure to the strategy in the same way that it would align those of any other component of the Joint Force: based on appropriate security environment, examining the demands of the missions that are most relevant to that component, and then determining how best to provide the capabilities required to accomplish those missions. If confirmed, I will work closely with military and civilian leaders to balance maintaining the skills needed to meet our most pressing national security demands within the limits of acceptable risk and within existing resources.

ARMY FORCE STRUCTURE

Question. The Defense Strategic Guidance of January 2012 called for the reduction of Army end strength and force structure over the next 5 years to 490,000 personnel and eight fewer combat brigades. The Army has accelerated these plans and intends to reduce endstrength to 490,000 by the end fiscal year 2015. Additionally, the Army intends to reduce endstrength to 450,000 Active, 315,000 Army National Guard, and 195,000 Army Reserve with even more severe reductions possible. Senior Army and National Guard leadership has testified that the Army will assume medium-to-high risk to meet the requirements of the National Security Strategy at these levels.

In your view, can the Army's Active component end strength be drawn down below the announced and planned reduction to 450,000? If so, what in your view would be the impact on strategic risk, if any, and, in your view would that strategic risk be acceptable or unacceptable?

Answer. If confirmed, I will review the level of funding specified in the Budget Control Act, and the appropriate levels for the total force army. I share the concern by our Army, Army Reserve and the National Guard leaders of the risks inherent in the sequester funding levels.

Question. How do you define the resulting strategic risk?

Answer. A strategic risk would be a lesser ability to support the highest priorities in our national defense strategy.

Question. If confirmed, what size or force structure changes, if any, would you propose for either the Army Reserve of the Army National Guard?

Answer. The Active and Reserve components of the Army must be sized and shaped to support our strategy. The Army National Guard provides critical capabilities to the Governors and States, while also retaining capacity to support vital Federal missions. The Army Reserve is also a key partner with the Active Army and the Army National Guard for Homeland support and warfighting missions. I understand that the Army Commission will examine some of these areas and if confirmed will look forward to their recommendations.

ARMY MODERNIZATION

Question. What is your understanding and assessment of the Army's record with respect to equipment modernization?

Answer. This record is mixed, and I believe it can be improved.

Question. What actions, if any, would you take to ensure that the Army achieves a genuinely stable, achievable, and affordable modernization strategy and program?

Answer. If confirmed, I will review the Army's modernization strategies to ensure that stable and affordable modernization programs are adopted and implemented. I will stress the continued need for Army programs that incorporate practical and realistic development strategies, affordable and technically feasible requirements and sufficient and stable resources.

Question. What is your understanding and assessment, if any, of the Army's capabilities portfolio review process and its current modernization priorities and investment strategy?

Answer. I have not examined any recent changes the Army may have introduced so I am unable to assess the Army's specific processes for reviewing military requirements or establishing modernization priorities.

Question. What actions, if any, would you take to sustain the momentum of these reviews in stabilizing the Army's modernization strategy and priorities?

Answer. If confirmed I will support the Army's efforts to improve its modernization strategy and priorities.

UNFUNDED PRIORITIES

Question. Section 1003 of Public Law 112–239 (NDAA for fiscal year 2013) expressed the sense of Congress with respect to the annual submission by the Service Chiefs and Commander of U.S. Special Operations Command of their critical unfunded priorities that are not included in the President's annual budget request.

If confirmed, will you allow the Service Chiefs and Commander, U.S. Special Operations Command to comply with this sense of Congress?

Answer. Yes.

BALLISTIC MISSILE DEFENSE

Question. The NDAA for fiscal year 2015 expresses the Sense of the Congress that it is a national priority to defend the U.S. Homeland against the threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate).

Do you concur with Congress on this fundamental point?

Answer. Yes.

Question. Do you support each of the following steps—currently planned by DOD—for improving the capability of the Ground-based Midcourse Defense System to meet evolving ballistic missile threats (if not, please explain why):

(1) Correct the problems associated with recent flight test failures;

Answer. Yes.

(2) Enhance homeland defense sensor and discrimination capabilities;

Answer. Yes.

(3) Redesign the exo-atmospheric kill vehicle, including realistic testing; and

Answer. Yes.

(4) Design a next generation exo-atmospheric kill vehicle to take full advantage of improvements in sensors, discrimination, kill assessment, battle management, and command and control, including the potential to engage multiple objects?

Answer. Yes.

Question. Forward deployed United States military forces, and our regional allies and partners, face a growing regional ballistic missile threat, especially from nations such as North Korea and Iran. The European Phased Adaptive Approach (EPAA) is intended to provide increasing levels of defensive coverage of NATO Europe against Iranian ballistic missiles, including an Aegis Ashore site in Romania in 2015 and one in Poland in 2018.

Do you agree that it is a priority to defend our forward-deployed forces, our allies, and partners from the threat of regional ballistic missiles?

Answer. Yes. Our deployed forces as well as our allies and partners in the Middle East and in the Asia/Pacific region are within range of hundreds of short- and medium-range ballistic missiles.

I agree that the United States must prioritize capabilities to deter regional adversaries from launching a ballistic missile attack and to defend against such an attack if necessary.

Question. Do you believe that the current phased and adaptive approach to regional missile defense is appropriate to meeting the operational needs of our regional combatant commanders, given the threat and current resource constraints?

Answer. Yes. I understand the current United States policy is to develop regional approaches to ballistic missile defense in Europe, the Middle East, and the Asia-Pacific region that are tailored to the unique deterrence and defense requirements of each region.

I believe that such approaches provide the best option for managing our own high-demand, low-density ballistic missile defense forces and for developing allied and partner ballistic missile defense capacity in support of Combatant Commander requirements.

Question. Do you believe the EPAA schedule is achievable and appropriate for defending NATO Europe against the current and projected threat from Iranian regional ballistic missiles?

Answer. I believe the three phases of the EPAA were constructed to allow the United States to deploy existing or new capabilities in time to meet the projected threat from Iran. If confirmed, I will review the progress on this effort with the Under Secretary of Defense for Acquisition, Technology, and Logistics.

Question. Do you agree that the United States should encourage our regional allies and partners to increase their missile defense capabilities to contribute to regional security and help reduce the burden on U.S. forces and requirements?

Answer. I understand that building international cooperation and seeking appropriate levels of partner contributions are key tenets of our regional ballistic missile defense policy. I also understand that over time we have developed substantive ballistic missile defense relationships with our allies and partners in Europe, the Middle East, and the Asia-Pacific region, which have led to advances in fielding our own capabilities as well as those of our allies and partners.

I view continuing these partnerships as critical to developing effective security architectures that deter and, if necessary, can be used to defend against the threat of ballistic missile attack. Accordingly, if confirmed, I will promote strong bilateral and multilateral ballistic missile defense cooperation in these key regions of U.S. interest.

SPACE

Question. China's test of an anti-satellite weapon in 2007 was a turning point for the United States in its policies and procedure to ensure access to space. As a Nation heavily dependent on space assets for both military and economic advantage, protection of space assets became a U.S. national priority.

Do you agree that space situational awareness and protection of space assets should be a national security priority?

Answer. Yes. Space situational awareness is important to understand and characterize the space environment, detect interference with space systems, and enable timely attribution and response. Equally important is the protection of our space capabilities.

Question. In your view, should China's continued development of space systems inform United States space policy and programs?

Answer. Yes. China is rapidly developing space capabilities of its own that both mirror United States capabilities and could threaten our access and use of space for national security purposes. If confirmed, I will review the Department's efforts to address China's developments in space, and will coordinate closely with other United States departments and agencies.

Question. If confirmed, would you propose any changes to National Security Space Policy and Programs?

Answer. The National Security Space Strategy clearly highlights the growing challenges in the space domain. If confirmed, I will insist on policies, programs, and other measures that ensure U.S. warfighters can continue to depend on having the advantages that space confers.

Question. What role do you believe offensive space control should play in National Security space policy and programs?

Answer. Offensive space control, in addition to other elements of national power, should be carefully considered in protecting our forces from threats posed by an adversary's space-enabled capabilities.

Question. If confirmed, would you commit to reviewing the overall management and coordination of the national security space enterprise?

Answer. Yes. I understand that the Department's recent strategic portfolio review of space highlighted challenges with our overall space posture. If confirmed, I look forward to working with Congress to make adjustments to address those challenges.

Question. What is your view on weapons in space?

Answer. The United States depends upon space capabilities to enable operations in all domains. Other nations are working to challenge those capabilities as well as to field their own. If confirmed, I intend to work with Congress to determine the best way to defend U.S. space systems and to deny those advantages to those who would use space to target U.S. warfighters.

Question. The administration is proposing to free up 500 MHz of spectrum for broadband use, a candidate portion of which includes the band 1755–1850 MHz, which is used heavily by DOD and other national security agencies.

Do you support this initiative?

Answer. Yes.

Question. Do you support section 1602 of P.L. 106–65, which requires the Secretaries of Commerce and Defense and the Chairman of the Joint Chiefs of Staff to certify that any alternative band or bands to be substituted for spectrum currently used by DOD and other national security agencies provide "comparable technical characteristics to restore essential military capability that will be lost as a result of the band of frequencies to be so surrendered"?

Answer. Yes. This provision is necessary to ensure that the Department maintains access to spectrum necessary to operate critical military capabilities. Preserving this provision is essential to the ability of DOD to continue to successfully contribute to the President's broadband goals, especially given the increased focus on spectrum sharing.

Question. If confirmed, how do you intend to comply with section 1602 in light of the 500 Mhz initiative?

Answer. I understand Secretary Hagel recently signed, along with the Chairman of the Joint Chiefs of Staff and the Secretary of Commerce, certification for the 1755–1780 MHz frequency bands that were auctioned as part of the Advanced Wireless Service 3 (AWS–3). I will ensure that any future auctions involving spectrum used by the Department are certified in accordance with P.L. 106–65, section 1062.

Question. Do you intend to insist that DOD be compensated fully for the cost of relocating, if required to do so?

Answer. Yes, I intend to insist that DOD be compensated fully for the cost of relocating, if required to do so in accordance with section 1062.

Question. How do you propose the Department make more efficient use of communications spectrum through leasing of commercial satellites?

Answer. If confirmed, I will work with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the DOD Chief Information Officer to continue to leverage the efforts which the DOD and commercial satellite communications providers are already pursuing to more effectively and efficiently utilize the communications spectrum. Based on that review, I will determine if additional opportunities should be pursued.

Question. Do you support more competition in the launch of DOD payloads?

Answer. I have been, and continue to be, whenever possible, a staunch advocate for competition across all of the Department's acquisition programs. Regarding space launch for national security space (NSS) missions, I fully support competition and, if confirmed, will review provisions for competition of future NSS launch missions.

Question. If confirmed, what steps will you take to encourage new entrants to the medium and heavy lift launch of DOD payloads while balancing affordability, mission assurance, and maintaining the viability of the existing launch provider?

Answer. Mission assurance remains the cornerstone of the Department's approach to space launch for NSS missions. If confirmed, I will encourage competition from new entrants by ensuring the Department has a clear understanding of the certification process and by making every effort to certify all capable new entrants as quickly as possible.

Question. Do you support commercial hosting of DOD payloads and if so how?

Answer. The Department should explore and consider the full range of options. Commercial hosting may help diversify the space architecture, improve mission assurance and potentially reduce costs of U.S. Government space-based capabilities. If confirmed, I will explore the full range of options, including commercial hosting, for providing future space-based capabilities when appropriate.

Question. What is your long-term vision and support for the Space Based Infrared Sensing system?

Answer. I understand the Department is executing a comprehensive Analysis of Alternatives for the SBIRS follow-on capabilities. If confirmed, I will assess the alternatives and recommendations with the objective of affordably providing and assuring critical missile warning and battlespace awareness capabilities.

Question. What is your long term vision and support for the Advanced Extremely High Frequency system?

Answer. I believe that AEHF is a critical component of the Department's Nuclear Command, Control, and Communications (NC3) capability. If confirmed, I will continue to ensure the Department provides the needed NC3 capability for the President.

Question. Do you support splitting the systems sensors up to lower overall cost of the system?

Answer. I support exploring the full range of approaches to reliably and affordably providing space-based capabilities

CYBER DETERRENCE

Question. Do you believe we are deterring and dissuading our adversaries in cyberspace?

Answer. An effective deterrence strategy requires a range of cyber policies and capabilities to affect a state or non-state actors' behavior. In addition to continuing efforts to improve U.S. cyber defenses and cybersecurity capabilities, the United States should continue to respond to cyber-attacks against U.S. interests at a time, in a manner, and in a place of our choosing, using appropriate instruments of U.S. power and in accordance with applicable law. The U.S. Government should continue to combine its cyber and non-cyber capabilities into a comprehensive cyber deterrence strategy. If confirmed, I will do all that I can to contribute to the development and execution of that effort.

Question. Do you agree that, consistent with section 941 of the NDAA for fiscal year 2014, there is a need for an integrated policy to deter adversaries in cyberspace and that the President should promptly provide that policy to Congress as specified in law?

Answer. Deterrence cannot be achieved through cyberspace alone, but requires a multi-faceted effort across the totality of the U.S. Government's instruments of national power, including network defense measures, economic actions, law enforcement actions, defense posture and response capabilities, intelligence, declaratory policy, and the overall resiliency of U.S. networks and systems. If confirmed, I will ensure that DOD is in full compliance with its reporting requirements to this committee and to the Congress as a whole.

Question. What steps do you believe the Department should take to reduce the frequency and severity of cyber intrusions from the Chinese Government?

Answer. This is a serious problem and the Department should continue to take strong actions to address China's use of cyber theft to steal United States companies' confidential business information and proprietary technology. I am aware that the Administration has raised this as an issue of concern with the highest levels of China's government. If China does not take meaningful action to curb this behavior, it will undermine the economic relationship that benefits both our Nations. Such activity undercuts the trust necessary to do business in a globally connected economy. Further, military involvement in such theft raises additional concerns that misunderstandings about China's intentions could result in unintended escalation between our countries. The U.S. Government should continue to use all instruments

of national power, including diplomatic, informational, military, and economic, to prevent and respond to these intrusions.

Question. What agencies should the Department coordinate with in tracking and eliminating cyber threats?

Answer. I believe a whole-of-government approach is required to address the cyber threats we face now and will increasingly face in the future. DOD must continue to work closely with the Department of Homeland Security, the Department of Justice (specifically FBI), and the Intelligence Community, as well as with other Federal partners, to identify, mitigate, and defend against cyber threats.

REPORTING AND SHARING OF INFORMATION ON INTRUSIONS INTO OPERATIONALLY CRITICAL CONTRACTORS

Question. What are your views on the conclusions of the Senate Armed Services Committee's report: Inquiry Into Cyber Intrusions Affecting U.S. Transportation Command Contractors, 113th Congress, 2nd Session?

Answer. Although I have not had the opportunity to fully review the report, I understand that the Senate Armed Services Committee's inquiry into cyber intrusions affecting U.S. Transportation Command contractors contained important findings that the Department takes very seriously. If confirmed, I will work closely with Congress, Departments and Agencies, and the private sector to strengthen the Department's information sharing processes and to protect the Department's ability to execute its mission.

Question. If confirmed, what steps will you take to ensure that the communication gaps that exist between TRANSCOM and the various investigating agencies are closed?

Answer. The Department's ability to execute its mission depends greatly on the integrity of our networks and the networks of our private sector partners. If confirmed, I will work to improve information sharing between the relevant investigative agencies and U.S. Transportation Command.

ACT OF WAR IN CYBER

Question. What do you believe would constitute an act of war in cyberspace?

Answer. Cyber-attacks can affect our critical infrastructure, the national economy, and military operations. I believe that what is termed an act of war should follow the same practice as in other domains, because it is the seriousness, not the means, of an attack that matters most. Whether a particular attack is considered an "act of war," in or out of cyberspace, requires a determination on a case-by-case and fact-specific basis. Malicious cyber activities could result in death, injury or significant destruction, and any such activities would be regarded with the utmost concern and could well be considered "acts of war." An attack does not need to be deemed an "act of war" to require a response.

Question. Does North Korea's attack on the Sony Corporation of America—a costly destructive attack on a United States company—rise to the level of an act of war? If not, why not?

Answer. To my knowledge, the damage caused by this cyber-attack consisted of the deletion of data, the destruction of some Sony network infrastructure, and the unauthorized disclosure of personal information. While serious and deserving of a response, this does not seem to me to rise to the level of an "act of war."

CHINA'S AGGRESSIVE THEFT OF UNITED STATES INTELLECTUAL PROPERTY

Question. A recent report by the National Counterintelligence Executive confirmed the widespread belief that China is engaged in a massive campaign to steal technology, other forms of intellectual property, and business and trade information from the United States through cyberspace. The previous Commander of U.S. Cyber Command has referred to this as the greatest transfer of wealth in history and, along with others, believes this is a serious national security issue.

Do you believe that China's aggressive and massive theft of technology in cyberspace is a threat to national security and economic prosperity?

Answer. Yes. The theft of intellectual property through cyber means is a clear threat to the economic prosperity from which the Nation derives its national security. Our competitive economic advantage and our military technological advantage rest on the innovations of a highly knowledge based U.S. industry. Any nation-state that engages in the theft of our intellectual property through cyber means jeopardizes both our national security and economic prosperity.

Question. The Carl Levin and Howard P. "Buck" McKeon NDAA for fiscal year 2015 authorized the President to impose sanctions, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), on persons determined

to knowingly request, engage in, support, facilitate, or benefit from economic or industrial espionage in cyberspace against U.S. persons.

What are your views on the potential impact of this legislation?

Answer. Addressing cyber threats requires a whole of government approach, which coordinates and integrates all the instruments of national power. Cyber legislation is an important part of this effort. If confirmed, I look forward to working closely with Congress on appropriate legislation to address a broad array of cybersecurity issues.

Question. What additional steps do you believe are needed to deter China from such activities in the future?

Answer. We need to continue to use all the instruments of national power to deter this kind of behavior, including diplomatic, financial, network defense, law enforcement, and counterintelligence. I concur in the administration's approach of raising this as an issue of concern at the highest levels of the Chinese government. I also support the State Department's efforts to work with like-minded countries to make China's leadership increasingly aware that elements of their government and military are on the wrong side of an emerging norm of responsible behavior in cyberspace. If confirmed, I will work closely with the Department's interagency partners to explore what additional whole-of-government approaches might help deter this unacceptable behavior.

DOD'S ROLE IN DEFENDING THE NATION FROM CYBER ATTACK

Question. What is your understanding of the role of DOD in defending the Nation from an attack in cyberspace? In what ways is this role distinct from those of the homeland security and law enforcement communities?

Answer. The Defense Department is responsible for defending the Nation from all attacks, including those that occur in cyberspace. DOD is also responsible for defending its own networks against cyber-attacks. DOD plans, coordinates, and conducts cyber operations to ensure the reliable operation of and to defend DOD systems and infrastructure. If directed, DOD can conduct cyber operations to defend the Nation, defend military networks, and support military operations in all domains. If required, DOD may provide support to the private sector and State and local governments.

The Defense Department also works closely with the Department of Homeland Security (DHS) and the Department of Justice (DoJ) in their missions. DHS is the lead agency for protecting, mitigating, and recovering from domestic cyber incidents. DoJ investigates, attributes, disrupts, and prosecutes cybercrimes that fall outside of military jurisdiction and provides domestic response to national security incidents.

NEXT CHALLENGES IN GROWING OPERATIONAL CYBER CAPABILITIES

Question. DOD, in a significant milestone in the maturation of the cyber warfare mission, is successfully organizing and training personnel for units to conduct military operations in cyberspace.

What challenges does the Department face in developing the command and control, operational planning, mapping and situational awareness, battle damage assessment, tools and weapons, and infrastructure capabilities necessary to conduct large-scale operations in cyberspace?

Answer. I understand that DOD is in its third year of building a Cyber Mission Force. This force is intended to defend DOD networks, defend the Nation from cyberattack, and provide full-spectrum cyberspace options for the combatant commands. I am aware of several challenges that should be addressed to ensure the Department can conduct military operations in cyberspace, among them effective command and control, and meeting the challenge of effectively incorporating National Guard teams.

IRAN

Question. Negotiations on the Iran nuclear program have been extended with a deadline now of March 1, 2015, for agreement in concept with 4 months after that to finalize a comprehensive agreement.

What are the elements of a nuclear agreement with Iran that you consider critical to ensuring that it is a "good" deal for U.S. national security interests?

Answer. In my view, a "good" deal is one that resolves the international community's concerns with Iran's nuclear program and prevents it from acquiring a nuclear weapon. The best way to do that is through a comprehensive solution that, when implemented, will ensure that, as a practical matter, Iran cannot acquire a nuclear weapon and that Iran's nuclear program is exclusively and verifiably peaceful. Any deal must effectively cut off the four pathways Iran could take to obtain enough

fissile material for a nuclear weapon including a uranium pathway, through its activities at Natanz and Fordow; a plutonium pathway, through the Arak heavy water reactor; and a potential covert pathway. It must include tight constraints and strict curbs on Iran's nuclear program. And finally, it must require robust monitoring and transparency measures to maximize the international community's ability to detect quickly any attempt by Iran to break out overtly or covertly. Any sanctions relief in exchange should be phased and tied to verifiable actions on Iran's part. Such relief should be structured to be easily reversed so that sanctions could be quickly reimposed if Iran were to break its commitments.

Question. If Iran is allowed to maintain a monitored and limited uranium enrichment program, do you believe that other states in the region will want to develop enrichment programs of their own and what is your rationale for that view?

Answer. Yet another reason to ensure that Iran does not obtain a nuclear weapon is to prevent proliferation in the region. States seeking to develop enrichment programs of their own in pursuit of nuclear weapons would face significant costs, in crippling sanctions and political and diplomatic isolation. The United States has a longstanding framework for providing alternative mechanisms to ensure that states have access to the benefits of civil nuclear energy without the need to pursue enrichment.

Question. With the international community focused on the Iran nuclear negotiations, in your opinion, has there been a neglect of countering Iranian malign activities in the region to include support for Houthis in Yemen, Hamas in the West Bank, and Hezbollah in Lebanon and Syria? How do you think those threats should be addressed?

Answer. Countering Iranian destabilizing activities must be an important priority. Regardless of the outcome of nuclear negotiations, I firmly believe that the United States must also counter these destabilizing regional activities, including Iran's support to terrorists and militant groups. If confirmed, I would work to ensure the Department is focused on these issues.

Question. If the tide of ISIL is pushed back in Iraq and Syria, what, if, any, friction points do you anticipate between United States and Iranian interests in those two countries to come to the forefront? In your opinion, what is the best way to manage those friction points should they emerge?

Answer. In Syria, I believe that Iran's continued support for Assad and instability will cause continued friction between the United States and Iran. The United States has an interest in a stable, united, and inclusive Iraq with support from all of Iraq's communities. I have concerns about the sectarian nature of Iran's activities in Iraq. The United States must continue to make clear to the Iraqi Government that Iran's approach in Iraq undermines the needed political inclusion for all Iraqi communities, which is required to ultimately defeat ISIL.

Question. On March 2012, President Obama said he would "keep all options on the table to prevent a nuclear Iran."

Do you agree with the President's view that "all options should be on the table" to prevent a nuclear Iran?

Answer. Yes. I strongly support the President's view that all options should be on the table to prevent a nuclear Iran.

NUCLEAR WEAPONS AND STOCKPILE STEWARDSHIP

Question. Congress established the Stockpile Stewardship Program with the aim of creating the computational capabilities and experimental tools needed to allow for the continued certification of the nuclear weapons stockpile as safe, secure, and reliable without the need for nuclear weapons testing. The Secretaries of Defense and Energy are statutorily required to certify annually to the Congress the continued safety, security, and reliability of the nuclear weapons stockpile.

As the stockpile continues to age, what do you view as the greatest challenges with respect to assuring the safety, reliability, and security of the stockpile?

Answer. The greatest challenge will be achieving and maintaining the necessary balance among three critical nuclear areas to allow continued certification that our nuclear weapons remain safe, secure, and effective. First, is the capability to continue to provide the science and engineering needed to assess an aging stockpile without underground testing. Second, is maintaining and strengthening the ability to extend the life of the warheads through a program of component refurbishment, replacement or rebuilding. The final area is sustaining and modernizing the aging infrastructure that provides the materials, components, and testing facilities essential for tomorrow's nuclear enterprise.

Question. Do you agree that the full funding of the President's plan for modernizing the nuclear weapons complex, commonly referred to as the 1251 report, is a critical national security priority?

Answer. I support the President's policy of maintaining a safe, secure, and effective nuclear deterrent as long as nuclear weapons exist, and agree that funding the sustainment and modernization plan is a critical national security priority. As indicated in the report prepared pursuant to section 1251 of the NDAA for fiscal year 2010, this includes sustaining and modernizing nuclear weapon delivery platforms, sustaining a safe, secure, and reliable nuclear weapons stockpile, and modernizing the nuclear weapons complex.

Question. Prior to completing this modernization effort, do you believe it would be prudent to consider reductions below New START Treaty limits for either the deployed or non-deployed stockpile of nuclear weapons?

Answer. The President has stated that we can meet our current objectives with a reduced force structure. Any consideration of further nuclear weapon reductions below New START treaty limits should focus on measures that will maintain or strengthen deterrence of potential adversaries, assurance of our allies and partners, and strategic stability.

Question. What role does the Nuclear Weapons Council play in helping to establish key stockpile stewardship goals and modernization objectives?

Answer. I previously chaired the Nuclear Weapons Council (NWC) which facilitates cooperation and coordination, seeks consensus, and sets priorities between the two departments (DOD and Department of Energy), as they fulfill their dual-agency responsibilities for nuclear weapons stockpile management. The NWC works toward jointly agreed to priorities and strategies for weapon life extension programs, stockpile stewardship, and infrastructure modernization objectives. The NWC priorities and strategies in turn provide requirements for both departments to formulate budgets and develop implementing plans to achieve our Nation's goals of a safe, secure and effective stockpile.

Question. Do you support a more active role of the Office of Cost Analysis and Program Evaluation (CAPE) in ensuring the programs within the Department of Energy and the National Nuclear Security Administration are appropriately tailored for the best investment of funds possible to achieve a safe, effective and reliable nuclear weapons stockpile?

Answer. Yes.

CURRENT NUCLEAR FORCES

Question. Section 1052 of the NDAA for fiscal year 2014 established a "Council on Oversight of the National Leadership Command, Control and Communications System". You have had a long and active history in this area of DOD.

What do you see as the most pressing challenges in nuclear command, control, and communications from a policy and acquisition perspective?

Answer. Nuclear command and control must be an enduring priority of which one challenge is to sustain existing capabilities until new, modernized capabilities can be fielded. Another challenge is providing an assured, survivable, and enduring nuclear command, control and communications (NC3) system that takes advantage of the technological advances of modern communication capabilities while at the same time is secure and hardened against attacks ranging from cyber to the most severe kinetic attacks.

Question. What do you see as the most pressing challenges in overall national leadership communications from a policy and acquisition perspective?

Answer. One challenge is to sustain existing capabilities until new, modernized capabilities can be fielded. Another challenge is providing an assured, survivable and enduring communications capability that allows senior defense advisors to communicate with the President, the combatant commands and strategic allies during normal day-to-day operations and during national crises from a fixed, mobile or airborne location. The ability to provide our national leadership secure, reliable voice, video and data communications is a critical capability.

Question. Will you actively support section 1052 and in an ex officio capacity attend meetings when possible?

Answer. Yes.

Question. In 2014, Secretary Hagel has conducted an assessment of the state of nuclear deterrence operations of DOD.

Do you agree with its findings?

Answer. If confirmed, I intend to receive a full briefing about this important assessment.

Question. Will you actively support the findings and their implementation?

Answer. I look forward to fully reviewing these findings, if confirmed, and taking appropriate steps to ensure the U.S. maintains the capability to carry out the nuclear deterrent mission.

NUCLEAR MODERNIZATION

Question. The President's June 2013 Nuclear Employment Strategy affirmed that the United States will maintain a nuclear triad, noting that "Retaining all three TRIAD legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities."

Some commentators suggest it will be financially challenging for the current and future administrations to fulfill nuclear modernization commitments over the next 10 to 20 years. Yet, as Deputy Secretary of Defense, you noted in August 2013, "nuclear weapons . . . are not a big swinger in our budget. That's just a fact."

Do you share Secretary Hagel's view that our nuclear deterrent "is DOD's highest priority mission?"

Answer. Yes.

Question. Will you provide us your commitment to ensure that DOD, working closely with the Department of Energy, will make every effort to invest what is needed to modernize each leg of the nuclear triad, and to address the recent recommendations of the DOD Nuclear Enterprise Review?

Answer. Yes.

RUSSIAN VIOLATION OF THE 1987 INF TREATY

Question. During testimony before the House Armed Services Committee on December 10, 2014, Principal Deputy Under Secretary of Defense for Policy, Brian McKeon, told the panel that "if Russia does not return to compliance, our end will be to ensure that Russia gains no significant military advantage from its violation."

In your view, what are the consequences for U.S. national security of Russia's actions in violation of its obligations under the INF Treaty?

Answer. I believe that the Intermediate-range Nuclear Forces (INF) Treaty contributes to the national security of the United States and its allies and partners. I also believe the INF Treaty contributes to Russian national security. Russian deployment of weapon systems that violate the INF Treaty would pose an increased threat to the United States and our allies in Europe and Asia.

Question. What military advantage, if any, did Russia gain by acting in violation of its INF obligations?

Answer. We must ensure that Russia does not gain a military advantage. Russia should return to compliance with the INF Treaty in a verifiable manner.

Question. What do you believe would be appropriate responses for the United States to take in order to: (1) convince Russia to return to compliance with the INF Treaty, or (2) ensure that United States national security is maintained if Russia does not return to compliance?

Answer. The United States should consider a comprehensive strategy of diplomatic, economic, and military responses that address both of these goals. Russia's continued disregard for its international obligations and lack of meaningful engagement on this particular issue require the United States to take actions to protect its interests and security as well as those of its allies and partners. United States efforts should continue to remind Russia why the United States and Russia signed this treaty in the first place and be designed to bring Russia back into verified compliance with its obligations. I believe that any United States responses should be designed to make the United States and our allies and partners more secure by negating any advantage Russia might gain from deploying an INF-prohibited system.

The range of options we should look at from the Defense Department could include active defenses to counter intermediate-range ground-launched cruise missiles; counterforce capabilities to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S. or allied forces. U.S. responses must make clear to Russia that if it does not return to compliance our responses will make them less secure than they are today.

Question. How long do you believe we should wait to see if Russia returns to compliance?

Answer. I support the current efforts focusing on convincing Russia to return to verifiable compliance and preserving the viability of the INF Treaty, which I believe continues to serve U.S. and allied interests. Such efforts must be allowed to produce the desired effect. If Russia does not return to verifiable compliance, I support a path that ensures that Russia gains no significant military advantage from its violation of its INF Treaty obligations.

Question. What does Russia's INF violation suggest to you about the role of nuclear weapons in Russian national security strategy?

Answer. Russia's INF Treaty violation is consistent with its strategy of relying on nuclear weapons to offset United States and NATO conventional military superiority.

MEDICAL COUNTERMEASURES INITIATIVE (MCMI)

Question. The administration has produced an interagency strategy for the advanced development and manufacture of medical countermeasures (MCM) to defend against pandemic influenza and biological warfare threats. In this strategy, DOD will be responsible for the rapid development and manufacture of medical countermeasures to protect U.S. Armed Forces and DOD personnel.

Do you support this interagency strategy and the MCM Initiative and, if confirmed, would you plan to implement them?

Answer. Yes.

DEFENSE ACQUISITION REFORM

Question. The Weapon Systems Acquisition Reform Act of 2009 (WSARA) was designed to ensure that new defense acquisition programs start on a sound footing, to avoid the high cost of fixing problems late in the acquisition process.

What are your views regarding WSARA since its implementation in 2009?

Answer. In my view, WSARA enacted a number of steps to improve weapons system acquisition, which has contributed to improving trends in the Department's acquisition performance.

Question. If confirmed, how would you improve all three aspects of the acquisition process requirements, acquisition, and budgeting?

Answer. In my judgment, more should be done to link and streamline these three processes and, if confirmed, I look forward to working closely with those responsible in the department and the committees to drive the necessary improvements. All three must be closely coordinated as the problems and the resulting solutions change over time. This is not a static system and we must all remain open to continuous improvement. In the requirements area we need to insure they are feasible and disciplined and not subject to constant change and that we don't initiate programs that are unaffordable. As we move into the acquisition phase, we need to push to field the initial system within five years and avoid delays by constantly adding capabilities that could be done thru block improvements later. Time is money. We must incentivize industry to control costs and likewise incentivize the government acquisition workforce to do the same. Those responsible for budgeting, particularly the Service Chiefs, need to be engaged in all three processes. And we should strengthen accountability in all phases and at all levels.

Question. If confirmed, how would you improve acquisition accountability?

Answer. As before, more can be done here as well. There are two basic challenges in improving accountability. First is an overly complex acquisition system that distributes authority across too many offices and individuals; and second, assignment policies in the government rotate senior program managers and officials too frequently. If confirmed, I will engage our department leaders in addressing these challenges and also work with the Congress to both obtain your ideas and to push thru the required fixes. We must also insure our industry partners achieve this increased level of accountability.

Question. Do you believe that the current investment budget for major systems is affordable given increasing historic cost growth in major systems, costs of current operations, and asset recapitalization?

Answer. The constrained budget environment facing the Department puts enormous pressure on the Department to continually strive to control costs and reexamine all areas of the budget for affordability. Even before the passage of the Budget Control Act of 2011 I strongly believed that unacceptable cost growth in individual programs had to be reversed. If confirmed, in addition to the improvements I cited in earlier answers, I will insure the Department ensures programs are affordable to buy and operate, and that programs are managed so as to stay affordable as they progress through the life cycle.

Question. If confirmed, how do you plan to address this issue and guard against the potential impact of weapon systems cost growth?

Answer. If confirmed, I would emphasize the need for continuous improvement addressing the challenges identified earlier as well as ensuring all aspects of WSARA and the Department's ongoing work with the Better Buying Power initiatives continue to be implemented as broadly as possible. I would welcome the opportunity

for the Department to work with Congress where new legislative measures, or relief from existing legislative constraints, would improve acquisition performance.

RELIABILITY OF WEAPONS SYSTEMS

Question. The Department's process for procuring major weapons systems places insufficient emphasis on reliability and maintainability and, therefore, produces systems that are increasingly costly to operate and sustain. Given that these ownership costs comprise most of a given weapons systems' overall lifecycle cost, these increased costs could undermine considerably the Department's "buying power."

How would you ensure that the defense acquisition system produces more reliable weapons systems?

Answer. I recognize that a strong emphasis on reliability is critical to achieving affordability. A disciplined approach to life cycle reliability in acquisition policy must continue and we need to use sustainment affordability caps when appropriate. If confirmed, I will ensure that our acquisition programs address reliability and maintainability through appropriate requirements and sound engineering practices at each stage of a weapon system's development.

Question. If confirmed, what measures would you recommend the Department take to drive down sustainment costs?

Answer. It is important to influence system designs that address key drivers of sustainment costs early in the development process, and to have program managers include sound sustainment strategies early in a system's life cycle. The Department has established sustainment affordability caps under the Better Buying Power initiatives to drive that process with its Program Managers.

If confirmed, I will emphasize those elements in our acquisition programs such as requirements, design, contracting strategies, and sustainment strategies which drive down sustainment costs.

EXCESSIVE CONCURRENCY IN MAJOR DEFENSE ACQUISITION PROGRAMS

Question. Major defense acquisition programs (MDAPs) and major automated information systems have experienced excessive cost-growth and schedule delays. In some instances, this appears to be the result of excessive concurrency between development and production. It also appears that the Department lacks the ability to identify, price, and therefore effectively manage program risk, (e.g., technological, developmental, integration, and manufacturing risk)

What specific changes need to be made in the acquisition system to ensure the delivery of MDAPs and major information systems on time and on budget?

Answer. Comprehensive changes in acquisition practice have been made in recent years via WSARA and BBP. But more needs to be done, and the measures needed will change over time as technology, industry, and budgets change. Skilled and experienced acquisition professionals, reduction of paperwork and overhead, and effective contract incentives are enduring keys to cost and schedule control.

Managing concurrency and other program risks is a fundamental challenge of acquisition program management. The department needs to ensure its acquisition professionals have the experience, tools, and good judgment needed to make data-driven decisions appropriate to the risks they face leading these programs in order to properly plan programs.

SERVICES CONTRACTING

Question. Over the last decade, the Department has become progressively more reliant upon contractors to perform functions that were once performed exclusively by government employees. As a result, contractors now play an integral role in areas as diverse as the management and oversight of weapons programs, the development of personnel policies, and the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as DOD employees.

In your view, has DOD become too reliant on contractors to support the basic functions of the Department?

Answer. I believe DOD must manage its total force of military, civilian, and contractor personnel in a way that avoids inappropriate or excessive reliance on contractor support for basic Department functions.

Question. Do you believe that DOD has become too dependent on contractor support for military operations?

Answer. Based on my experience, I do not believe the Department is too reliant on contractor support for military operations.

Question. What risks do you see in the Department's reliance on such contractor support? What steps do you believe the Department should take to mitigate such risk?

Answer. Over-reliance on contractor support may lead to an unbalanced total force that sub-optimizes the civilian and military contribution, a loss of government-held corporate knowledge, and the potential for contractors inappropriately exercising authority in performance of inherently governmental functions or those closely associated with inherently governmental functions.

Active management of the total force is necessary to mitigate these risks. Decisions on how to cost-effectively meet requirements should take into account the management of all three components of the total force.

Question. Do you believe the Department is appropriately organized and staffed to effectively manage contractors on the battlefield?

Answer. The Office of the Secretary of Defense, in concert with the Chairman of the Joint Chiefs of Staff, has issued guidance on roles and responsibilities for planning for and managing contractors on the battlefield. I believe that investments made in the Department's acquisition workforce, as well as the implementation of recommendations made by the Commission on Wartime Contracting and the GAO, have improved the Department's ability effectively to plan for and manage contractors on the battlefield. I believe that the combatant commanders recognize that contractors are their responsibility as part of the total force.

Question. What steps if any do you believe the Department should take to improve its management of contractors on the battlefield?

Answer. I believe appropriate requirements definition and increased oversight are critical to improve management of contractors on the battlefield. The heightened focus on services acquisition reinforces this with proper planning, management, training, and oversight tools.

EFFICIENCY IN DEPARTMENT OPERATIONS

Question. In your view, what latitude must be given to the Joint Chiefs to enact cost-saving reforms?

Answer. The Military Service Chiefs of Staff already have broad latitude to develop, propose and implement cost-saving measures across the spectrum of doctrine, organizational structure, and personnel to and with their Military Department Secretaries, the Combatant Commands, and the Secretary of Defense. I will continue to encourage them to bring forward cost-saving reform ideas even if those ideas challenge the current structures and arrangements of the Department as a whole. As in the past, I value the Chiefs' unswerving focus on the essential missions of the Department, and the perspectives that motivation brings.

Question. Do you support the administration's request for the authority to conduct additional Base Realignment and Closures (BRAC) to eliminate unneeded facilities?

Answer. Yes.

Question. If so, what would be your priorities in carrying out a round of BRAC?

Answer. Should Congress authorize the Department to carry out another BRAC round, I would direct it to focus on efficiency and consolidation rather than transformation. BRAC 2005 was skewed by the fact that a large number of its recommendations were focused on transformation, had high upfront costs, and were never expected to yield savings. However, those recommendations that were focused on efficiency had impressive payback and accounted for a small portion of the costs—much like the 1993 and 1995 rounds. If confirmed, this is the approach I would direct the Department to adopt.

UNIFIED COMMAND PLAN

Question. There has been much discussion about streamlining the current Unified Command Plan.

What are your views on the ability of the current Unified Command structure to address emerging global, regional and ethnic threats and the potential need to reduce the number of the geographic commands or their staffs to help reduce overhead costs?

Answer. In my view, the current Unified Command structure is quite capable of addressing a range of emerging threats and challenges. Effective United States responses to such varied challenges as the Islamic State in Iraq and the Levant, and Ebola, demonstrate the flexibility of the current structure. However, the Department periodically reviews the Unified Command Plan to ensure its structure is optimized for emerging threats and challenges. As such a review is underway now; it would be premature to speculate on the types of changes that will be reflected in its final recommendations on the structure.

Question. What is your opinion of the critique that geographic combatant commands have made U.S. foreign policy "too militarized"?

Answer. I am sensitive to this critique, but understand that some degree of tension is inevitable in the pursuit of U.S. foreign policy objectives. As long as the United States maintains forward presence around the world, we will continue to rely on our military leadership to build meaningful relationships with their counterparts. These relationships are essential to our continued forward presence in peacetime, building partner capacity with key allies and partners, and to our ability to secure access in the event of a contingency, from humanitarian assistance and disaster relief to combat operations. Provided our activities are well coordinated with other stakeholders within the U.S. foreign policy establishment, there is no reason why both military and other foreign service professionals cannot contribute to the same U.S. objectives.

Question. What is your understanding and assessment of the current Unified Command Plan? In your view, is there a need to undertake a major reevaluation toward modification of the current Unified Command Plan? If so, explain why?

Answer. The Unified Command Plan establishes the combatant commands' missions, responsibilities, and geographic areas of responsibility (when applicable). In my view, the established, periodic review cycle of the Unified Command Plan should be maintained.

Question. In your view, are their opportunities for greater effectiveness and efficiencies in the consolidation of the roles and responsibilities two or more current geographic combatant commands, such as U.S. Northern Command and U.S. Southern Command? If not, please explain why.

Answer. The Department reviews the Unified Command Plan periodically to ensure its structure is optimized for emerging threats and challenges, and for effective and efficient distribution of roles and responsibilities among combatant commands. Such a review is underway now; it would be premature to speculate on the types of changes that will be reflected in the final structure.

PROLIFERATION OF JOINT TASK FORCES

Question. There is a trend of continued proliferation of task forces, including joint task forces, in support of geographic combatant and functional commands. Some of these joint headquarters are temporary or for a short duration, but others evolve into enduring long term and larger force structure.

What is your understanding and assessment of DOD's policy guidance for oversight of the number, scope of operational responsibility and authority and duration of joint task forces?

Answer. I understand that the Department's policy guidance for oversight of joint task forces that support combatant commands is established and exercised through the global force management process. Through this process, combatant commanders request authorities and forces to support their operational requirements and the Chairman of the Joint Chiefs of Staff evaluates such requests and makes recommendations to the Secretary of Defense. I have been away from the department for some time and therefore unable to make a specific assessment of the current policy and guidance.

Question. If confirmed, what would be your plan to evaluate and manage task forces?

Answer. If confirmed, I would remain committed to the best use of resources in the pursuit of the department's priorities and objectives and would scrutinize recommendations to standup and/or continue support for enduring joint task forces.

TEST AND EVALUATION (T&E)

Question. If confirmed, will you make it a priority to ensure that the Department as a whole and each of the Services specifically maintains its testing organizations, infrastructure, and budgets at levels adequate to address both our current and future acquisition needs?

Answer. I recognize the critical role that test and evaluation provides to the acquisition process.

Question. A natural tension exists between major program objectives to reduce cost and schedule and the T&E objective to ensure performance meets specifications and requirements.

What is your assessment of the appropriate balance between the desire to reduce acquisition cycle times and the need to perform adequate testing?

Answer. I don't believe these objectives are necessarily incompatible. Adequate testing prior to committing to production is essential to discover performance problems that can take even more time and money to rectify before proceeding.

Question. Under what circumstances, if any, do you believe we should procure weapon systems and equipment that has not been demonstrated through test and evaluation to be operationally effective, suitable, and survivable?

Answer. It may be necessary to field a system prior to operational testing in cases where it is necessary to fill a critical capability gap identified in ongoing operations. Even then, testing should be accomplished to ensure basic operational performance and system safety.

Question. Congress established the position of Director of Operational Test and Evaluation to serve as an independent voice on matters relating to operational testing of weapons systems. As established, the Director has a unique and direct relationship with Congress, consistent with the statutory independence of the office.

Do you support the continued ability of the Director of Operational Test and Evaluation's to speak freely and independently with the Congress?

Answer. Yes.

FUNDING FOR SCIENCE AND TECHNOLOGY (S&T) INVESTMENTS

Question. Do you support increasing DOD's S&T investments?

Answer. I support investment in S&T to develop and deliver near-term capabilities and maintain long-term options for the Department. However, the investment in S&T must be balanced with modernization, operational, and personnel accounts within the Department.

Question. How will you assess whether the science and technology investment portfolio is adequate to meet the current and future needs of the Department?

Answer. If confirmed, I would work closely with the Chairman of the Joint Chiefs, the Secretaries of the Military Departments, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and others to assess the adequacy of the science and technology portfolio to provide the most affordable military advantage to our warfighters.

Question. What specific technological areas should the Defense Department prioritize for investment in order to develop next generation operational capabilities?

Answer. If confirmed, I will review changes to the investment portfolio that have occurred since I left, and I will prioritize efforts to provide substantial capability advances or those that impose disproportionate cost to adversaries.

Question. Given limited resources, what technological areas can be de-emphasized in order to free resources to support priority areas?

Answer. If confirmed, I would work with the Under Secretary of Defense for Acquisition, Technology, and Logistics, to review the entire investment portfolio in R&D and if required adjust the investment, to favor new, unique capabilities that could provide an operational advantage to our forces. Technologies that can be obtained from commercial sources should be de-emphasized for S&T investments by the Department.

Question. Are you satisfied with the quality of the DOD research, laboratory, and engineering workforce and infrastructure, especially relative to its industry and academic peers, and global competitors? How do you plan to maintain that quality in the future?

Answer. The subject of DOD laboratory quality, both for personnel and infrastructure, has been studied over the past several decades. Scientists and engineers play a very important role in our overall national security and accessing and retaining top talent is a priority for the DOD. If confirmed, I will support the Under Secretary of Defense for Acquisition, Technology, and Logistics in his efforts to assess the current quality of our science and engineering workforce, and determine what changes, if any, are needed to maintain the proper quality.

Question. What specific goals will you set for the recently announced Defense Innovation Initiative? What metrics will you use to assess the success of this initiative?

Answer. I understand the Defense Innovation Initiative is pursuing creative ways to sustain and advance our military dominance in the 21st century. If confirmed, I will review this initiative in detail and if necessary work with Deputy Secretary Work to refine goals and metrics.

DEFENSE INDUSTRIAL BASE

Question. The latest QDR addressed the need for strengthening the defense industrial base. Specifically, it said: "America's security and prosperity are increasingly linked with the health of our technology and industrial bases. In order to maintain our strategic advantage well into the future, the Department requires a consistent, realistic, and long-term strategy for shaping the structure and capabilities of the de-

fense technology and industrial bases—a strategy that better accounts for the rapid evolution of commercial technology, as well as the unique requirements of ongoing conflicts."

What is your understanding and assessment of the current state of the U.S. defense industry?

Answer. The Department relies on an industrial base that is now far more global, commercial, and financially-complex than ever before. I am concerned about what impacts further defense budget cuts would have on the ability of the industrial base, particularly small firms, to provide the broad range of products and services that the Department and our Nation need. While only a small fraction of our industrial base capabilities may be at risk, in some key industrial capabilities vital to our future national security the United States is in danger of losing essential domestic sources, or going down to a single qualified source.

Question. Do you support further consolidation of the U.S. defense industry?

Answer. I support the review of each proposed merger, acquisition, and teaming arrangement on its particular merits, in the context of each individual market and the changing dynamics of that market. I believe the government must be alert for consolidations that eliminate competition or cause market distortions that are not in the Department's best interest.

Question. What is your position on foreign investment in the U.S. defense sector?

Answer. Foreign investment can play an important role in maintaining the vitality of the U.S. defense sector through capital injection, the introduction of innovative technologies, and facilitating interoperability with our coalition partners. However, foreign investment can also expose the U.S. defense sector to a number of risks associated with supply assurance, product integrity, and technology transfer. Therefore, I support policies that encourage foreign investment when it is consistent with the national security interests of the United States.

Question. If confirmed, what steps if any do you believe DOD should take to most effectively and efficiently manage risk and ensure the continued health of the U.S. defense industrial base?

Answer. If confirmed, I will ensure that the Department proactively monitors the defense industrial base to identify risks and mitigate those risks when necessary. During my time as the Under Secretary of Defense, Acquisition, Technology, and Logistics and the Deputy Secretary, the Department took steps to improve and preserve competition in defense procurements, and I would support the creation or continuation of competitive opportunities.

RESET AND RECONSTITUTION FUNDING

Question. The Department has a substantial backlog of maintenance availabilities due to the high tempo and demand of more than a decade of combat operations. Senior DOD officials have testified that they will require 2–3 years of additional funding to restore readiness through reset and reconstitution of their equipment and personnel.

Do you agree with the assessment that the DOD will need 2–3 years of additional funding for reset and reconstitution?

Answer. I understand that the cumulative effect of more than a decade of war has placed a significant strain on the Department's reset and reconstitution requirements. The current level and diversity of global operations has added to this strain and must be part of the reset calculus. If confirmed, I would review the reset and reconstitution funding and assumptions.

Question. If confirmed, how will you balance maintenance and reset requirements with fiscal realities and future risk in developing your budget request?

Answer. Maintenance and reset of DOD's current equipment would be a priority for me in order to restore and preserve long-term readiness. . If confirmed, I would work with the Chairman of the Joint Chiefs, the Secretaries of the Military Departments, and others to assess the appropriate balance of resources and risk.

OPERATIONAL ENERGY

Question. The Assistant Secretary of Defense for Operational Energy Plans and Programs published a policy that any alternative drop-in replacement fuel procured for DOD-wide use and distribution within the Class III (Bulk) supply chain must compete with petroleum products and any awards will be based on the ability to meet requirements at the best value to the government, including cost.

What is your view of this policy?

Answer. This policy was issued while I was Deputy Secretary, and I believe it is the right approach, and it is consistent with section 316 of NDAA for fiscal year 2015. As the Department allocates limited resources to ensure warfighting capa-

bility, it should only buy large volumes of alternative fuels when they are cost-competitive with petroleum products.

Question. What is your assessment of section 526 of the Energy Independence and Security Act of 2007 and how it should apply to military operations of DOD?

Answer. My understanding is that section 526 prevents Federal agencies from entering into contracts to procure alternative or synthetic fuels that have higher greenhouse gas emissions than conventional petroleum. This provision has not restricted the Department from purchasing the bulk fuel needed to support worldwide military operations.

Question. Considering the potential of further cuts to Defense budgets and the importance of energy security, do you believe DOD should jointly invest with other government agencies in the construction of a commercial biofuels refinery?

Answer. Over the long-term, I believe the Nation will benefit from a competitive, domestic renewable fuels industry, and, as a major consumer of liquid fuels, the Department would benefit from such competition. I am aware the DOD has partnered with the Departments of Energy and Agriculture and the private sector to accelerate the development of cost-competitive advanced alternative fuels for both the military and commercial transportation sectors but I am not current on how those partnerships are performing.

Question. If confirmed, what priorities would you establish for Defense investments in and deployment of energy technologies?

Answer. Consistent with the need to increase military capabilities, reduce risk, and mitigate costs through our use and management of both operational and facility energy, I would prioritize improvements to both operational effectiveness and efficiency—improving the energy performance of aircraft, ships, ground vehicles, and military bases; reducing the vulnerability of our energy supply chains; and diversifying the kinds of energy used by the Department.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Secretary of Defense?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

U.S. SECURITY COMMITMENT TO TAIWAN

1. Senator MCCAIN. Dr. Carter, the Taiwan Relations Act and the Six Assurances form the cornerstone of United States-Taiwan relations and affirms our commitment to maintain Taiwan's self-defense capability. How do you and the administration plan to continue to implement our policy under this framework?

Dr. CARTER. I am firmly committed to maintaining Taiwan's self-defense capability, consistent with our one-China policy, which is based on the three joint United States-China communiqués and the Taiwan Relations Act. This is a policy that has endured across multiple Administrations of both Republicans and Democrats, and has served as an important element of our approach to the Asia-Pacific region for more than thirty-five years.

Consistent with the provisions of the Taiwan Relations Act, the Department of Defense should continue to evaluate Taiwan's defense needs and provide defense ar-

ticles and services necessary to enable Taiwan to maintain a sufficient self-defense capability. The United States should also maintain the capacity to resist any resort to force or coercion that would jeopardize the security, or the social and economic system, of the people of Taiwan. If confirmed, I will ensure that the Department continues to work closely with our partners on Taiwan, and with Congress, to fulfill these obligations and thereby support the maintenance of peace and stability in the Taiwan Strait.

2. Senator MCCAIN. Dr. Carter, what do you believe should be the priorities for United States military assistance to Taiwan?

Dr. CARTER. I believe the Department should prioritize continuing to assist Taiwan's effort to incorporate asymmetric concepts and capabilities into its defense. The United States should encourage Taiwan to prioritize investments in infrastructure and weapon systems that are survivable, and able to capitalize on Taiwan's natural advantages. Furthermore, I believe the Department should continue to focus on defense cooperation in support of Taiwan's transformation to a volunteer force, assisting it improve doctrine, training, and readiness. The Department of Defense should work with Taiwan to support its defense transformation and identify procurement priorities that enable it to deter aggression, resist coercion and maintain stability across the Taiwan Strait.

CHINESE MILITARY COERCION

3. Senator MCCAIN. Dr. Carter, over the last several years, China has engaged in coercive diplomacy to achieve its political and territorial aims in the East and South China Seas. The administration has responded with efforts to build partner capacity and strengthen regional institutions, but this will take years if not decades to bear fruit. Beyond private diplomacy with the Chinese, which appears to be insufficient, what steps do you believe we should take to deter Chinese assertiveness in the short- and medium-term?

Dr. CARTER. The United States has a strong interest in maintaining peace and stability, the free flow of commerce, and the freedom of navigation and overflight in the East and South China Seas. In addition to diplomacy to resolve territorial disputes peacefully and in accordance with international law, the United States should deter assertiveness in the region with a robust force posture, sustained presence, and commitment to building the capacity of its partners and allies. The United States also should encourage China to be more transparent about how it will use its growing military capabilities. The United States should also continue to modernize and strengthen its security alliances with Australia, Japan, the Republic of Korea, Philippines, and Thailand. The United States should also deepen relationships with and among its partners in South and Southeast Asia to build capacity and reduce vulnerabilities. If confirmed, I will continue to prioritize our investments in posture, presence, and partnership capacity in the Asia-Pacific region to deter aggression and underwrite peace and stability.

4. Senator MCCAIN. Dr. Carter, do you share the view that China's actions have violated United States national interests in the Freedom of Navigation, the free flow of commerce and the peaceful settlement of disputes in accordance with international law?

Dr. CARTER. The United States has a longstanding national interest in preserving the freedom of navigation, and in the peaceful settlement of disputes in accordance with international law. I am concerned that recent Chinese actions, including its unilateral and uncoordinated announcement of an Air Defense Identification Zone (ADIZ) that overlapped the previous existing ADIZ in the East China Sea, its unilateral promulgation of fishing regulations covering much of the South China Sea, its pursuit of land reclamation activities in the South China Sea, and its use of economic pressure on other claimants, has raised regional tensions and complicated efforts to peacefully manage and resolve territorial disputes. The United States should remain committed to the preservation of the freedom of navigation, and all the other rights provided under international law. If confirmed, I would carry forward that commitment, and I would work to ensure that disputes are addressed in a manner that both reflects that commitment and that serves the goal of resolving disputes peacefully. This approach would apply to my dealings with China and with all other countries.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

NATIONAL SECURITY RESOURCE MISMATCH

5. Senator INHOFE. Dr. Carter, what is your assessment of our force structure and readiness given the current and expanding global security environment?

Dr. CARTER. The Joint Force has been engaged in uninterrupted warfare for over 13 years, while the changing security environment has generated greater demand for forces across the globe. The 2014 Quadrennial Defense Review assessed that the future security environment will continue to be volatile and dynamic. The high tempo of operations, coupled with constrained resources and disruptive budget actions that led to reduced readiness and force structure pressures in recent years, has challenged the Services in their efforts to reconstitute full-spectrum readiness. If sequestration returns in FY 2016 and beyond, the Department's readiness could deteriorate even further.

6. Senator INHOFE. Dr. Carter, if confirmed, how do you plan to shape our military to ensure we can deter and/or defeat today's and tomorrow's threats?

Dr. CARTER. The Department must rebalance the Joint Force to ensure it remains modern, capable, and ready for today's requirements and an uncertain future. The 2014 QDR outlined specific steps for the Department to take to adapt, reshape, and rebalance our military in order to sharpen our ability to address threats across the spectrum, from ongoing terrorism challenges to potential nation-state adversaries with a full range of technologically advanced capabilities. If confirmed, I will actively guide the Department's efforts to achieve the right balance of capability, capacity, and readiness in the Joint Force to address today's threats while setting the foundation to meet future challenges.

MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION REPORT

7. Senator INHOFE. Dr. Carter, what are your thoughts on maintaining an All-Volunteer Force and how these recommendations could impact retention and recruiting?

Dr. CARTER. The All-Volunteer force has successfully supported our national security requirements particularly during the last 13 plus years of combat. I am aware the White House and the Department's senior civilian and military leadership are examining each of the Commission's specific proposals in detail. If confirmed, I will review the Commission's recommendations and the Department's analysis and provide my views to the President as required in the legislation. I will ensure that the Department's review focuses on the potential impact the Commission's recommendations could have on the long-term viability of the All-Volunteer Force, of which recruiting and retention are essential elements. I look forward to working with the Committee on these issues.

8. Senator INHOFE. Dr. Carter, if confirmed, how would you ensure we will not break faith with the men and women who serve in uniform and their families?

Dr. CARTER. The men and women of our uniformed force and their families deserve our respect and committment. If confirmed, I will ensure the Department's detailed review and my input to the President on the specific proposals of the Commission provides for their needs. I am mindful of our obligations to both the current force as well as the future force and I am committed to ensuring that any change to the retirement system will retain the option to "grandfather" currently serving members.

9. Senator INHOFE. Dr. Carter, if confirmed, what direction will you give your team regarding the Office of the Secretary of Defense's (OSD) assessment due in April?

Dr. CARTER. If confirmed, I will direct the Department to carefully review and evaluate the Commission's recommendations to ensure they sustain the All-Volunteer Force, provide the benefits to our servicemembers that are required, and achieve fiscal sustainability. I look forward to working with the Committee in this regard.

ISLAMIC STATE STRATEGY

10. Senator INHOFE. Dr. Carter, if confirmed, would you recommend placing boots-on-the-ground to Congress and the administration to deal with the Islamic State of Iraq and Syria (ISIS)/Islamic State of Iraq and the Levant (ISIL) threat, if required?

Dr. CARTER. If confirmed, I would, in close consultation with our senior military leaders, provide the President with my best strategic advice as to how to most effec-

tively counter the ISIL threat. In formulating my advice, I will not hesitate to consider all options.

GUANTANAMO BAY NAVAL BASE

11. Senator INHOFE. Dr. Carter, if confirmed, how much risk would you accept to American lives when considering releasing detainees from Guantanamo Bay Naval Base (GTMO)?

Dr. CARTER. Congress has set a clear standard for the Secretary of Defense, and I will follow it faithfully if confirmed. I will not, and cannot, approve a transfer unless I determine that actions have been, or will be taken, to substantially mitigate the risk of the detainee engaging in terrorist or other hostile activity that threatens the United States. The law also requires that the Secretary of Defense determines it is in the national security interest to approve the transfer. If confirmed, I will take this obligation seriously and closely examine every proposed transfer to ensure that these conditions are met.

12. Senator INHOFE. Dr. Carter, what is your position with regard to the President's policy of trying detainees in civilian courts versus military commissions?

Dr. CARTER. I understand the Administration's policy to be that the determination of whether to try detainees in civilian courts versus military commissions is made on a case-by-case basis. If confirmed, I will support this policy and make my recommendation based on the circumstances of a particular case, in consultation with my senior military, legal, and other advisors.

MILITARY LENDING ACT

13. Senator INHOFE. Dr. Carter, the Department of Defense (DOD) has proposed draft regulations, under the Military Lending Act (MLA), to require lenders to verify against DOD's own database the military status of customers. Currently, such verification is voluntary by lenders, used to verify a customer's claim to military status. Under the proposed regulation, lenders would be required to verify military status whether claimed by the customer or not. What plans are in place to ensure that DOD's database will be able to handle the great increase in inquiries so that it is available at all times and that it is accurate so that credit-worthy customers—both military and non-military—will not be held up from getting timely access to loans for which they qualify?

Dr. CARTER. I am not fully informed on this issue at this time, and am reluctant to express an opinion on this matter until I have more information. If confirmed, I will ensure those responsible for this area provide me with the required information so I can provide you the thoughtful response you deserve.

14. Senator INHOFE. Dr. Carter, when Congress passed the MLA in October 2006, it was targeting certain loans, such as payday loans, tax refund anticipation loans, military installment loans, and car title loans, based on DOD's August 2006 study, "Report on Predatory Lending Practices Directed at Members of the Armed Forces and Their Dependents." DOD adopted implementing regulations that covered the loans identified in its report. In its current proposal, DOD cites evidence and data that payday loans and title loans are being designed to circumvent the regulations and are harming our military personnel and their families. In such circumstances, it makes sense to adjust the regulations. What is the evidence of harm or circumvention behind the elements of the proposal that would reach beyond those predatory loans to mainstream products, such as credit cards, student loans, car refinance loans, and other such loans offered by banks and credit unions that are not affected by current MLA regulations?

Dr. CARTER. I am not familiar with the details of this issue at this time, and am reluctant to express an opinion on this matter until I have more information. I am committed to ensuring the Department is vigilant in guarding its servicemembers against unfair and predatory lending practices that could harm them or their families. If confirmed, I will ensure those responsible for this area provide me with the required information so I can address any issues. The Department clearly has an interest in helping to protect servicemembers from fraudulent lending practices.

15. Senator INHOFE. Dr. Carter, DOD, in its proposed new regulations to the MLA, indicates that it wants credit cards to continue to be available to military personnel and their spouses. To what extent has DOD conducted an analysis as to whether the terms of its proposed new Military Annual Percentage Rate—which is different from the Annual Percentage Rate calculations for non-military families—will restrict the access to credit cards by military personnel and their spouses?

Dr. CARTER. I am not familiar with the specific details of the proposed regulation at this time. I am committed to ensuring the Department is vigilant in guarding its servicemembers against unfair and predatory lending practices that could harm them or their families. If confirmed, I will ensure that the Department has an appropriate analysis of the impacts of any such regulations.

TAIWAN

16. Senator INHOFE. Dr. Carter, Taiwan is currently planning to develop its Indigenous Defense Submarines (IDS) program. What is your opinion and position on Taiwan's IDS program?

Dr. CARTER. I understand that Taiwan's Indigenous Defense Submarine (IDS) program is a recent concept put forward by Taiwan's Navy to design and build a submarine domestically. Taiwan has publicly requested international support for its program, but to my knowledge, it is still in the process of developing a basic design and determining what the submarine's missions or desired capabilities would be. If confirmed, I will direct DOD to continue to consult closely with Taiwan on this matter, and will assess the program as it progresses.

17. Senator INHOFE. Dr. Carter, what can the administration do to assist Taiwan in improving its undersea self-defense warfare capability?

Dr. CARTER. Consistent with the Taiwan Relations Act, the administration can assist Taiwan by evaluating the projected threat from China, consulting closely with Congress, and providing recommendations on defense articles and services appropriate for Taiwan, particularly in the undersea domain.

I am aware that the Department has identified a number of areas where Taiwan could invest in asymmetric, innovative capabilities to improve its ability to operate in the undersea domain. For example, the Department has recently delivered P–3C long-range patrol aircraft to Taiwan. The Department has also provided support to Taiwan's capabilities for using sea mines, which are particularly cost effective defensive weapons.

If confirmed, I will ensure that DOD continues to work with Taiwan as develops its requirements to determine what support the Department could provide.

18. Senator INHOFE. Dr. Carter, the Taiwan Relations Act of 1979 indicates that to provide Taiwan with arms of a defensive character is the policy of the United States. How do you and DOD under your leadership plan to continue to implement the U.S. policy under the Act?

Dr. CARTER. I am firmly committed to maintaining Taiwan's self-defense capability, consistent with our one-China policy, which is based on the three joint United States-China communiqués and the Taiwan Relations Act. I believe the Department should continually evaluate, assess, and review Taiwan's defense needs, while also providing defense articles and services necessary to enable Taiwan to deter threats. The United States should also maintain the capacity to resist any resort to force or coercion that would jeopardize the security, or the social and economic system, of the people of Taiwan. If confirmed, I will ensure that the Department will continue to work closely with our partners on Taiwan to bolster their military preparedness, sustain the credibility of Taiwan's deterrent, and support military modernization efforts.

19. Senator INHOFE. Dr. Carter, how do you define the priorities for United States military assistance to Taiwan?

Dr. CARTER. I define priorities for United States military assistance to Taiwan based on an evaluation and assessment of its requirements to maintain a credible defense and deterrent. Taiwan faces a much larger adversary who is spending 14 times more on defense. Because of the growing military threat, the Department's should encourage and continue to assist Taiwan in its effort to incorporate asymmetric concepts and capabilities into its defense. As Taiwan transitions to a volunteer force, the Department should also help Taiwan improve its doctrine, training, reserves, and readiness.

QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

HUMANITARIAN OPERATIONS IN KURDISTAN REGION OF IRAQ

20. Senator WICKER. Dr. Carter, what more can DOD do to support humanitarian operations and assistance in the Kurdistan region?

Dr. CARTER. DOD should support humanitarian operations when the Department has a unique capability to contribute to the U.S. Government's response. If confirmed, I will assess humanitarian operations and assistance in the Kurdistan region, and will ensure that the Department is poised to consider options to support the Administration's whole-of-government effort to provide humanitarian assistance to the Kurdistan region.

21. Senator WICKER. Dr. Carter, if confirmed, will you return to this committee with additional options on how DOD can assist the nearly 1.6 million refugees and internally displaced persons (IDP) currently located in the Kurdistan region?
Dr. CARTER. Yes.

MILITARY BENEFITS

22. Senator WICKER. Dr. Carter, defense commissaries are an integral part of life for deployed troops. Recently, the Defense Commissary Agency (DECA) initiated an acquisition strategy to transition delivery of produce to the Asia-Pacific region that eliminates the current second destination transportation policy and moves to an Free on Board (FOB)-destination model. According to detailed market study, this transition threatens the availability, quality, and price of the food available at overseas commissaries. Last year, your predecessor testified to this committee that there would be no cuts to overseas commissary benefits, yet DECA has acknowledged that this move will increase costs to patrons. Is it your position that commissary costs should rise for deployed troops in the Asia-Pacific region?
Dr. CARTER. I understand that the Department is looking at how to make the defense commissary system more efficient and effective. If confirmed, I will look for ways to achieve these goals for the commissaries while remaining mindful of the impact on their customers who are our service personnel active and retired and their families both at home and deployed.

23. Senator WICKER. Dr. Carter, should this policy transition be delayed while a study mandated in the Fiscal Year 2015 National Defense Authorization Act (NDAA) studies the cost impacts to our troops of this proposal?
Dr. CARTER. If confirmed, I will review the current status and determine if such a delay would be warranted.

TAIWAN

24. Senator WICKER. Dr. Carter, United States policy towards Taiwan is governed by the Taiwan Relations Act. This important legislation forms the legal basis for United States military sales to Taiwan, which should be determined based on Taiwan's defensive needs. In light of the People's Republic of China's naval modernization and growing cross strait military imbalance, is it critical that we continue to implement this longstanding commitment?
Dr. CARTER. Yes.

25. Senator WICKER. Dr. Carter, what will be your priorities in terms of military assistance to Taiwan?
Dr. CARTER. The Department should continue to focus on defense cooperation in support of Taiwan's transformation to a volunteer force, assisting it improve doctrine, training, and readiness. Further, the Department should also work with Taiwan to support its defense transformation and identify procurement priorities that enable it to deter aggression, resist coercion and maintain stability across the Taiwan Strait.

26. Senator WICKER. Dr. Carter, Taiwan currently operates four diesel submarines, two of which were acquired from the U.S. Navy former Guppy II-class vessels delivered in 1973. Taiwan has expressed strong interest in acquiring modern defensive diesel submarines, and in an effort to boost their asymmetric undersea capabilities, they recently announced plans to kick off the IDS program. Do you believe it is in our interest for Taiwan to acquire new submarines? If so, what can we do to assist Taiwan?
Dr. CARTER. I understand that Taiwan's Indigenous Defense Submarine (IDS) program is a recent concept put forward by Taiwan's Navy to design and build a submarine domestically. I also understand that Taiwan is still in the process of developing a basic design and determining what the submarine's missions or desired capabilities would be. If confirmed, I will direct DOD to consult closely with Taiwan on its efforts to boost its asymmetric undersea capabilities, and assess what support would be appropriate.

NORTH ATLANTIC TREATY ORGANIZATION

27. Senator WICKER. Dr. Carter, the United States has faced tremendous difficulty in the past rallying consensus and participation by our North Atlantic Treaty Organization (NATO) allies in Afghanistan. Collective action is inherently complex. Consensus-building often results in delayed military action. How difficult will it be to achieve consensus at NATO on next steps against ISIL?

Dr. CARTER. I believe the United States and NATO have a shared interest in defeating ISIL. I understand that NATO leaders affirmed at the September 2014 NATO Summit that NATO would cooperate in several areas through the NATO–Iraq partnership, and explore NATO roles to coordinate humanitarian assistance and to share information and intelligence. If confirmed, I will seek to build on this cooperation, assess obstacles to achieving greater consensus, and work closely with our NATO Allies to address the common threat of ISIL.

28. Senator WICKER. Dr. Carter, each member of NATO has its own unique geopolitical, economic, and energy interests. As such, what is your assessment of where Russia's invasion of Ukraine stands as a test-case for NATO's effectiveness and relevancy in a post-9/11 world?

Dr. CARTER. Although NATO does not have a formal treaty obligation to Ukraine, NATO's response to Russia's aggressive actions have shown the shared commitment of NATO to promote its shared values and to enlarge the zone of peace, security, and stability in Europe. If confirmed, I will work with NATO to reassure our Allies and respond to the challenge from Russia.

29. Senator WICKER. Dr. Carter, what approach would you suggest for the so-called "grey" states that are not in NATO but are intent on resisting Russian hegemonic advances such as Ukraine and Moldova?

Dr. CARTER. I reject the notion that Russia should be afforded a "sphere of influence." If confirmed, I will continue to encourage United States partners, such as Moldova, Georgia, and Ukraine, to build their security capacity and military interoperability with NATO.

30. Senator WICKER. Dr. Carter, according to NATO guidelines, member countries should spend at least 2 percent of their Gross Domestic Product (GDP) on defense. Only four countries spent that much in 2013: Estonia, Greece, the United States, and the United Kingdom. Are there any carrots and sticks we can use to encourage all members of the alliance to make the necessary investments toward their national security?

Dr. CARTER. At the September Wales Summit, the Allies pledged to increase defense investment. If confirmed, I will work personally to encourage all Allies to meet that pledge. I would underscore the shared threats NATO members face, and the critical need to continue to invest in defense capabilities to strengthen the Alliance. I would urge Allies with larger economies to invest in military capabilities that that can be used to impose costs on any opponent with minimal cost and risk to Alliance forces. For Allies with smaller economies, I would encourage them to invest in capabilities that are needed by the Alliance, and in which they may have a comparative advantage.

COMBATANT COMMANDER REQUIREMENTS FOR INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE

31. Senator WICKER. Dr. Carter, our combatant commanders are demanding increasing amounts of Intelligence, Surveillance, and Reconnaissance (ISR), and emphasizing persistence surveillance. That persistence comes at significant cost, and in certain regions of the world many ISR needs are going unmet. Further, most of the U.S. manned and unmanned aerial assets have durations of 8 to 24 hours, making long range/long endurance capability extremely difficult if not impossible in many theaters of operation.

I am aware that in June 2014, United States Africa Command (AFRICOM) issued a Joint Emerging Operational Needs Statement for long endurance ISR (AF–0005) ISR. It is my understanding a Joint Requirements Oversight Council (JROC) Memorandum of December 22, 2014, acknowledged the capability gaps outlined in the Joint Emergent Operational Needs (JEON) as valid and tasked the Battlespace Awareness group to consider solutions and report back by April 30, 2015.

Recent press reports reveal that the Air Force is managing a program known as Orion unmanned aerial system (UAS), which has proven significant endurance capability far beyond currently available air assets. Orion was selected in 2009 as a Joint Capability Technology Demonstration (JCTD), a process in which several of

the combatant commands voted for Orion. This result was reflected in the President's Budget under the MAGIC (Medium Altitude Global ISR and Communication) program within Air Force Research, Development, Test, and Evaluation (RDT&E).

If confirmed, will you direct DOD to brief the appropriate Congressional committees on DOD's plans to continue Orion platform development and speed operational test and evaluation of such a platform in order to meet urgent, and rapidly growing, combatant command requirements for additional long range/long endurance ISR capability?

Dr. CARTER. The Department has invested significant resources over the past decade to meet critical intelligence, surveillance and reconnaissance needs through Quick Reaction Capabilities, Joint Urgent Operational Needs and flexible, responsive, programs of record. If confirmed, I will ensure the appropriate congressional committees are briefed on combatant command requirements, and the broad spectrum of both airborne and space-based ISR assets, including ORION, to provide long-range/long-endurance ISR capability.

SYRIA

32. Senator WICKER. Dr. Carter, it is my understanding that the Free Syrian Army utilizes a secure mobile wireless network known as the Free Syria Network for communications purposes. I also understand that DOD and agencies within the Intelligence Community may have utilized this system to successfully communicate with the leadership of the Free Syrian Army. If confirmed, will you direct the appropriate entity within DOD to brief the appropriate Congressional committees on the efficacy of the Free Syria Network and, if appropriate, DOD's plans to protect, and potentially expand and enhance, this critical communications tool for the Free Syrian Army?

Dr. CARTER. If confirmed, I will support briefings to appropriate congressional committees on the details of the Department of Defense's train-and-equip program in Syria to include those aspects outlined in your question.

SEAPOWER

33. Senator WICKER. Dr. Carter, I have the honor of serving as Chairman of the Seapower Subcommittee of the Senate Armed Services Committee this Congress. Should you be confirmed, I look forward to working with you on Navy and Marine Corps priorities during the months to come.

In fiscal year 2013, the Navy implemented numerous cuts in response to sequestration. This included cancellation of five ship deployments and the delayed deployment of a carrier strike group to the Middle East. Since 2013, we've witnessed the rise of ISIL, the deteriorating situation in Yemen, Russia's aggression in Eastern Europe, and a belligerent North Korea. The world is more dangerous today than it was in 2013.

What is your view on how sequestration would threaten the Navy and Marine Corps' ability to decisively project power abroad?

Dr. CARTER. The Seapower Subcommittee has a long and productive history in providing for a strong Navy and Marine Corps. If confirmed, I look forward to working with you as Chairman of the Subcommittee and the other members of the Subcommittee in furtherance of this goal. A return to sequestration could have a serious effect on the Navy's and Marine Corps' ability to project power. Both Services could become smaller, less ready, and less modern. The shipbuilding industrial base, a critical component of sea power, could suffer, and deployments would be borne by a smaller Marine Corps, which could be stretched thin.

34. Senator WICKER. Dr. Carter, what is your assessment of the impact sequestration would have on our amphibious forces and our Navy and Marine Corps' ability to execute DOD's pivot to Asia-Pacific?

Dr. CARTER. A return to sequestration could negatively affect the Navy and Marine Corps' ability to support DOD's rebalance to the Asia-Pacific region. Both services could necessarily be smaller, less ready, and less modern, resulting in fewer forces available to support operations in this vital region. These forces are a key component of our forward regional presence in support of our allies and partners.

35. Senator WICKER. Dr. Carter, certain sectors of the defense industry—such as shipbuilding—are extremely capital intensive. Our fiscally constrained environment threatens to close production lines that would take years to restart. Given your prior experience as Under Secretary of Defense for Acquisition, Technology and Logistics, what is your vision on how best to maintain the vitality of the industrial base given our current budget environment?

Dr. CARTER. A healthy industrial base is critically important to the Department's long-term success. The keys to maintaining the world's finest fighting force are high-quality people who have constant and realistic training and are equipped with cutting-edge technology. The Department must be prepared to act if key parts of the industrial base are threatened. If confirmed, I will ensure that the Department actively monitors the industrial base to identify risks and to preserve critical capabilities.

WALTER REED DISPOSITION

36. Senator WICKER. Dr. Carter, the NDAA for fiscal year 2015 identified 13.2 acres, including the American Institute of Pathology building, of the former Walter Reed Army hospital site that would be ideal for medical research purposes. The Senate Armed Services Committee and I continue to believe that it is in the best interest of the taxpayer to convey this building to a research institution, especially when one considers the millions of dollars spent in recent years to update and renovate the facility, as well as the future economic impact of medical innovation.

Unfortunately, I learned this week that—despite a letter I received from the Secretary of the Army stating the Army's intent to expeditiously transfer the land to a children's research facility—the parcel of land at Walter Reed may be transferred to the State Department. It would be an incredible waste of taxpayer dollars to allow the State Department to spend tens of millions of dollars to tear down a world class research building, which is ready for a new tenant immediately, in order to build an undefined, unplanned foreign embassy at some undetermined date in the future.

What are your views as to how the land should be dispersed?

Dr. CARTER. I do not have sufficient information to answer this question at this time. It is my understanding that the Department has been working this matter with the State Department, public health advocates including Children's Hospital, and the District of Columbia. If confirmed, I will ensure that effort is concluded without unreasonable delay, consistent with the requirements of the legislation.

37. Senator WICKER. Dr. Carter, if confirmed, will you direct DOD to provide the Senate Armed Services Committee and other appropriate Congressional committees with an explanation as to the holdup of the Walter Reed land transfer to a medical research entity?

Dr. CARTER. If confirmed, I will ensure the appropriate congressional committees are provided with the Department's plans and the timing for the disposition of Walter Reed, including any transfer to a medical research entity.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

MILITARY HOUSING AT CAMP HUMPHREYS, KOREA

38. Senator AYOTTE. Dr. Carter, United States Forces in Korea are engaged in a massive realignment that will result in the consolidation of U.S. Forces onto fewer, larger installations. One such installation is United States Army Garrison Camp Humphreys. I am concerned about reports of the potential housing shortage at Camp Humphreys that could result in both long bus rides for children attending new schools on post, and a failure to meet the Commanding General's goal for 40 percent of accompanied families to live on-post.

I have received information that suggests despite the fact that some current housing facilities are slated for demolition, there is no final agreement for on-post family housing because DOD has not approved a special on-post Overseas Housing Allowance District despite the inclusion of this districting in the solicitation for bids.

I understand that in your last tour in the Pentagon you were involved in the family housing situation at Camp Humphreys. If my information is correct, do you know why the on-post housing contract is still delayed?

Dr. CARTER. I am very aware of the importance of Camp Humphreys to our posture on the Korean Peninsula. At this time, I am not familiar with the current status of the on-post housing contract at Camp Humphreys, including why it may have been delayed. If confirmed, I will review this matter and take appropriate action and ensure you get a prompt answer to your question.

39. Senator AYOTTE. Dr. Carter, will you provide your assurance that soldiers and their families will have the on-post housing they deserve as the military relocates to Camp Humphreys?

Dr. CARTER. If confirmed, I will work to ensure the on-post housing at Camp Humphreys meets operational requirements and provides quality residences for as many of our soldiers and their families as possible.

40. Senator AYOTTE. Dr. Carter, do you know whether a contract has been awarded for the construction of on-post housing at Camp Humphreys? If so, has construction begun? If not, why not?

Dr. CARTER. I am not privy to the construction schedules at this time. If confirmed, I will review the Department's plan for meeting Camp Humphrey's on-base housing requirements and ensure you receive full and timely answers to your questions.

DEPARTMENT OF DEFENSE BUDGET

41. Senator AYOTTE. Dr. Carter, if the President's Budget Request for DOD is funded at the $499 billion level mandated by the congressional budget caps instead of the $585 billion requested, what will be the breakdown of cuts to each Service by program, project, and activity (PPA)?

Dr. CARTER. Should Congress appropriate the Department's full FY 2016 request while failing to amend the Budget Control Act (BCA), my understanding is that the mechanical sequestration process would then cut any funding provided above the BCA caps in a mindless across-the-board fashion. I further understand that the Department is preparing a report to the Congress on those potential impacts. The only discretion in that event would be how the President exercised his authority to exempt the military personnel accounts from those across-the-board cuts.

Should the Congress chose to appropriate only the amount allowed by the BCA for FY2016, the Congress would make its own decisions on how to reduce the Department's budget. My hope is that we would not face this alternative but, if we do, that those actions would be taken in consultation with the Department.

AFGHANISTAN

42. Senator AYOTTE. Dr. Carter, in the advance policy questions, you were asked if you would consider recommending to the President revisions to the size and pace of the drawdown in Afghanistan if the security conditions on the ground deteriorate in 2016. You answered yes. What specific conditions on the ground in Afghanistan would cause you to recommend to the President a change to the size and pace of the drawdown?

Dr. CARTER. Should security conditions in Afghanistan degrade such that the efficacy of the United States strategy is in doubt, or result in a significant increase in risk to our people there, I would consult with my senior military and civilian advisors and provide my best strategic advice to the President about the need for any changes to the size or pace of the drawdown.

READINESS DEFICITS

43. Senator AYOTTE. Dr. Carter, in your responses to the advance policy questions, you write that there "are still critical readiness deficits in many areas." Based on your prior service in DOD and your preparation for this hearing, can you provide more details on those readiness deficits?

Dr. CARTER. It is my understanding that the Services are working to rebuild core skill sets and reorient their manning, training and equipping processes in order to broaden their readiness profile after years of operational commitments in Iraq and Afghanistan and elsewhere. Their progress to date does not undo the loss of full-spectrum readiness across the Department. These institutional readiness deficits took years to create, were exacerbated by the sequester level funding and, as such, will take years to remedy. Their progress to date has not reversed the loss of full-spectrum readiness across the department affecting all services and all force elements.

OHIO REPLACEMENT PROGRAM

44. Senator AYOTTE. Dr. Carter, the Chief of Naval Operations has testified that maintaining a safe, secure, and effective nuclear deterrent is his number one priority. The Navy will be challenged to recapitalize our ballistic missile submarines, known as the *Ohio* Replacement Program, within historic levels of shipbuilding funding. What is your position on the importance of the *Ohio* Replacement Program and how DOD should fund it?

Dr. CARTER. The *Ohio* Replacement Program is a vital component of our nuclear deterrence strategy. The *Ohio* Replacement Program will present challenges to the

Navy's shipbuilding plan, particularly in the years after 2020. The Department needs adequate resources for modernization in order to insure we can make the transition to the new generation ballistic missile submarine. Which account it is funded in is of lesser importance. It makes the most sense to include the *Ohio* replacement in the shipbuilding account but this is a decision that can be made in the future. If confirmed, I will work within the Department and with the Congress to explore options to address this challenge.

SEXUAL ASSAULT

45. Senator AYOTTE. Dr. Carter, over the last 3 years, numerous provisions have been enacted to reform the military justice system and to improve the armed services' ability to combat sexual assault. If confirmed, will you commit to ensuring the timely, full, and robust implementation of all sexual assault provisions in previous years' NDAAs?

Dr. CARTER. Yes. If confirmed, I plan to continue the Department's efforts to effectively implement each provision. I recognize that it is critical to work closely with Congress, so that legislative efforts and the Department's initiatives are consistent and complement each other.

AUDITING THE PENTAGON

46. Senator AYOTTE. Dr. Carter, ensuring DOD achieves full auditability has been a major priority of mine since coming to the Senate. Every dollar wasted is a dollar we don't have to provide our troops with the training and equipment they need to protect themselves and accomplish their missions. However, the Pentagon's audit timeline and structure continue to evolve and experience delays. If you are confirmed, do you commit that you will make achieving audit milestones and objectives a major priority?

Dr. CARTER. If confirmed, I will make this a high priority and hold our senior leaders, civilian and military, accountable for making progress towards a clean opinion. DOD must demonstrate that internal controls are in place to prevent waste and provide a level of confidence to the taxpayers that we are good stewards of their funds. I understand that the Department is following the audit strategy it has outlined to the Congress. If confirmed, I intend to keep Congress apprised of the Department's progress.

47. Senator AYOTTE. Dr. Carter, do you commit to achieve current timelines for auditability?

Dr. CARTER. Yes. I am committed to the current timelines for getting the Department under audit. Keeping this initiative on track is an important priority. If confirmed, I will stress to the Department's senior military and civilian leaders, to including the Secretaries of Military Departments and defense agency heads, the importance of meeting our obligations on auditability.

QUESTIONS SUBMITTED BY SENATOR TOM COTTON

RUSSIA INTERMEDIATE-RANGE NUCLEAR FORCES TREATY

48. Senator COTTON. Dr. Carter, as you are no doubt aware, last year the United States State Department in its annual Arms Control Compliance Report stated that Russia had violated the terms of Intermediate-Range Nuclear Forces (INF) Treaty. As a member of the Senate Select Committee on Intelligence, I've reviewed the evidence and Russia is clearly in violation.

Earlier this year, before the House Armed Services Committee, the Principal Deputy Under Secretary of Defense for Policy, Brian McKeon, stated that DOD was considering responding to the violation by developing and deploying increased defensive capabilities to counter the non-compliant missile, counter-force capabilities to prevent cruise missile attacks; and counter-vailing strike capabilities. Do you agree with Secretary McKeon? Isn't this the minimum we should be doing?

Dr. CARTER. The United States goal should be to convince Russia to return to compliance with the INF Treaty in a verifiable manner. If Russia refuses to return to compliance, the United States should prevent Russia from achieving a military advantage from its violation. Potential military responses are a critical component of a strategy directed towards convincing Russia to return to compliance with the INF Treaty or, if Russia does not return, denying it significant military advantage from violating the Treaty.

I agree that DOD should consider a range of options, including active defenses to counter intermediate-range ground-launched cruise missiles; counterforce capa-

bilities to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S. or allied forces. U.S. responses must make clear to Russia that if it does not return to compliance our responses will make them less secure than they are today.

49. Senator COTTON. Dr. Carter, General Breedlove, the United States European Command (EUCOM) Commander stated last year that "A weapon capability that violates the INF that is introduced into the greater European land mass is absolutely a tool that will have to be dealt with. It can't go unanswered." Do you agree?
Dr. CARTER. Yes.

RUSSIA OPEN SKIES TREATY

50. Senator COTTON. Dr. Carter, I am a member of the Senate Select Committee on Intelligence in addition to this committee. I have become concerned with Russian misuse of the Open Skies Treaty. Have you reviewed any of the assessments of this treaty and its potential national security implications?
Dr. CARTER. I have not had the opportunity to familiarize myself with the assessments to which you refer.

51. Senator COTTON. Dr. Carter, are you aware that the Commander of EUCOM non-concurred last summer when the administration sought to approve the use of a new sensor over Europe but the Commander's concerns were ignored and the sensor was approved anyway?
Dr. CARTER. No, I am not aware of the situation you mentioned.

52. Senator COTTON. Dr. Carter, would you please commit to promptly reviewing the assessments of the commanders of United States Strategic Command (STRATCOM), EUCOM, and United States Northern Command (NORTHCOM) as to the Open Skies Treaty and let me know, within the next 2 weeks, if you agree or disagree with their assessments of the potential harms to our European allies and the United States?
Dr. CARTER. If confirmed, I would ensure a prompt review is conducted of any concerns expressed by combatant commanders regarding the Open Skies Treaty.

QUESTIONS SUBMITTED BY SENATOR DAN SULLIVAN

STRATEGIC LOCATION OF ALASKA

53. Senator SULLIVAN. Dr. Carter, in a week or two, the Army will be conducting force reduction and realignment listening sessions across country. Two of these sessions will be conducted in Alaska; one on Joint Base Elmendorf-Richardson and the other Fort Wainwright. Given our strategic shift to the Asia-Pacific and a renewed focus on the Arctic, do you believe that the forces in Alaska are uniquely suited to help address strategic needs in our Pacific Pivot and new Arctic Strategy?
Dr. CARTER. Yes, United States forces in Alaska play a critical role in our posture in the Asia-Pacific region.

54. Senator SULLIVAN. Dr. Carter, can I have your assurance that decisions are not made to eliminate units which are best positioned to quickly and effectively respond to threats in the Pacific Region in strategically important places like Alaska?
Dr. CARTER. Any changes to United States force posture need to ensure that the United States can continue to quickly and effectively respond to threats in the Pacific Region.

55. Senator SULLIVAN. Dr. Carter, should the Army decide to eliminate one or both brigade combat teams (BCT) in Alaska, how do you expect Kim Jong-un to react to this news?
Dr. CARTER. An important purpose of United States force posture in the Pacific Region is to deter aggression on the Korean Peninsula. That should be clear to the government of the DPRK.

56. Senator SULLIVAN. Dr. Carter, how would Vladimir Putin view it?
Dr. CARTER. An important purpose of our posture in the Asia Pacific region is to deter aggression by any power, including Russia.

57. Senator SULLIVAN. Dr. Carter, how about our friends and partners like Japan, Korea, and Singapore, how would they interpret it?

Dr. CARTER. An important purpose of our posture is also to assure our friends and partners, such as Japan, Korea, and Singapore, that the United States is fully committed to the security of the Asia-Pacific region.

RUSSIAN ARCTIC ACTIONS AND LACK OF UNITED STATES ACTION

58. Senator SULLIVAN. Dr. Carter, recent news articles have reported increased Russian involvement in the Arctic. This involvement, which some have called the militarization of the Arctic, includes creation of a new Arctic Command, the construction of as many as 13 new airfields and 10 air-defense radar stations, an increase in Russian Long-Range Air Patrols, continued investment in the world's largest ice-breaker fleet, and the recent activation of an Arctic Brigade. Additionally, Russia has made several large territorial claims into the Arctic, including the expressed desire to expand its Arctic borders by more than 460,000 square miles. Meanwhile DOD has issued a 16-page Arctic Strategy; just 13 pages if you don't count the cover, the forward, and the 1-page map. How are we not falling behind in the Arctic?

Dr. CARTER. The U.S. approach to the Arctic should support our core objectives to ensure security and promote defense cooperation. If confirmed, I will direct our combatant commanders and Services to regularly review the security environment to ensure the U.S. is investing in required capabilities in a timely manner.

59. Senator SULLIVAN. Dr. Carter, what is your 50-year vision for the Arctic?

Dr. CARTER. My 50-year vision is for an Arctic region that remains stable and free of conflict, where nations continue act responsibly in a spirit of trust and cooperation, and where economic and energy resources are developed in a sustainable manner that respects both the fragile environment and the interests and cultures of indigenous peoples. Although the Arctic Ocean may be ice-free for several months during the summer by 2065, it will still be ice-bound during the long, dark polar winter. If confirmed, I will work with my interagency partners to support the work of the Arctic Council during the upcoming U.S. Chairmanship to lay the foundation for addressing the enduring challenges to human and environmental safety and security in the region.

60. Senator SULLIVAN. Dr. Carter, what resources do we need as a Nation to effectively project power into the Arctic Region?

Dr. CARTER. To effectively project power into the Arctic Region, the United States needs to maintain the aircraft necessary to patrol our skies and respond to Russian long-range aviation when our sovereignty is challenge. Given that the Arctic is frozen much of the year, submarines are also vital to our power projection capability. DOD is able to accomplish its mission against existing threats in current Arctic conditions with its current capabilities. At some point in the future, the United States will also need ships capable of operating in the marginal ice zone or near ice in the summer months when the Arctic is accessible. If confirmed, I will continue to assess those needs to determine what resources the U.S. requires.

ARCTIC COLLABORATION

61. Senator SULLIVAN. Dr. Carter, besides our participation on the Arctic council, how can we more effectively collaborate with Arctic nations?

Dr. CARTER. The United States can work to advance its defense and security partnerships with partners in the Arctic through engagement in international venues such as the International Maritime Organization, where a Polar Code for Arctic shipping is under development, and the new Coast Guard Arctic Forum. The U.S. can also seek to enhance research and academic collaboration through institutions like the new Coast Guard Center for Arctic Study and Policy, and the International Arctic Research Center at the University of Alaska Fairbanks. The United States should continue to work with its Arctic partners through the Northern Chiefs of Defense Conference to bolster security and defense cooperation. The U.S. can also seek additional opportunities for business collaboration through the new industry-led Arctic Economic Council. Finally, the United States can also take a leadership role in promoting the rules that underpin the freedom of the seas and provide legal certainty on the world's oceans, including exercising internationally recognized navigation and overflight rights in the Arctic Ocean, as appropriate.

62. Senator SULLIVAN. Dr. Carter, how can we improve military-to-military relations with our arctic friends and partners?

Dr. CARTER. The U.S. can improve military-to-military relations with its Arctic friends and partners by working with them to confront the same challenges the

United States faces: Arctic operations are expensive and can be dangerous for military forces that are unprepared for the austere operating environment.

For example, the United States can participate in Arctic search and rescue exercises in collaboration with the Coast Guards and Navies of other Arctic friends and partners. A combination of at-sea interaction and in-port engagements that address common challenges such as communications, situational awareness, and cold weather operations can improve interoperability and strengthen military-to-military relationships. Another avenue to improve military-to-military relations is through collaborative Arctic research with organizations. Finally, militaries should continue to exchange concerns and lessons learned in forums such as the Arctic Security Forces Roundtable, and through joint exercises.

ARMY ROLE IN ASIA

63. Senator SULLIVAN. Dr. Carter, last year at the annual Association of the U.S. Army conference, Secretary Hagel has said that the Army could "broaden its role," after more than a decade of continuous operations in Iraq and Afghanistan, "by leveraging its current suite of long-range precision-guided missiles, rockets, artillery, and air defense systems" to build a modern coastal defense force that could contribute to operations in anti-access/area-denial environments. Do you concur that such a capability would offer benefits for United States defense policy in the Asia-Pacific and other maritime theaters?

Dr. CARTER. I support the Army's ongoing efforts to improve its integrated air and missile defense capabilities. The coming years will allow the Army to focus on resetting and looking forward to greater investment in Asia-Pacific missions, including building partner capacity of counterpart forces in that region.

CHINESE COERCION

64. Senator SULLIVAN. Dr. Carter, over the last several years, China has engaged in coercive diplomacy to achieve its political and territorial aims in the East and South China Seas. The administration has responded with efforts to build partner capacity and strengthen regional institutions, but this will take years if not decades to bear fruit. Beyond private diplomacy with the Chinese, which appears to be insufficient, what steps do you believe we should take to deter Chinese assertiveness in the short and medium term?

Dr. CARTER. The United States has a strong interest in maintaining peace and stability, the free flow of commerce, and the freedom of navigation and overflight in the East and South China Seas. In addition to diplomacy to resolve territorial disputes peacefully and in accordance with international law, the United States should deter assertiveness in the region with a robust force posture, sustained presence, and commitment to building the capacity of its partners and allies. The United States also should encourage China to be more transparent about how it will use its growing military capabilities. The United States should also continue to modernize and strengthen its security alliances with Australia, Japan, the Republic of Korea, Philippines, and Thailand. The United States should also deepen relationships with and among its partners in South and Southeast Asia to build capacity and reduce vulnerabilities. If confirmed, I will continue to prioritize our investments in posture, presence, and partnership capacity in the Asia-Pacific region to deter aggression and underwrite peace and stability.

65. Senator SULLIVAN. Dr. Carter, do you share the view that China's actions have violated United States national interests in the Freedom of Navigation, the free flow of commerce, and the peaceful settlement of disputes in accordance with international law?

Dr. CARTER. The United States has a longstanding national interest in preserving the freedom of navigation, and in the peaceful settlement of disputes in accordance with international law. I am concerned that recent Chinese actions, including its unilateral and uncoordinated announcement of an Air Defense Identification Zone (ADIZ) that overlapped the previous existing ADIZ in the East China Sea, its unilateral promulgation of fishing regulations covering much of the South China Sea, its pursuit of land reclamation activities in the South China Sea, and its use of economic pressure on other claimants, has raised regional tensions and complicated efforts to peacefully manage and resolve territorial disputes. The United States should remain committed to the preservation of the freedom of navigation, and all the other rights provided under international law. If confirmed, I would carry forward that commitment, and I would work to ensure that disputes are addressed in a manner that both reflects that commitment and that serves the goal of resolving disputes

peacefully. This approach would apply to my dealings with China and with all other countries.

AMERICAN ENERGY

66. Senator SULLIVAN. Dr. Carter, 10 years ago, we would have never expected the United States to be in the current position as an energy superpower. How do you foresee the United States utilizing this power to our advantage abroad?

Dr. CARTER. The profound changes in the global energy market, and the United States' increasing role as an energy superpower, are significant developments in the global landscape. They present a range of opportunities and challenges, which influence the international security environment and the Department's ability to fulfill its global responsibilities. If confirmed, I will ensure that the Department accounts for the security implications and possibilities of this critical but volatile market in its strategic calculus and works with the U.S. interagency and our international partners to leverage it properly.

67. Senator SULLIVAN. Dr. Carter, what actions will DOD take to ensure we maintain this role and what can Congress do to help maintain this power as well?

Dr. CARTER. Although the Department is not the lead agency for energy policy, I do support a whole-of-government approach for U.S. national security that factors in energy use and production.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

U.S. GLOBAL ROLE

68. Senator LEE. Dr. Carter, in discussing the foreign interests of the United States, early U.S. Presidents like Washington and Jefferson warned against entangling the United States in the business of other nations. I'd like to get your thoughts on what you believe the role of the U.S. is, as a global superpower, and how we can balance this status while not becoming overly involved and burdened in situations that do not impact our Nation's security?

Dr. CARTER. The United States continues to be the preeminent global superpower and remains the strongest, most resilient, and most influential Nation on the face of the earth. We have allies and friends in every corner of the world and our adversaries have few: this is clear testimony to the appeal of our values, our principles, and our leadership. However the world continues to be dangerous place: turmoil in the Middle East and North Africa, an ongoing war in Afghanistan, the reversion to old-style thinking in parts of Europe, and the long-standing tensions from the past and the rapid changes in Asia. This calls for the continuing need of the stabilizing presence of the United States throughout the world, while working closely with our allies and partners to address threats to U.S. interests.

69. Senator LEE. Dr. Carter, where do you believe DOD should be reprioritizing its focus, either programmatically or geographically, in order to maximize attention to its primary responsibility of securing the freedoms and rights of U.S. citizens?

Dr. CARTER. I believe DOD priorities should include preserving and enhancing the finest fighting force in the world and taking care of their families; providing a strategic perspective to the threats and opportunities in the world; and implementing significant reforms that are crucial in a time of budget uncertainty. From a programmatic perspective, DOD should protect and prioritize investments in innovative technology and operational concepts to maintain the most advanced capabilities in the world.

NATIONAL GUARD

70. Senator LEE. Dr. Carter, if confirmed, how do you plan to build upon the combat experience gained by National Guard and Reserve units and take advantage of the cost-benefits of the Reserve Forces identified by the Reserve Forces Policy Board and Cost Assessment and Program Evaluation (CAPE) reports in order to preserve combat power for the military, especially while adjusting to potential budget constraints?

Dr. CARTER. Each component is critical to the total force. If confirmed, I will review the reports and ensure that all force structure decisions take into account the comparative cost, capability, and operational capacity and experience of each component to attain the best force mix.

71. Senator LEE. Dr. Carter, as you know, the Army's Aviation Restructuring Initiative (ARI) calls for the transfer of all Apache attack helicopters from the National Guard to Active Army. There are thousands of men and women in the National Guard currently assigned to the Apache battalions, many who have years of combat experience and decades of training with this equipment. Are you concerned that we are losing a valuable national security asset that we already have in these personnel by carrying out this initiative?

Dr. CARTER. If confirmed I will review the Army's Aviation Restructuring Initiative (ARI) as well as take into account the recommendations of the Army Commission established by the Congress to review this issue and make independent recommendations

72. Senator LEE. Dr. Carter, do you have any concerns that this initiative would reduce the strategic depth of the Army aviation?

Dr. CARTER. If confirmed I will review the Aviation Restructuring Initiative and look forward to receiving the views of the Army, the Chief of the National Guard Bureau, and the Council of Governors and the results of the Army Commission.

AIR FORCE

73. Senator LEE. Dr. Carter, at the end of last year, the Air Force announced that if it was not authorized to retire weapons systems (the A–10) as requested in the fiscal year 2015 Budget Request, there would be a shortfall of maintainers to train and transition into new equipment, which could potentially delay Initial Operational Capability (IOC) and Full Operational Capability (FOC) for new weapons systems (F–35). To what extent are you aware of this issue, and how do you intend to address any Air Force maintainer shortfall if confirmed?

Dr. CARTER. I am not fully informed on this issue. If confirmed, I will direct the Secretary of the Air Force to address this issue and develop a solution as necessary.

STRATEGIC FORCES

74. Senator LEE. Dr. Carter, the United States Government last year accused Russia of violating the INF Treaty, something that has been largely suspected for some time. What do you believe should be an appropriate response to Russia's violation of this treaty from DOD and the United States Government as a whole?

Dr. CARTER. In response to Russia's violation of the INF Treaty, the United States should consider a comprehensive strategy of diplomatic, economic, and military responses. Russia's continued disregard for its international obligations and lack of meaningful engagement on this particular issue require the United States to take actions to protect its interests and security as well as those of its allies and partners. United States efforts should continue to remind Russia why the United States and Russia signed this treaty in the first place and be designed to bring Russia back into verified compliance with its obligations. I believe that any United States responses should be designed to make the United States and our allies and partners more secure by ensuring that Russia does not gain any significant military advantage from deploying an INF-prohibited system.

The range of options we should look at from the Defense Department could include active defenses to counter intermediate-range ground-launched cruise missiles; counterforce capabilities to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S. or allied forces. United States responses must make clear to Russia that if it does not return to compliance our responses will make them less secure than they are today.

75. Senator LEE. Dr. Carter, do you believe that the United States should undertake any further nuclear forces reductions while Russia is still in violation of this or any other treaty?

Dr. CARTER. If confirmed, I would assess the current situation, consult with my senior military advisors, and recommend a course of action.

76. Senator LEE. Dr. Carter, Secretary Hagel spoke recently about the importance that our Nation's nuclear deterrence still plays in U.S. security and in support of the new long-range strike bomber project. Many of us support the nuclear deterrence mission and want to ensure that future modernization and acquisition projects are executed in the most cost- and time-efficient manner, and that the viability of deterrence missions are not jeopardized by cost overruns and delays. If confirmed, how do you plan to address the modernization and acquisition needs of our strategic deterrence while guaranteeing their budgetary viability?

Dr. CARTER. A safe, secure, and reliable nuclear deterrent is essential to national security, and, if confirmed, ensuring the viability of plans for its future needs will be a priority for me.

CYBERSECURITY

77. Senator LEE. Dr. Carter, many of us are concerned about the improved abilities of both state and non-state actors to conduct cyber-attacks against government and non-government entities alike. What, in your opinion, is necessary for DOD to deter and defend against these attacks, and how should the United States calibrate responses to cyber attacks?

Dr. CARTER. Defending against cyber-attacks requires a whole of government effort. DOD employs an array of techniques and capabilities to defend its own networks while providing support to other departments and agencies as appropriate. Greater resiliency for DOD networks and systems and more robust information sharing will be crucial to defending against these attacks.

The U.S. should calibrate responses to cyber-attacks by establishing all the facts and conducting case-specific analysis, determining an appropriate proportional response, and should consider the broader strategic context, security, and foreign policy considerations of any attack and response.

78. Senator LEE. Dr. Carter, when would you consider a cyber attack to be an act of war?

Dr. CARTER. Cyber-attacks can affect our critical infrastructure, the national economy, and military operations. I believe that what is termed an act of war should follow the same practice as in other areas, because it is the seriousness, not the means, of an attack that matters most. Whether a particular attack is considered an "act of war," in or out of cyberspace, requires a determination on a case-by-case and fact-specific basis. Malicious cyber activities could result in death, injury or significant destruction, and any such activities would be regarded with the utmost concern and could well be considered "acts of war." An attack does not need to be deemed an "act of war" to require a response.

ISLAMIC STATE OF IRAQ AND SYRIA

79. Senator LEE. Dr. Carter, do you believe that President Bashar Assad has to be removed, either peacefully or by force, from power in order to protect the United States from the threats emanating from this conflict?

Dr. CARTER. Assad has lost all legitimacy and cannot be part of the future of Syria. A stable Syria will require both defeating ISIL and a political transition in which Assad is removed from power.

80. Senator LEE. Dr. Carter, one of the enduring images that many Americans have seen from the conflict in Iraq and Syria are of ISIS fighters parading through urban streets or in desert convoys in United States-made armored vehicles captured from surrendering Iraq Security Force units. Recently, the United States has sent hundreds of Mine-Resistant Ambush Protected (MRAP) vehicles to Iraqi and Kurdish forces, and the Iraqi Government has requested armored vehicles and equipment, such Abrams tanks and High Mobility Multipurpose Wheeled Vehicle (HMMWV). If confirmed, what will you recommend the United States do to ensure that such lethal equipment does not end up in the hands of ISIS fighters, and that the United States is not inadvertently arming ISIS in Iraq?

Dr. CARTER. If confirmed, I will continue to support the efforts of the Department of Defense to train, advise, and assist the Iraqis to reconstitute a credible and combat capable security force. Cohesive, well-trained, well-led and properly supported forces reduces the risk that those forces will surrender or abandon the equipment the U.S. has given them. I will also ensure that DOD uses all appropriate end use monitoring tools and practices.

81. Senator LEE. Dr. Carter, what role should DOD play in disrupting the flow of foreign fighters flowing into and out of the conflict in Syria and Iraq?

Dr. CARTER. United States military action, in concert with coalition partners, can have an impact on ISIS's capabilities and reduce its ability to flow fighters in and out of Syria. I believe it is important that the United States continue its close collaboration with other governments to stop the flow of foreign fighters into the region. If confirmed, I will focus attention on the foreign fighter flow, and their support networks, and assess what changes may be needed.

82. Senator LEE. Dr. Carter, do you believe that the U.S. military action against ISIS can be successful at defeating the threats to our country if the United States and international community are not able to significantly stop the flow of fighters, funds, and weapons into this conflict?

Dr. CARTER. No.

NORTH ATLANTIC TREATY ORGANIZATION

83. Senator LEE. Dr. Carter, at the NATO summit in Wales last September, NATO members agreed to reverse trends in declining defense spending and maintain a defense budget of 2 percent GDP, a spending level that, as you know, has been a NATO goal for over a decade but few countries have achieved. Do you believe that it is in the interests of the United States as a deterrent to Russian aggression for our NATO allies to reverse declines in defense spending and work towards meeting these goals?

Dr. CARTER. Yes.

84. Senator LEE. Dr. Carter, if confirmed, what will you do to assist and encourage NATO members to prioritize defense spending in their own countries to meet the Russian threat?

Dr. CARTER. If confirmed, I will emphasize the importance of strong U.S. leadership within the NATO, including for collective defense planning. I will urge Allies with larger economies to invest in military capabilities that that can impose costs on any opponent with minimal cost and risk to Alliance forces. For Allies with smaller economies, I will encourage them to invest in capabilities that are needed by the Alliance, and in which they may have a comparative advantage.

AFGHANISTAN

85. Senator LEE. Dr. Carter, what is your assessment of the quality and capabilities of the Afghan National Security Forces (ANSF), and the relationship between the political leadership and the military leadership in Afghanistan?

Dr. CARTER. If confirmed, I will assess these issues first hand, but my assessment based on public information has been that President Ghani has a positive relationship with both military leaders and the Afghan forces, and that the ANSF have steadily improved. It appears that the ANSF are increasingly effective at leading operations and prevailing over insurgents with limited assistance from U.S. and coalition partners.

I understand the relationship between the ANSF and Afghan political leadership has significantly improved since President Ghani took office. I believe President Ghani has embraced his role as commander-in-chief, and has demonstrated his commitment to focus on improving ANSF effectiveness and security for the people of Afghanistan.

86. Senator LEE. Dr. Carter, if the ANSF fails to provide security for the country as expected during the U.S. drawdown, what threats to the United States do you believe could develop in Afghanistan?

Dr. CARTER. The objective of strengthening the ANSF's ability to provide security is to protect the Afghan people and to ensure that Afghanistan is never again a base for attacks upon the United States. If confirmed, I will be committed to countering the al-Qaeda threat in the region and addressing any other terrorist elements in Afghanistan that pose a threat to our nation.

YEMEN

87. Senator LEE. Dr. Carter, the Yemeni Government has collapsed and a strong possibility exists of full-scale civil war there as al Qaeda in the Arab Peninsula (AQAP), Shiite rebels backed by Iran, and the remnants of the government all fight for control of territory and authority. What do you identify as the greatest threat to the United States stemming from the conflict in Yemen?

Dr. CARTER. AQAP in the Arabian Peninsula poses the greatest threat to United States interests from the conflict in Yemen. Therefore, the primary United States national security interest in Yemen is to disrupt, dismantle, and defeat AQAP. Continued political instability in Yemen also risks our joint efforts with the Yemenis to combat AQAP.

88. Senator LEE. Dr. Carter, do you believe that there are any necessary changes to the administration's current strategy to protect the United States from threats growing there?

Dr. CARTER. If confirmed, I will assess the current strategy and make any recommendations I believe are needed. I do not have any recommendations at this time based on the information currently available to me. I understand that United States counterterrorism strategy in Yemen focuses on a mix of partnership activities and limited direct action against those who threaten the United States. The United States Government, in partnership with its partners and the Yemeni government, have made a number of gains against AQAP, including the removal of numerous leaders and the disruption of plotting against the United Sates. AQAP remains resilient and the political instability that has long plagued Yemen—particularly in recent weeks—hinders Yemen's ability to respond to the threat posed by AQAP. If confirmed, I intend to receive a detailed briefing to inform any changes I would recommend.

WESTERN HEMISPHERE

89. Senator LEE. Dr. Carter, what threats to United States national security do you see developing out of Latin and South America and do you believe any changes need to be made in U.S. policy towards that region to address these threats?

Dr. CARTER. I believe that threats developing out of Latin and South America include weak governmental institutions, corruption, under-governed spaces, transnational crime, narcotics, and natural disasters. These threats could increase instability in the region and threaten U.S. interests. To address these threats, I understand the Department of Defense, in support of the broader U.S. interagency effort, is focused on defending the southern approaches to the United States, strengthening hemispheric security, and encouraging further defense integration and collaboration on regional and global security affairs. If confirmed, I will assess these efforts and, if necessary, recommend changes to our strategy.

90. Senator LEE. Dr. Carter, do you believe that United States national security would benefit from increased ISR assets in the United States Southern Command (SOUTHCOM) area of operation?

Dr. CARTER. ISR continues to be in high demand in each Combatant Commander's Area of Responsibility, including in United States Southern Command. If confirmed, I will evaluate requests for ISR in the context of needs across all the Combatant Commands.

TAIWAN

91. Senator LEE. Dr. Carter, as you know, the United States for decades has benefited from a strong security and economic relationship with Taiwan. If confirmed, what would you do to carry on and enhance the execution of U.S. policies that assist in maintaining Taiwan's self-defense capabilities?

Dr. CARTER. I am firmly committed to maintaining Taiwan's self-defense capability. The Taiwan Relations Act states that "the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability" and will "maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan." If confirmed, I will ensure that the Department of Defense is continually engaged in evaluating, assessing, and reviewing Taiwan's defense needs, while also providing defense articles and services necessary to enable Taiwan to deter threats. I will also ensure that the United States maintains the planning and posture to resist any coercion against Taiwan. If confirmed, I will also ensure that the Department will continue to work closely with our partners on Taiwan to bolster their military preparedness, sustain the credibility of their deterrent, and support their military modernization effort.

QUESTIONS SUBMITTED BY SENATOR LINDSEY GRAHAM

MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION REPORT

92. Senator GRAHAM. Dr. Carter, do you have any concern that the removal of all attack aviation from the Army National Guard through the Army's Aviation Restructuring Initiative will reduce the Army's operational combat depth?

Dr. CARTER. The Army National Guard has been and will continue to be a crucial component of the total aviation force and the total army. If confirmed, I will review the Aviation Restructuring Initiative and work with the Department of the Army and the Chief of the National Guard bureau to understand and assess its impact on capabilities both in the active and reserve component. I also look forward to re-

viewing the recommendations of the Army Commission established by the Congress with your sponsorship.

93. Senator GRAHAM. Dr. Carter, given the overwhelming success of the operational Reserve model in Iraq and Afghanistan according to commanders in the field, how do you intend to maintain combat, combat support, and combat service support operational experience in the Reserve components during a time of lower operational demand?

Dr. CARTER. The use of the Reserves during the wars in Iraq and Afghanistan was a major factor in the Department's success. The CJCS and Service Chiefs have highlighted leader development as a key to sustaining the lessons learned from the last 13 years of war. Our Defense and Service institutions must ensure that we capture lessons learned and continue to grow leaders armed with that knowledge and shared experience. Another key element to maintaining operational experience is to retain the key officers and enlisted personnel with combat experience as well as ensure sufficient funding and readiness for the Reserve Component to meet operational requirements.

QUESTIONS SUBMITTED BY SENATOR JACK REED

MILITARY LENDING ACT PROTECTIONS FOR SERVICEMEMBERS

94. Senator REED. Dr. Carter, last November, 40 Senators wrote to Secretary Hagel in strong support of the proposed Military Lending Act (MLA) rule. If and when confirmed, will you work to ensure that the Department of Defense produces a final MLA rule that, like the proposed one, robustly enhances protections for servicemembers and their families and imporves military readiness?

Dr. CARTER. Yes, if confirmed, I will ensure the final Military Lending Act rule supports robust protections for servicemembers and their families.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

INTEGRATION OF WOMEN

95. Senator SHAHEEN. Dr. Carter, in 2013, DOD announced the elimination of the direct combat exclusion policy and plans to more fully integrate women into all occupational fields by 2016. Do you commit to work with the Services to keep this effort moving forward and keep Congress apprised of DOD's process?

Dr. CARTER. Yes. If confirmed, I will closely monitor the Department's progress to ensure we meet our timelines and I will keep Congress apprised of our progress.

96. Senator SHAHEEN. Dr. Carter, I understand that the Services and U.S. Special Operations Command (SOCOM) are studying whether to open all previously closed units and military operations to women and will have to submit specific requests if they wish to keep units or operations closed. What criteria will you and DOD use when evaluating any such requests to ensure consistency across DOD?

Dr. CARTER. In accordance with the 2013 Direct Ground Combat Definition and Assignment Rule rescission memo, all requests for exceptions to policy must be narrowly tailored and based on a rigorous analysis of factual data regarding the knowledge, skills, and abilities needed for the position. If confirmed, and if I receive requests for exception to policy, I will carefully consider them in this light.

BIOFUELS

97. Senator SHAHEEN. Dr. Carter, last September, the Departments of Navy, Energy, and Agriculture awarded contracts to three companies to construct and commission bio-refineries to produce drop-in biofuels to help meet transportation needs. Can you speak to the strategic importance of the military transiting away from a strict dependence on petroleum to biofuels?

Dr. CARTER. Over the long-term, I believe the Nation will benefit from a competitive, domestic renewable fuels industry, and, as a major consumer of liquid fuels, the Department would benefit from such competition. Similarly, the certification and qualification of alternative fuels for our equipment mean the Department will be better positioned to acquire and use a variety of fuels, as needed, to accomplish the mission.

DEFENSE INDUSTRIAL BASE

98. Senator SHAHEEN. Dr. Carter, when you served as Deputy Secretary of Defense, you said that "(s)maller firms, start-ups, and new entrants provide needed new technology, new face, and new ideas to the defense industry," and that "a key part of our defense industrial strategy is to encourage new entrants (that) offer competition, renew and refresh the technology base, and ensure that defense is benefiting from the main currents of emerging technology." You added "we must accordingly work constantly to lower barriers to entry." What do you have planned to ensure a culture of embracing small start-ups and new entrants?

Dr. CARTER. If confirmed, I would support policies that remove barriers to commercial technology utilization. I would also ensure that the Department has aggressive outreach to the small business community and other innovative firms. If confirmed I would direct the Under Secretary of Defense for Acquisition, Technology, and Logistics to develop and implement policies that achieved these goals.

BERRY AMENDMENT AND BUY AMERICAN ACT

99. Senator SHAHEEN. Dr. Carter, last November the DOD Inspector General (IG) filed a report on the Army's compliance with the Berry Amendment and Buy American Act. The IG recommended that the Services perform training for their contracting officers on the details of these purchasing requirements. What can DOD do to ensure that both contracting officers and the industry have a mutual understanding and appreciation for these extremely important laws?

Dr. CARTER. Although I am not familiar with the IG report, I know the Department has a number of learning tools available to assist the acquisition workforce in understanding all statutory requirements. If confirmed, I would direct the Under Secretary for Acquisition, Technology, and Logistics to report to me on the steps that have been taken and on any recommended improvements to enhance the training for government contracting officers to enhance their understanding and trust of their industry partners.

100. Senator SHAHEEN. Dr. Carter, what steps have been taken thus far to address the concerns raised in the IG report?

Dr. CARTER. I am not familiar with the IG report or the steps that have been taken to address the concerns raised in the report. If confirmed I will ascertain what steps have been taken and respond appropriately.

SMALL BUSINESS INNOVATION RESEARCH

101. Senator SHAHEEN. Dr. Carter, I know you have been a strong supporter of small business and the Small Business Innovation Research (SBIR) program. As you know, the SBIR Reauthorization Act that was signed into law 3 years ago requires DOD to use SBIR technology to the greatest extent practicable and requires the Secretary to establish goals and incentives for using SBIR technology. How will you ensure that these provisions are fully implemented?

Dr. CARTER. Before I left the Department as Deputy Secretary of Defense, I approved the interim version of DOD Instruction 5000.02 "Operation of the Defense Acquisition System," that included SBIR goals and incentive provisions. I understand that those provisions are also included in the recently approved final version of this Instruction. If confirmed, I will direct the Under Secretary of Defense (Acquisition, Technology, and Logistics) to oversee the implementation of this important initiative, and to ensure I am kept apprised.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION REPORT

102. Senator GILLIBRAND. Dr. Carter, I have been concerned by what appears to be a haphazard approach from DOD to reforming pay and benefits. Last week, the Military Compensation and Retirement Modernization Commission released its report with a series of recommendations. At the same time DOD sent us back the same proposals it sent us last year, but with some changes. I was concerned last year about how DOD's recommendations would impact lower enlisted troops and their families. How do you see these two sets of recommendations and how do you ensure we continue to support lower enlisted troops and their families?

Dr. CARTER. I appreciate the difficult task that was presented to the Commission. If confirmed, I intend to carefully review and evaluate the Commission's recommendations on reforming military compensation and retirement and will ensure

I meet the deadlines established in the law for my input to the President. I was not privy to the details of the FY 2016 budget prior to my confirmation hearing. If confirmed, I will be prepared to comment on the FY 2016 budget proposals at the posture hearing the Committee is planning in early March.

CYBER

103. Senator GILLIBRAND. Dr. Carter, I want to be helpful to DOD in recruiting the best talent and acquiring the best tools for our cyber mission. What do you think are our two most important cyber needs for the next 5 years?

Dr. CARTER. The most important aspect of the Department's strategy for countering these threats is manning, training, and equipping a cyber-force that can fulfill its missions. If confirmed, I look forward to working closely with the Committee on this issue. A top priority is recruiting and retaining the most highly skilled professionals, which is challenging because cyber is a highly technical domain. In addition, DOD must work in closer partnership with the Intelligence Community, the Department of Homeland Security, and other government agencies to identify cyber threats, deter attacks, and improve defenses for our networks.

104. Senator GILLIBRAND. Dr. Carter, how will you incorporate cyber forces, especially in the National Guard, into our Homeland defense strategy?

Dr. CARTER. DOD is in its third year of building a Cyber Mission Force of approximately 6,000 personnel. I believe that the National Guard and Reserve are a tremendous resource of talent and of surge capacity for DOD, and these skilled personnel can contribute greatly to the cyber mission. It will be critical to recruit the right talent, and we must take a strategic approach to leveraging our National Guard and Reserve forces as part of our overall structure. DOD is already using some Guard and Reserve personnel in the cyber mission area, and they have proven to be of tremendous value enhanced by their civilian skills. The Guard and Reserve should be part of the Cyber Mission Force and also create additional Cyber Protection Teams to augment Service capacity. This expertise and support should be made available to the States in traditional missions like responding to natural disasters as well as less traditional missions in cyberspace. If confirmed, I look forward to working with the Joint Staff, the Combatant Commands, the Services, and the States through the Council of Governors to ensure the National Guard and reserve forces cyber capabilities are sufficiently augmented and incorporated into the Department's force planning construct.

105. Senator GILLIBRAND. Dr. Carter, please provide your thoughts on the relationship between the Department of Homeland Security (DHS) and DOD in terms of global cyber-security roles and responsibilities.

Dr. CARTER. The Department of Defense has the responsibility to defend the Nation from attack in cyberspace. This cyber mission necessitates a close partnership with the Department of Homeland Security (DHS) in its role of protecting U.S. critical infrastructure, securing non-Department of Defense unclassified government networks, and coordinating the national protection from, prevention of, mitigation of, and recovery from cyber incidents. The Department of Justice, with the FBI, is also a critical member of this operational partnership and all three Departments work closely together in an effective operational cybersecurity partnership.

Cybersecurity requires a whole-of-government approach, and DOD synchronizes its international engagement with its interagency partners. DOD joins DHS and other Departments and agencies in whole-of-government dialogues around the globe, and DOD and DHS work closely together to build robust international relationships that reflect and promote our core commitments and common interests in cyberspace.

QUESTIONS SUBMITTED BY SENATOR JOE DONNELLY

NUCLEAR ENTERPRISE REVIEW

106. Senator DONNELLY. Dr. Carter, following up on my questions in the hearing, if confirmed, will you commit to reading the Creedon-Fanta Nuclear Enterprise Review report and getting back to the committee with your views and whether you agree with its findings?

Dr. CARTER. Yes.

NATIONAL GUARD

107. Senator DONNELLY. Dr. Carter, if confirmed, will you work to maintain the National Guard as an operational Reserve?

Dr. CARTER. The National Guard and Reserve are a critical source of many of the capabilities required in ongoing operations and contingency surge requirements both abroad and at home. As an operational Reserve, the Reserve components need to make certain capabilities available on a continuing basis and others to augment and reinforce active components when mobilized over time. If confirmed, I will work to ensure that the Guard and Reserve components are supported so that they are ready to operate in peacetime, in wartime and in support of civil authorities.

DEFENSE MANPOWER DATA CENTER

108. Senator DONNELLY. Dr. Carter, what is your approach to the administration of the Defense Manpower Data Center (DMDC), specifically regarding adequate staffing, funding and data security, in order to maintain and increase the accuracy, reliability, and integrity of the DMDC database?

Dr. CARTER. The Defense Manpower Data Center (DMDC) systems and information are critical to ensuring eligibility and providing benefits to all DOD personnel, and also provide the vital interface to operate numerous other DOD-wide systems, including physical security, healthcare, and personnel security programs. The Department has an obligation to provide these capabilities, to ensure the data security, and to protect the privacy of these information systems. If confirmed, I will work closely with Congress to ensure that DMDC has the necessary resources to execute its mission.

109. Senator DONNELLY. Dr. Carter, if confirmed, will you commit to providing me and the committee with information on DOD's plans to address the capabilities of the DMDC, particularly its capability to assist in the effort to ensure that servicemembers eligible for Servicemember Civil Relief Act benefits and protections can be proactively identified in a timely and accurate manner?

Dr. CARTER. Yes.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

MISSILE DEFENSE

110. Senator HIRONO. Dr. Carter, I understand that DOD is systematically implementing upgrades to the Ground-Based Midcourse Defense system, including sensor and discrimination improvements. Within this area of improvement is the planned Long Range Discrimination Radar (LRDR) to improve defense of the United States against a long-range North Korean missile threat. While DOD is improving our overall Homeland missile defense capability, I want to ensure that Hawaii is well protected – especially as North Korea continues to evolve its capabilities. If confirmed, will you commit to looking into our capability to defend Hawaii against such a North Korean threat, and keeping me informed of the progress in this important area?

Dr. CARTER. Yes.

RETENTION OF WOMEN IN THE MILITARY

111. Senator HIRONO. Dr. Carter, women are a great asset both to the diversity of our military and to its success. This past October the military appointed its third female four-star officer. While that is a fact to be celebrated, women leave the service at a rate nearly twice that of men. As we have seen with other types of diversity within the military, retention of women for senior leadership positions has a significant influence on the success through mentoring of junior female military members. If confirmed what measures will you consider for increasing retention of women in the military and achieving the diversity needed to mentor future female leaders?

Dr. CARTER. I believe that the Department of Defense must compete for the best and brightest talent our Nation has to offer as it expands opportunities for all qualified individuals at all levels through our most senior general and flag officers. If confirmed, I will continue to emphasize the need for retaining a high quality and diverse force in an environment free from personal, social, or institutional barriers that prevent servicemembers from rising to the highest level of responsibility possible.

MENTAL HEALTH CARE FOR VETERANS

112. Senator HIRONO. Dr. Carter, a memorandum published by the Secretary of Defense on September 3, 2014, implemented new policy guidance to be used in the respective Services' review of post-traumatic stress disorder (PTSD)-related dis-

charge upgrade requests. The memorandum also called for "a public messaging campaign by the Services" in order to ensure outreach and notification. Should you be confirmed, are you committed to continuing this policy and outreach directive so that Vietnam veterans diagnosed with PTSD who received less-than-honorable discharges be allowed liberal consideration for a discharge upgrade?

Dr. CARTER. If confirmed, I will continue to work with all parties concerned to ensure that veterans of all periods of service receive a fair hearing and obtain appropriate relief. We will also continue to work with Veterans and Military Support Organizations and legal service providers to ensure veterans receive assistance in the review process.

QUESTIONS SUBMITTED BY SENATOR ANGUS S. KING, JR.

ATHLETIC FOOTWEAR FOR NEW RECRUITS

113. Senator KING. Dr. Carter, on April 25, 2014, Acting Deputy Secretary of Defense Christine Fox confirmed in a letter that DOD's athletic footwear policy for recruits would be modified to include the following provision:

"As Berry Amendment-compliant shoes come on the market, we will assess them for cost and durability to ensure they are comparable to other models available to recruits. If one or more Berry Amendment-compliant shoe models correspond to a shoe type category, only these shoes will be made available for purchase using the one-time cash allowance."

Do you commit that, if confirmed, DOD's athletic footwear policy for new recruits will remain consistent with the provisions of Acting Deputy Secretary Fox's April 25, 2014, letter?

Dr. CARTER. Yes.

QUESTIONS SUBMITTED BY SENATOR MARTIN HEINRICH

NATIONAL NUCLEAR SECURITY ADMINISTRATION

114. Senator HEINRICH. Dr. Carter, the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise released its final report in November 2014. After considering a number of alternative leadership structures, the panel concluded the current structure with a "separately-organized" National Nuclear Security Administration (NNSA) is fundamentally flawed. The panel recommended amending the NNSA Act to replace the separately-organized NNSA with a new Office of Nuclear Security (ONS) within the Department of Energy (DOE) charged with performing the missions currently performed by NNSA. The panel's objective was to enable an Energy Secretary who sets the policy and a Director of ONS who is fully empowered to implement the policy.

Based on your many years of experience with the nuclear weapons complex, what thoughts do you have on improving the existing governance structure of DOE's Nuclear Security Enterprise?

Dr. CARTER. I believe DOD can work effectively with the Department of Energy and the National Nuclear Security Administration (DOE/NNSA) under the current structure or an alternative arrangement as long as DOE/NNSA continues to execute its primary mission of warhead and infrastructure life extension programs that meets DOD military requirements. If confirmed, I will direct the consistent engagement with senior leadership through the interagency process of the Nuclear Weapons Council, which is charged to manage the nuclear weapons stockpile and maintain a safe, secure, and effective nuclear deterrent.

ISLAMIC STATE

115. Senator HEINRICH. Dr. Carter, 2 weeks ago, former national security advisor Zbigniew Brzezinski testified before the Senate Armed Services Committee about the Islamic State and the three civil wars that were essentially raging in the Arab world today. Brzezinski explained: "I think getting involved in the internal dynamics, religious conflicts, sectarian animosities of the region is a prescription for a protracted engagement of the kind that can be very destructive to our national interests."

How important is it that the fighting on the front lines against the Islamic State be conducted by the Iraqis and other regional, Arab members of the coalition and not the United States?

Dr. CARTER. To inflict a lasting defeat on ISIL, it is very important that regional coalition partners, including Iraq, be fighting on the front lines. Building the capac-

ity of these local security forces must be a central part of the U.S. strategy. The Iraqi Security Forces, including Kurdish Peshmerga and Sunni tribal elements, are on the front line force in the current fight. If confirmed, I will support the effort to train, equip, advise, and assist local forces to enhance their ability to defeat ISIL.

NATIONAL LABS

116. Senator HEINRICH. Dr. Carter, beyond current and future life extension programs (LEP), do you believe a sustained funding commitment is necessary at our national laboratories to preserve the intellectual infrastructure and sustain the scientific base of the weapons program? If so, how do you propose formalizing this commitment?

Dr. CARTER. The Department of Energy National Laboratories are important to the Department of Defense's technology base and laboratory enterprise, particularly with respect to the science and engineering that underpins the Nation's nuclear weapons program. If confirmed, I will work with the Secretary of Energy and the President to ensure that the unique capabilities of the national laboratories are maintained and available to DOD in support of national defense missions.

[The nomination reference of the Honorable Ashton B. Carter follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 7, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Ashton B. Carter, of Massachusetts, to be Secretary of Defense, vice Charles Timothy Hagel.

[The biographical sketch of the Honorable Ashton B. Carter, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ASHTON B. CARTER

Education:

- Oxford University
  - 1976–1979
  - Ph.D., Theoretical Physics
  - Senior Scholar, St. John's College
  - Best Participant Prize, NATO Center for Subnuclear Physics
- University of Edinburgh
  - Fall, 1974, no degree
- Yale University
  - 1972–1976
  - B.A., summa cum laude
  - Honors in Medieval History
  - Honors in Physics
  - Phi Beta Kappa
  - Andrew D. White Essay Prize in European History

Employment Record:

- Senior Executive, Markle Foundation (2014–present)
- Stanford University (2014–present)
  - Distinguished Visiting Fellow, Hoover Institution
  - Lecturer, Freeman Spogli Institute for International Studies
- U.S. Department of Defense
  - Deputy Secretary of Defense (2011–2013)
  - Under Secretary of Defense for Acquisition, Technology, and Logistics (2009–2011)
- Harvard University

- Chair, International and Global Affairs Faculty
- John F. Kennedy School of Government
- 2006–2009 (leave of absence 2009–2011)

- Harvard University
  - Ford Foundation Professor of Science and International Affairs
  - John F. Kennedy School of Government
  - 1996–2009
- Preventive Defense Project, Harvard and Stanford Universities
  - Co-Director (with William J. Perry)
  - 1997–2009
- U.S. Department of State
  - Senior Advisor to the North Korea Policy Review
  - 1998–2000
- U.S. Department of Defense
  - Assistant Secretary of Defense for International Security Policy
  - 1993–1996
- Harvard University
  - Director, Center for Science and International Affairs
  - 1990–1993
- Harvard University
  - Professor, and Associate Director, Center for Science and International Affairs
  - 1988–1990
- Harvard University
  - Associate Professor
  - 1986–1990
- Harvard University
  - Assistant Professor
  - 1984–1986
- Massachusetts Institute of Technology
  - Research Fellow, Center for International Studies
  - 1982–1984
- U.S. Department of Defense
  - Program Analysis and Evaluation
  - 1981–1982
- Office of Technology Assessment, U.S. Congress
  - International Security and Commerce Program
  - 1980–1981
- Rockefeller University, New York
  - Research Associate
  - 1979–1980
- Oxford University
  - Physics Instructor ("Tutor" in the Oxford system)
  - Quantum Mechanics and Relativity
  - 1977–1979
- Brookhaven National Laboratory
  - Experimental Research Associate
  - 1976
- Fermi National Accelerator Laboratory
  - Experimental Research Associate
  - 1975

Honors and Awards:

- Henry L. Stimson Pragmatist and Idealist Award, Stimson Center, 2014.
- W. Stuart Symington Award, Air Force Association, 2014.
- Distinguished Public Service Medal, Department of Defense (awarded five times), 1994, 1995, 2010, 2012, and 2013.
- Joint Distinguished Service Medal, from the Chairman and the Joint Chiefs of Staff, 2013.
- Nunn-Lugar Award, Nuclear Threat Institute, 2011.

- Defense Intelligence Medal, from the Defense Intelligence Agency, 1998.
- Forum Award, American Physical Society, 1988.
- Ten Outstanding Young Americans, United States Jaycees, 1987.
- Senior Scholar, St. John's College, 1978–1979.
- Best participant prize, NATO Center for Subnuclear Physics, 1978.
- Rhodes Scholar, 1976.
- See above under "Education."

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by the Honorable Ashton B. Carter in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Ashton Baldwin Carter (Ash Carter).

2. **Position to which nominated:**
Secretary of Defense.

3. **Date of nomination:**
January 7, 2015.

4. **Address:** (List current place of residence and office addresses.)
[The nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
September 24, 1954, Philadelphia, PA.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married. Wife: Stepanie DeLeeuw Carter.

7. **Names and ages of children:**
[The nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
Abington High School, Abington, PA, 1968–1972, High School Diploma 1972.

Yale University, New Haven, CT, 1972–1976, B.A. 1976.

University of Edinburgh, Edinburgh, Scotland, Fall, 1974, no degree.

Oxford University, Oxford, United Kingdom, 1976–1979, D. Phil., 1979.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Self-employed, Ashton Carter LLC—Sole proprietorship, Washington, DC, 2014–Present.

Deputy Secretary of Defense, 2011–2013; U.S. Department of Defense—Washington, DC.

Under Secretary of Defense for Acquisition, Technology & Logistics, 2009–2011; U.S. Department of Defense—Washington, DC.

Chair, International & Global Affairs faculty, 2006–2009 (on leave of absence 2009–2011); John F. Kennedy School of Government, Harvard University—Cambridge, MA.

Ford Foundation Professor of Science and International Affairs, 1996–2009; John F. Kennedy School of Government, Harvard University—Cambridge, MA.

Co-Director (with William J. Perry), Preventive Defense Project, 1997–2009; Harvard & Stanford Universities—Cambridge, MA.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Member, National Council on Federal Labor-Management Relations (2012–2013).

Member, President's Management Council (2011–2013).

Member, White House Government Accountability and Transparency Board (2011–2013).

Chair, National Security Strategy and Policies Expert Working Group, Congressional Commission on the Strategic Posture of the United States, 2008–2009.

Member, Department of Defense Agency Review team, Obama-Biden Transition, 2008–2009.

Co-Chair, Review Panel on Future Directions for DTRA (Defense Threat Reduction Agency) Missions and Capabilities To Combat Weapons of Mass Destruction, 2007–2008.

Member, International Security Advisory Board to the Secretary of State, 2006–2008.

Member of National Security Advisory Group to Senator Tom Daschle, then Senator Reid, chaired by William J. Perry, 2005–2008.

Co-Chair, with Ronald Lehman, of Policy Advisory Group to Senator Richard Lugar, 2005–2008.

Member National Academy of Sciences Committee on Science and Technology for Countering Terrorism, 2001–2003.

Member, National Missile Defense White Team, 1998–2009.

Member, Threat Reduction Advisory Committee, U.S. Department of Defense, 1998–2002.

Member, Defense Science Board, 1991–93, 1997–2001.

Member, Defense Policy Board, 1997–2001.

Assistant Secretary of Defense for International Security Policy, U.S. Department of Defense, 1993–1996.

Member, National Academy of Sciences, Committee on International Security and Arms Control, 1990–1993.

Member, Sandia National Laboratory, President's Advisory Council, 1992–93.

Member, Congressional Office of Technology Assessment, Advisory Panel on START Verification Technologies, 1991–92.

Member, National Academy of Sciences Panel on National Security Export Controls, 1990–91.

Member, National Research Council Naval Studies Advisory Committee on the Future of the Aircraft Carrier, 1990–91.

Member, White House, President's Council of Advisers on Science and Technology, Panel on National Security, 1990–91.

Member, Defense Science Board Task Force on New Scenarios and Intelligence, 1990.

Member, Congressional Office of Technology Assessment Advisory Panel on START Verification Technologies, 1989–90.

Member, Joint Chiefs of Staff Advisory Group on the Future of U.S.-Soviet Military Relations, 1988–89.

Member, Commission on The Presidency and Science Advising, 1988.

Consultant, Bureau of Intelligence and Research, U.S. Department of State, 1986–1988.

Member, Advisory Panel on Military Uses of Space, Office of Technology Assessment, U.S. Congress, 1985–86.

Analyst, Program Analysis and Evaluation, Office of the Secretary of Defense, Pentagon, 1981–1982.

Analyst, International Security and Commerce Program, Office of Technology Assessment, U.S. Congress, 1980–1981.

Experimental Research Associate, Brookhaven National Laboratory, 1976.

Experimental Research Associate, Fermi National Accelerator Laboratory, 1975.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

a. Senior Executive, Markle Foundation, New York, New York, 2014–Present.

b. Distinguished Visiting Fellow, Hoover Institution and Lecturer, Freeman Spogli Institute for International Studies, Stanford University, 2014–Present.

c. Advisor, Box Inc., 2014–Present.

d. Advisor, Palo Alto Networks, 2014–Present.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

a. Aspen Strategy Group, 1997–2009 (now emeritus member).

b. Council on Foreign Relations, 1989–present.

c. Fellow, American Academy of Arts and Sciences, 1989–present.

d. American Physical Society, 1976–present.

e. American Association of Rhodes Scholars, 1977–present.

13. **Political affiliations and activities:**

a. List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

b. List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

c. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

(1) *Henry L Stimson Pragmatist and Idealist Award,* Stimson Center, 2014.

(2) *W. Stuart Symington Award,* Air Force Association, 2014.

(3) *Distinguished Public Service Medal,* Department of Defense (awarded five times), 1994, 1995, 2010, 2012, and 2013).

(4) *Joint Distinguished Service Medal from the Chairman and the Joint Chiefs of Staff,* 2013.

(5) *Nunn-Lugar Award,* Nuclear Threat Institute, 2011.

(6) *Defense Intelligence Medal,* from the Defense Intelligence Agency, 1998.

(7) *Forum Award,* American Physical Society, 1988.

(8) *Ten Outstanding Young Americans,* United States Jaycees, 1987.

(9) *Senior Scholar,* St. John's College, 1978–1979.

(10) *Best Participant Prize, NATO Center for Subnuclear Physics,* 1978.

(11) *Rhodes Scholar,* 1976.

(12) *Summa cum laude, Phi Beta Kappa* graduate, Yale University, with honors in medieval history and physics (B.A. 1976).

(13) *Andrew D. White Essay Prize in European History,* Yale University, 1976.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Publications. Books.

Keeping the Edge: Managing Defense for the Future. Editor (with John P. White) and author of three chapters. Cambridge, MA: The MIT Press, 2001.

[translated into Chinese, Military History and Translation Office, MND, ROC, 2002].

Preventive Defense: A New Security Strategy for America. With William J. Perry.Washington, DC: The Brookings Institution, 1999.

[translated into Russian by arrangement with Brookings Institution Press, 2003]

[translated into Arabic by arrangement with Brookings Institution Press, February/March 2002]

[translated into Chinese, CIP, 2000]

[translated into Korean, Bestun Korea Agency, 2000]

Cooperative Denuclearization: From Pledges to Deeds. Editor with Graham Allison, Steven E. Miller, and Philip Zelikow. Cambridge, MA: Center for Science and International Affairs, Harvard University, 1993.

A New Concept of Cooperative Security. With John D. Steinbruner and William J. Perry. Washington, DC: The Brookings Institution, 1992.

Beyond Spinoff: Military and Commercial Technologies in a Changing World. With John Alic, Lewis Branscomb, Harvey Brooks and Gerald Epstein. Boston, MA: Harvard Business School Press, 1992.

*Soviet Nuclear Fission: Control of the Nuclear Arsenal in a Disintegrating Soviet Union.*With Kurt Campbell, Steven Miller and Charles Zraket. Cambridge, MA: Center for Science and International Affairs, Harvard University, November 1991.

Ashton B. Carter on Arms Control. Kenneth W. Thompson, ed. Lanham, MD: University Press of America, January 1990.

Managing Nuclear Operations. Editor (with John Steinbruner and Charles A. Zraket) and author of three chapters. Washington, DC: The Brookings Institution, 1987.

Directed Energy Missile Defense in Space. Washington, DC: Office of Technology Assessment, U.S. Congress, 1984.

Ballistic Missile Defense. Editor (with David N. Schwartz) and author of two chapters. Washington, DC: The Brookings Institution, 1984.

MX Missile Basing (with Classified Annex). Author of chapters on "Launch Under Attack"; "Ballistic Missile Defense"; "Air Mobile Basing"; "Land Mobile Basing"; and (with Theodore Postol) "Command, Control, and Communications".Washington, DC: Office of Technology Assessment, U.S. Congress, 1981.

Articles

"Running the Pentagon Right: How to Get the Troops What They Need" Foreign Affairs, (January/February 2014), pp. 101–112.

"Super Hercules in the Himalayas: How the United States is Strengthening Defense Ties with India." Foreign Policy, (20 November 2013), online.

"Managing Defense Spending Through 'Better Buying Power', Not Sequestration." Defense One, (13 November 2013), online.

"Running the Numbers on MRAPs, Reliable Data Proves the Vehicles are Worth the Money." With J. Michael Gilmore. Foreign Affairs, (9 October 2012).

"The Pentagon is Serious About Saving Money." The Wall Street Journal, (21 September 2012).

"A Law to Strengthen our Cyberdefense." With Jane Holl Lute, The New York Times, (2 August 2012).

"Restoring Affordability." Defense News, (19 July 2010).

"The Way Forward on Missile Defense." With Michele Flournoy. The Wall Street Journal, (17 June 2010).

"Defense Management Challenges for the Next American President." Orbis, A Journal of World Affairs, (Winter 2009).

"Report of the Strategic Security Studies Issues Delegation to Taiwan and the People's Republic of China." With William Perry, Joseph Prueher, Robert Blackwill, Stephen Orlins, David Lampton, Kurt Campbell, Ashley Tellis, Evan Medeiros and Jan Berris. Harvard Belfer Preventative Defense Project, (July 2008).

"After the Bomb." With William J. Perry and Michael M. May. The New York Times, (12 June 2007), A–24.

"The Day After: Action in the 24 Hours Following a Nuclear Blast in an American City." With Michael M. May and William J. Perry. Report based on April 19, 2007

workshop hosted by the Preventive Defense Project, Harvard and Stanford Universities, (31 May 2007).

"China on the March." With William J. Perry. The National Interest, no. 88 (March-April 2007), 16–22. "How Washington Learned to Stop Worrying and Love India's Bomb." Foreign Affairs (foreignaffairs.org), (10 January 2007).

"China's Rise in American Military Strategy." With William J. Perry. In China's March on the 21st Century: A Report of the Aspen Strategy Group, Kurt M. Campbell and Willow Darsie, eds. Washington, DC: The Aspen Institute, (2007), 107–117.

"Plan B for Iran: What if Nuclear Diplomacy Fails?" With William J. Perry. Report based on May 22, 2006 workshop hosted by the Preventive Defense Project, Harvard and Stanford Universities, (10 September 2006).

"The Case for a Preemptive Strike on North Korea's Missiles." With William J. Perry. TIME (time.com), (8 July 2006).

"America's New Strategic Partner?" Foreign Affairs 85, no. 4 (July-August 2006), 33–44.

"If Necessary, Strike and Destroy." With William J. Perry. The Washington Post, 22 (June 2006), A–29.

"Toolbox: Containing the Nuclear Red Zone Threat." With Stephen A. LaMontagne. The American Interest 1, no. 3 (Spring 2006), 28–40.

"A Fuel-Cycle Fix." With Stephen A. LaMontagne. The Bulletin of the Atomic Scientists (January-February 2006), 24–25.

"The U.S. Military: Under Strain and at Risk." With William J. Perry (chair), Madeleine K. Albright, Graham T. Allison, Samuel R. Berger, Gen. Wesley K. Clark, Thomas E. Donilon, Michele A. Flournoy, John D. Podesta, Susan E. Rice, Gen. John M. Shalikashvili, Wendy R. Sherman, Elizabeth D. Sherwood-Randall and James B. Steinberg (members). National Security Advisory Group, (January 2006).

"Origins of the Nunn-Lugar Program." Presentation to the Presidential Conference on William Jefferson Clinton, Hofstra University. (11 November 2005).

"Interim Report on Nuclear Threat Reduction and the Fuel Cycle." Memo to Senator Richard G. Lugar, Chairman, Senate Committee on Foreign Relations. With Ronald Lehman II (co-chair, with Ashton Carter), Robert Einhorn, Alan A. Foley, Arnold Kanter, David Kay, Susan Koch, Lawrence Scheinman, and William Schneider, Jr (members). Policy Advisory Group on Nonproliferation, (1 July 2005).

"Worst Weapons in Worst Hands: U.S. Inaction on the Nuclear Terror Threat since 9/11, and a Path of Action." With William J. Perry (chair), Madeleine K. Albright, Graham T. Allison, Samuel R. Berger, Gen. Wesley K. Clark, Thomas E. Donilon, Michele A. Flournoy, John D. Podesta, Susan E. Rice, Gen. John M. Shalikashvili, Wendy R. Sherman, Elizabeth D. Sherwood-Randall and James B. Steinberg (members). National Security Advisory Group, (July 2005).

"Worst People and Worst Weapons." Statement before The 9/11 Public Discourse Project's Hearings on "The 9/11 Commission Report: The Unfinished Agenda." (27 June 2005).

"A Failure of Policy, Not Spying." The Washington Post, 5 April 2005, A–23.

"Conversations with The Forum: Perspectives on Preemption and National Security." Interview with Dr. Ashton Carter. The Fletcher Forum of World Affairs 29, no. 1 (Winter 2005), 9–12.

"The Essential Features of a Focused Strategy to Deal with the Proliferation Challenge: What Has Been Done and What Is to Be Done?" In The Challenge of Proliferation: A Report of the Aspen Strategy Group, Kurt M. Campbell, ed. Washington, DC: The Aspen Institute, 2005, 141–152.

"How to Counter WMD." Foreign Affairs 83, no. 5 (September-October 2004), 72–85.

"Overhauling Counterproliferation." Technology in Society: An International Journal—Special Issue: Technology and Science: Entering the 21st Century, George Bugliarello and A. George Schillinger, eds., 26, nos. 2/3 (April/August 2004), 257–269.

"Good Nukes, Bad Nukes." With Arnold Kanter, William J. Perry, and Brent Scowcroft. The New York Times, (22 December 2003), section A, 31.

"The Architecture of Government in the Face of Terrorism." Countering Terrorism: Dimensions of Preparedness, Arnold M. Howitt and Robyn L. Pangi, eds. Cambridge, MA: MIT Press, (2003),17–36.

"A Dedicated Organization in Congress." With Gerald L. Epstein. Science and Technology Advice for Congress, M. Granger Morgan and Jon M. Peha, eds. Washington, DC: RFF Press, (2003), 157–163.

"The Korean Nuclear Crisis: Preventing the Truly Dangerous Spread of Weapons of Mass Destruction." Harvard Magazine, (September-October 2003), 38–41.

"An American Security Policy: Challenge, Opportunity, Commitment." With William J. Perry (chair), Madeleine K. Albright, Samuel R. Berger, Louis Caldera, Gen.

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16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

I have delivered a large number of speeches in my capacity as Deputy Secretary of Defense and Under Secretary of Defense for Acquisition Technology & Logistics, and, previously, as Chair of the International and Global Affairs Faculty at Harvard's Kennedy School of Government. Since leaving the DOD in 2013, I have delivered one formal speech, the Fubini Lecture indicated below and several times have delivered informal remarks. In these cases, I have delivered these speeches using no notes, or using hand-written notes that have not been archived. Almost all of those speeches are derived from, or form the basis of, written publications or testimony, and their content can be found in my response to the previous question.

1. Remarks to Steel Tube Institute of America, Coral Gables, Florida. 17 November 2014.
2. Remarks to JMI Equity CEO Conference, Baltimore, MD. 2 October 2014.
3. Remarks to Barclays Geopolitical Risk and Defense Policy Roundtable, Washington, DC. 7 September 2014.
4. Remarks at Aerospace Corporation Board Dinner, Rancho Palos Verdes, California. 12 June 2014.
5. Fubini Lecture, MIT-LL. Boston, MA. 29 May 2014.
6. Remarks at Ashton Carter's official farewell ceremony. Pentagon. 2 December 2013.
7. Troop Talk at U.S. Consulate. Herat, Afghanistan. 14 September 2013.
8. Remarks at the Combined Federal Campaign Kickoff Ceremony. Pentagon. 05 September 2013.
9. Remarks at the Medal of Honor Ceremony for Ty Carter. Pentagon. 27 August 2013.
10. Remarks at the Aspen Security Forum. Aspen, CO. 18 July 2013.
11. Remarks on Defense Priorities in an Era of Constrained Budgets at the Center for a New American Security. Washington, DC. 12 June 2013.
12. Remarks at Christine Fox's Farewell Ceremony. Pentagon. 25 June 2013.
13. Remarks at Air Force Secretary Michael Donley's Farewell Ceremony. Pentagon. 21 June 2013.
14. Remarks at the OSD Junior and Senior Enlisted Service Members of the Year. Pentagon. 19 June 2013.
15. Remarks at the Pentagon Presidential Rank Awards Ceremony. Pentagon. 18 June 2013.
16. Remarks at the SOUTHCOM 50th Anniversary Ceremony. Doral, Florida. 4 June 2013.

17. Remarks on Better Buying Power at the Center for Strategic and International Studies. Washington, DC. 23 May 2013.
18. Remarks to the Aerospace Industries Association Board of Governors. Washington, DC. 23 May 2013.
19. Troop Talk at Camp Lemmonier. Djibouti, Djibouti. 11 May 2013.
20. Remarks at the EUCOM Change of Command Ceremony, Stuttgart, Germany. 10 May 2013.
21. Remarks at the Public Service Recognition Week Award Ceremony. Washington, DC. 8 May 2013.
22. Remarks at the National Press Club. Washington, DC. 7 May 2013.
23. Remarks at the NOIA Eisenhower Awards. Washington, DC. 18 July 2013.
24. Remarks at the 2013 Ronald Reagan Missile Defense Award Ceremony. Washington, DC. 23 April 2013.
25. Remarks on the U.S. Defense Rebalance to Asia at the Center for Strategic and International Studies. Washington, DC. 8 April 2013.
26. Remarks at the U.S. Embassy. Seoul, South Korea. 18 March 2013.
27. Remarks at the National Defense University Foundation Tribute. Washington, DC. 13 March 2013.
28. Remarks on Sequestration at the McAleese/Credit Suisse investor conference. Washington, DC. 12 March 2013.
29. Remarks at the Munich Security Conference. Munich, Germany. 2 February 2013.
30. Remarks at the F-35 Lightening II Change of Command Ceremony, Washington, DC. 6 December 2012.
31. Remarks at the Cooperative Threat Reduction Symposium. Washington, DC. 3 December 2012.
32. Remarks at the Von der Heyden Fellows Program Endowment Fund Lecture Series at Duke University. Durham, NC. 29 November 2012.
33. Remarks at Center for Nonproliferation Studies Advisory Board Meeting. Washington, DC. 15 November 2012.
34. DOD News Briefing on Better Buying Power 2.0 with Deputy Secretary Carter and Under Secretary Kendall from the Pentagon. 13 November 2012.
35. Remarks at New York City's Veterans' Day Parade Opening Ceremony. New York, NY. 11 November 2012.
36. Remarks at 57th Annual DOD Distinguished Civilian Award Ceremony. The Pentagon. 7 November 2012.
37. Troop Talk at Minot Air Force Base. Minot, North Dakota. 2 November 2012.
38. Remarks to L–3 Communications Board of Directors. Arlington, Virginia. 24 October 2012.
39. Remarks at the AUSA Annual Meeting and Exposition. Washington, DC. 24 October 2012.
40. Remarks aboard the *USS Eisenhower*. 19 October 2012.
41. Remarks at a Base in Southwest Asia. 17 October 2012.
42. Remarks at the North American Forum. Ottawa, Canada. 13 October 2012 (off the record; not for attribution).
43. Remarks at Defense Attaché Association. Washington, DC. 11 October 2012.
44. Remarks at Aspen Institute Roundtable Luncheon. Washington, DC. 10 October 2012.
45. Remarks at Navy's 237th Birthday Celebration. Pentagon Auditorium. 9 October 2012.
46. Remarks to USAF Cadets: "On Strategy and Leadership." United States Air Force Academy. 4 October 2012.
47. Remarks at the Woodrow Wilson Center. Washington, DC. 3 October 2012.
48. Remarks at the Mine Resistant Ambush Protected Program Transition Ceremony. The Pentagon. 1 October 2012.
49. Remarks at Raytheon Workforce Town Hall. Tucson, Arizona. 26 September 2012.
50. Remarks at White House Rhodes Scholar Event. The White House. Washington, DC. 24 September 2012.
51. Remarks at Combined Federal Campaign Kickoff. The Pentagon. 24 September 2012.
52. Remarks at the Department of Defense's National POW/MIA Recognition Day Ceremony. 21 September 2012.
53. Remarks at the Politico Pro Defense Forum, Washington, DC. 20 September 2012.
54. Remarks at the Annual Air & Space Conference and Technology Exposition. 19 September 2012.

55. Remarks at Partnership for Public Service Sammies Gala. Washington, DC. 13 September 2012.
56. Remarks at Council of Chief Executives Dinner. The Four Seasons, Washington, DC. 12 September 2012.
57. Remarks at Rhode Island Business Leaders Day. Hart Senate Office Building, Washington, DC. 12 September 2012.
58. Remarks at APEX SES Orientation Program. The Pentagon. 12 September 2012.
59. Remarks at NDU Economics and National Security Symposium. Fort McNair, Washington, DC. 6 September 2012.
60. Remarks at Award Ceremony for Jo Ann Rooney. The Pentagon. 4 September 2012.
61. Remarks at Joint Staff Global Readiness Conference. The Pentagon. 23 August 2012.
62. "The U.S. Strategic Rebalance to Asia: A Defense Perspective." The Asia Society, New York, NY. 1 August 2012.
63. Remarks at OSD Junior/Senior Enlisted Service Members of the Year Ceremony. The Pentagon. 31 July 2012.
64. Remarks to Troops at Camp Humphreys. 26 July 2012.
65. "Toward a Joint Vision for U.S.-India Defense Cooperation. Remarks to the Confederation of Indian Industry. New Delhi, India. 23 July 2012.
66. Remarks aboard the USS Blue Ridge, Yokosuka, Japan. 23 July 2012.
67. Remarks aboard the Battleship Missouri. 18 July 2012.
68. Address to NATO Parliamentary Assembly Members. The Pentagon. 9 July 2012.
69. Remarks at Foreign Defense Attaché Reception. The State Department. Washington, DC, 28 June 2012.
70. Remarks at Al Volkman Retirement Ceremony. The Pentagon. 25 June 2012.
71. Remarks at CTBT Workshop. Hay Adams Hotel, Washington, DC. 22 June 2012.
72. Remarks at Joint Base Charleston. Charleston, SC. 18 June 2012.
73. Remarks at Presidential Rank Award Ceremony. The Pentagon. 5 June 2012.
74. "Cybersecurity and Its Role in National Defense." Address at West Point Senior Cyber Security Conference. United States Military Academy. West Point, NY. 4 June 2012.
75. "Budget Priorities for 21st Century Defense: A Conversation with Deputy Secretary of Defense Ashton Carter." The American Enterprise Institute, Washington, DC. 30 May 2012.
76. Keynote Address at PenFed Night of Heroes Gala. Ritz Carlton, Washington DC. 24 May 2012.
77. Address to Senior Executive Service Town Hall on Achieving Audit Readiness. The Pentagon. 23 May 2012.
78. Remarks at BENS Annual Washington Forum. Grand Hyatt, Washington, DC. 22 May 2012.
79. Remarks to the Aspen Group U.S.-India Dialogue. Riggs Library. Washington, DC. 12 May 2012.
80. Remarks at Rep. Adam Smith District Day. Library of Congress, Washington, DC. 10 May 2012.
81. Address at NDU Center for the Study of Weapons of Mass Destruction. Fort McNair, Washington, DC. 9 May 2012.
82. Remarks at the Spirit of Service Ceremony. The Pentagon. 9 May 2012.
83. Remarks at Vanguard Executive Development Program. The Pentagon. 3 May 2012.
84. Remarks at Navy Office of General Counsel Conference. Alexandria, Virginia. 2 May 2012.
85. Remarks at Sam Nunn/Bank of America Policy Forum Lunch. Atlanta, Georgia. 16 April 2012.
86. Remarks at Farewell Ceremony for David Van Buren. The Pentagon. 23 March 2012.
87. Remarks at Farewell Ceremony for Regina Dugan. The Pentagon. 23 March 2012.
88. Remarks at Institute for Defense Analysis Lunch Colloquium. Alexandria, Virginia. 20 March 2012.
89. Remarks at APEX SES Orientation Program. The Pentagon. 19 March 2012.
90. Remarks to Harvard Zuckerman and Gleitsman Fellows. The Pentagon. 13 March 2012.
91. Remarks at NDIA Dinner. Army-Navy Club. Washington, DC. 12 March 2012.

92. Remarks at 50th Annual U.S. Senate Youth Program Reception. The Pentagon. 9 March 2012.
93. Remarks at Credit Suisse/McAleese Conference on 2013 Defense Programs. Arlington, Virginia. 8 March 2012.
94. The Paul C. Warnke Lecture on International Security: "Defense Strategy and Budget Priorities for the 21st Century." The Council on Foreign Relations. New York, NY. 6 March 2012.
95. Remarks at the ARPA-E Innovation Summit. Gaylord Convention Center, National Harbor, Maryland. 29 February 2012.
96. Keynote Address at the RSA Conference. San Francisco, California. 28 February 2012.
97. Remarks at Combined Federal Campaign Award Ceremony. The Pentagon. 17 February 2012.
98. Remarks at Atlantic Council Dinner. Metropolitan Club, Washington. DC. 15 February 2012.
99. Remarks at CNAS 5th Anniversary Celebration in honor of William J. Perry. The W Hotel, Washington, DC. 31 January 2012.
100. Remarks at Professional Services Council Meeting. The Four Seasons Georgetown, Washington, DC. 30 January 2012.
101. Remarks at the Major Budget Decisions Media Briefing. The Pentagon. 26 January 2012.
102. Remarks at Colonel Ronald F. Lewis Promotion Ceremony. The Pentagon. 20 January 2012.
103. Remarks at Enduring Security Framework Executive Steering Group. Washington, DC. 19 January 2012.
104. Remarks at Farewell Ceremony for Gordon Heddell. The Pentagon. 13 January 2012.
105. Remarks at the Defense Strategic Guidance Media Roundtable. The Pentagon. 5 January 2012.
106. Remarks at Defense Industrial Base Task Force Meeting. Aerospace Industries Association, Arlington, VA. 22 December 2011.
107. Iraq End of Mission/Return of the Colors. Andrews Air Force Base, Maryland. 20 December 2012.
108. OSD Senior/Junior Enlisted Service Member of the Year Awards Ceremony. The Pentagon. 2 December 2011.
109. Remarks at VADM Thompson Retirement and DLA Change of Command Ceremony. Fort Belvoir, VA. 18 November 2011.
110. Welcome Ceremony Remarks. Pentagon Auditorium. 9 November 2011.
111. Remarks at 55th Annual DOD Distinguished Civilian Awards. The Pentagon. 4 November 2011.
112. Remarks at Afghan Strategic Review Panel. Crystal City, Virginia. 26 October 2011.
113. Remarks at AUSA Eisenhower Luncheon. 11 October 2011.
114. "Defense Budgets, American Power, and the National Security Industrial Base." Remarks at the Brookings Institution. 15 July 2011.
115. Remarks at Heritage Foundation Conference, "The Pentagon Efficiency Initiative: Enough to Stave Off More Defense Cuts?" 20 April 2011.
116. "Doing More Without More: Obtaining Efficiency and Productivity in Defense." Remarks at the Center for a New American Security." 22 February 2011.
117. Remarks at Aviation Week's R&D Technology & Requirements Conference. Washington, DC. 16 February 2011.
118. "The Defense Industry Enters a New Era." Remarks to Cowen Investment Conference, New York, NY. 9 February 2011.
119. Remarks at Center for American Progress Conference, "A $400 Billion Opportunity: 10 Strategies to Cut the Fat out of Federal Procurement." 16 November 2010.
120. "Acquisition Process." Remarks before the Air Force Association Conference. 15 September 2010.
121. "Remarks at Navy League Sea-Air-Space Exposition, Gaylord Convention Center, Washington, DC. 4 May 2010.
122. Remarks at Defense Logistics Modernization Conference. Center for Strategic and International Studies. 2 April 2010.
123. Remarks at 38th IFPA-Fletcher Conference on National Security Strategy and Policy, "Air, Space, and Cyberspace Power in the 21st Century." 20 January 2010.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

ASHTON B. CARTER

This 13th day of January, 2015

[The nomination of the Honorable Ashton B. Carter was reported to the Senate by Chairman McCain on February 10, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 12, 2015.]

NOMINATION OF MR. PETER K. LEVINE TO BE DEPUTY CHIEF MANAGEMENT OFFICER, DEPARTMENT OF DEFENSE

TUESDAY, APRIL 21, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:32 a.m. in room SH–216, Hart Senate Office Building, Senator John McCain (chairman) presiding.

Committee members present: Senators McCain, Inhofe, Ayotte, Cotton, Rounds, Ernst, Tillis, Reed, McCaskill, Manchin, Donnelly, Hirono, and King.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. All right, Peter. We have done enough schmoozing.

This committee is always gratified to be in a position to help the Senate confirm nominees that previously distinguished themselves as esteemed members of its staff. That is why I am especially delighted to welcome Peter Levine who appears before us today as the President's nominee to serve as Deputy Chief Management Officer [DCMO]. I would also like to welcome his wife Mary Ellen and his son Daniel. We thank you both for lending Peter to his country in service once again.

Having served as staff director and before that as general counsel to the Senate Armed Services Committee [SASC], Peter has gained keen insight into how the Department of Defense [DOD] operates and how it is managed. He has an in-depth understanding of the challenges that confront its senior most managers and ensuring that the Pentagon provides our Nation's defense effectively and responsibly. Peter also knows how inherently challenging the position of DCMO is. He has seen how the Department does business, especially in the area of financial improvement and business transformation, critical areas over which the DCMO has a critical oversight role.

Peter, the task lies ahead of you. Few people outside Washington truly appreciate the challenge that the Department faces in the area of management, business transformation, and financial management. Measured by dollars, people, or global missions, the Department of Defense is quite possibly the largest, most complex single organization in the world. With this size and complexity comes difficulties in management. The Comptroller General, Congress'

independent watchdog, has continually listed DOD as high risk and vulnerable to fraud, waste abuse, and mismanagement.

The Department of Defense is unique in that it is the only large Federal agency that cannot even undergo a financial statement audit of its balance sheet. This committee, with Mr. Levine's help, has spent a great deal of time and energy working on specific challenges at DOD in the areas of weapon systems acquisition, business transformation, IT [information technology] system implementation, financial management, and supply chain management. To date none of these risk areas have been removed from GAO's [the Government Accountability Office] high risk list, but I am optimistic that with Mr. Levine's leadership and partnership with this committee we will make great progress which will benefit both the warfighter and the taxpayer.

While efforts to improve business systems, cut costs, and find waste at the Department of Defense are used to identify savings, it is also to gain knowledge and understanding about how the Department works. Former Secretary of Defense Robert Gates said back in 2011, "The current apparatus for managing people and money across the DOD enterprise is woefully inadequate." That came from the Secretary of Defense at the time. He went on to say it was, "nearly impossible to get accurate information and answers to questions such as how much money did you spend and how many people do you have."

Secretary Gates also mentioned that the result of these shortfalls in information was that he could not measure results or make judgments about priorities for the military. There is something very wrong when the Secretary of Defense cannot get answers to simple questions or know how or whether the agencies under his control achieve their intended results.

Fixing these weaknesses and improving the management of the Pentagon is not the job of any one person. All Pentagon leaders must be invested in this work from the Secretary on down, and Congress must never forget its critical role in this area. But this work goes directly to the heart of what the Deputy Chief Management Officer is all about, empowering the Secretary of Defense with timely and accurate information to assess whether the Department is achieving its goals, streamlining bureaucracy and cutting through red tape to enable the Military Services to put their full effort toward achieving their missions, not filling out paperwork, and holding leaders accountable for failing to change or adopt better practices, while at the same time rewarding managers who learn from mistakes and succeed in transformation.

Peter, this is no small task, but I assure you that, if confirmed, you will have a committed partner in this committee.

Again, I thank the witness for his willingness to serve and look forward to hearing from the witness on this important matter.

This committee has the well-deserved reputation for acting 99 percent of the time in a bipartisan fashion. A lot of that comes from the interaction between the staffs on both sides of the aisle, no matter who is in the majority. Peter, over many years as service to Senator Levin as well as other members of this committee, you have made a significant contribution to maintaining that environ-

ment of bipartisanship, not to mention though, however, that you and I have had spirited conversations on occasion in the past.

Senator Reed?

STATEMENT OF SENATOR JACK REED

Senator REED. Thank you very much, Mr. Chairman. Let me echo your comments about the spirit that Peter has helped keep alive, and I know he will continue to do that at the Department of Defense.

I want to welcome Peter and Mary Ellen and Daniel. Thank you very much.

One indication of success that the people that you led are strongly behind you—literally they are because the entire Democratic PSM [professional staff members] staff is here for this hearing to cheer you on and secretly send messages to you so that you get the answers right.

[Laughter.]

Senator REED. The chairman has gone into great detail and very accurate detail about the incredible contributions you have made to the committee. You originally came in 1996. You have been the general counsel, the staff director. You have been a trusted advisor to Senators on both sides of the aisle. You have been a mentor to the professional staff. You have made us all a little wiser and a little better prepared to face the challenges of a very difficult and dangerous world.

Many of the pieces of legislation that you worked with have profoundly reshaped the Pentagon, and there is a lot more that has to be done. You have been a major force in developing Government-wide procurement reform initiatives—for the Pentagon, I should say—including the Weapon Systems Acquisition Reform Act of 2009. That was really due to your staff efforts with the leadership of Senator Levin and Senator McCain. This was a tribute to their vision, as well as your efforts.

You have developed mechanisms to streamline the Department's workforce to help the Pentagon to maintain this workforce. You have also led efforts in the Senate to combat waste, fraud, and abuse in the Pentagon acquisition, stretching back to your days not just on this committee but when you were on the Government Affairs Committee.

We will miss you, your knowledge of the laws, your analytical ability, your determination, your professionalism. But we will recognize that we are benefiting and the Pentagon is benefiting and the Nation is benefiting from those skills in your new position as Deputy Chief Management Officer for the Department of Defense.

The DCMO position is charged with improving the management of the Department of Defense and it does need improvement. As such and especially in these constrained budget times, you will be challenged to support warfighters while making very difficult choices about eliminating low priority functions, cutting costs, but maintaining capacity and, in fact, enhancing capacity. Those are very difficult, in fact sometimes contradictory, challenges. You will be charged with leading the modernization efforts, and we have every confidence you will do it well as you have done everything well.

We look forward to working with you.

Again, let me thank the chairman for scheduling this hearing. Mr. Chairman, thank you.

Chairman MCCAIN. Thank you.

Before your statement, as you know, there are standard questions that have to be answered for the record, which I will go into now.

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress be able to receive testimony, briefings, and other communications of information. Have you adhered to applicable laws and regulations governing conflicts of interest?

Mr. LEVINE. I have.

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Mr. LEVINE. I have not.

Chairman MCCAIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Mr. LEVINE. I will.

Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

Mr. LEVINE. I will.

Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?

Mr. LEVINE. Yes.

Chairman MCCAIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

Mr. LEVINE. I do.

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Mr. LEVINE. I do.

Chairman MCCAIN. Please proceed.

STATEMENT OF MR. PETER K. LEVINE, NOMINEE TO BE DEPUTY CHIEF MANAGEMENT OFFICER, DEPARTMENT OF DEFENSE

Mr. LEVINE. Mr. Chairman, Senator Reed, members of the committee, first let me thank you for those very generous remarks that you made at the outset.

You are absolutely right about the challenges, management challenges, facing the Department of Defense. As I, if confirmed, take those on, it will be a great comfort to know that this committee is supportive of that effort.

It is my pleasure to appear before you today as the President's nominee for the position of Deputy Chief Management Officer of the Department of Defense. I would like to thank the President, Secretary Carter, and Deputy Secretary Work for selecting me for this position.

I would also like to thank my wife Mary Ellen and my son Daniel, both of whom are with me today. I mention them for all their love, support, and understanding over the years, and I would not be here without them.

This committee established the DCMO position in an effort to address the broken business practices and bureaucratic inefficiencies that caused DOD management programs and support functions to take too long, cost too much, and produce less than optimal results.

I believe that an active DCMO, with the support of the Secretary, Deputy Secretary, can make a real difference. If confirmed, I will strive to institute more effective management practices and take on the waste and inefficiency that needlessly squander the taxpayers' money and the Department's resources.

Mr. Chairman, it has been my privilege and honor to serve on the staff of the Armed Services Committee for almost 20 years. I could not have asked for a more rewarding place to work, for better people to work with and for, or for a better learning experience. I thank all of you, members and staff, for that.

I know that I have more to learn, but if confirmed, I will bring a piece of the Armed Services Committee with me to the Department of Defense.

That concludes my opening statement, and I look forward to your questions.

[The prepared statement of Mr. Levine follows:]

PREPARED STATEMENT BY MR. PETER LEVINE

Chairman McCain, Senator Reed, Members of the Committee—Thank you for scheduling this hearing. It is my pleasure to appear before you today as the President's nominee for the position of Deputy Chief Management Officer (DCMO) of the Department of Defense.

I would like to thank the President, Secretary Carter, and Deputy Secretary Work for the confidence they have shown in selecting me for this important position. I would also like to thank my wife Mary Ellen and my son Daniel, both of whom are here with me today, for their understanding and support over the years. I would not be here without them.

This committee established the DCMO position in an effort to address the broken business processes and bureaucratic inefficiencies that cause DOD management programs and support functions to take too long, cost too much, and produce less than optimal results. The committee also expected the DCMO to help the Department develop and implement the sound business systems and practices that will be needed to produce an auditable financial statement.

I understand that the Deputy Secretary of Defense has directed the DCMO to conduct a review of the organizations and business processes of the Office of the Secretary of Defense (OSD) and the defense agencies, with the objective of streamlining organizations and improving business processes. I do not believe that there are any significant management processes in the Department of Defense that cannot be streamlined and made more efficient.

Making process improvements will be difficult and time-consuming and may require changes to the culture of the Department. However, I believe that significant improvements are not only possible, but essential to enable the Department to reduce the size and composition of its management headquarters and achieve needed savings without creating bottlenecks that would undermine the mission. If confirmed, I will devote my fullest effort to this project.

Mr. Chairman, it has been my privilege to serve on the staff of the Armed Services Committee for almost twenty years. I believe that this committee is unique in the Senate because of its productivity, having produced a National Defense Authorization Act every year for the last 53 years. It is unique because of its tradition of bipartisanship, with Members and staff on both sides working together to solve common problems. And it is unique because of its dedication to a common purpose—doing what is best for our men and women in uniform and the national defense.

If confirmed, I pledge to bring this spirit of productivity, bipartisanship, and dedication to our men and women in uniform with me to the Department of Defense.

Mr. Chairman, that concludes my opening statement. I look forward to your questions. Thank you.

Chairman MCCAIN. Thank you very much.

The issue of continuing interest to this committee, as you know, is the inability of the Department of Defense to pass a financial statement and audit. The current audit deadline is, starting in 2017, that DOD will be audit-ready. Do you think that is going to be the case?

Mr. LEVINE. Mr. Chairman, I have always tried to be honest with members of this committee and give my best assessment, and I have always been skeptical that the 2017 deadline will be met and I cannot change my stripes just because I am sitting down here at the witness table.

Chairman MCCAIN. Why do you think that they have never been able to do that? People ask me that all the time.

Mr. LEVINE. Looking at the problem of an auditable financial statement for the Department of Defense, you have to keep in mind that it is the biggest entity in the world. We have hundreds of millions of transactions every year and billions of historic transactions. An individual taxpayer or a small business may be able to put their receipts in a shoebox and add them at the end of the year and balance their books, but an entity the size of the Department of Defense simply cannot do that. We have to have systems and processes in place that work and that produce good financial information, and when we get those systems and processes in place, it will not only provide us an auditable financial statement, but it will answer that question that Secretary Gates had about why he cannot get good answers to his questions when he needs to make a decision.

I think we have made significant progress really going back to when Deputy Secretary England took this on as a challenge in about 2005 when he became Deputy Secretary. I think that Mr. Hale as Comptroller continued that effort, and I think that it is now foreseeable to me that we can get to an auditable financial statement. I just do not believe we will make it by 2017.

Chairman MCCAIN. As you remember, a couple years ago, as part of not the Department of Defense but my role—and I was a member of the Permanent Subcommittee on Investigations—we discovered that the Air Force spent over $1 billion, many years of mismanaging what was supposed to be a commercial, off-the-shelf system. It was known as the expeditionary combat support system [ECSS]. No one was held responsible. What do I tell the taxpayers at the next town hall meeting that we wasted $1 billion on a program that never even begun at all, and no one was held responsible? What is your solution to that?

Mr. LEVINE. Senator, first I worked with your staff on that review.

Chairman MCCAIN. I remember.

Mr. LEVINE. I share their views and your views of that. It is absolutely unacceptable. What I will say is the failures that you identified in your report on ECSS, lack of planning, lack of a firm requirement, changing requirements, lack of commitment to the com-

mercial nature of the system, are systemic problems that we have in the acquisition of business systems for the Department of Defense, and we created the DCMO in part to make sure that that does not happen.

Chairman MCCAIN. I take it that one of your priorities is going to be to hold people responsible because just your appointment is not going to eliminate those.

Mr. LEVINE. It will be one of my jobs to review business system programs for the Department of Defense to make sure that they are doing the planning that they need to do, that they have the governance processes to make sure this does not happen again.

Chairman MCCAIN. Does that mean you are going to hold people accountable?

Mr. LEVINE. Senator, the people that need to be held accountable do not actually report to the DCMO. So it will be the job of——

Chairman MCCAIN. Will you identify them?

Mr. LEVINE. Yes. Yes, Senator, I will help identify people who need to be held accountable. I think that is a fair—yes.

Chairman MCCAIN. Thank you.

In a recent audit, GAO noted that a majority of major IT programs did not—and we know how important in this day and age IT programs are—establish baseline costs and schedule estimates within 2 years of program initiation. In fact, it took over 5 years and nearly half a billion dollars to be spent before baseline costs and schedule estimates were created for 12 major IT systems.

Is the IT system issue not of highest importance?

Mr. LEVINE. I will make it an issue of the highest importance. Yes, Senator.

Chairman MCCAIN. Do you think you can fix the problem?

Mr. LEVINE. I think we can do far, far better than we have done, and we need to do far, far better than we have done.

Chairman MCCAIN. Will you have the confidence of the Secretary of Defense?

Mr. LEVINE. I believe that I will, yes.

Chairman MCCAIN. Good.

As you know, from time to time, as a member of the staff of this committee, we have been frustrated with sometimes the lack of complete and timely information from the Department of Defense, and I hope that you will also make sure that we do receive that information in a timely and accurate fashion.

Mr. LEVINE. I have shared that frustration, and I will do my best to be as responsive as possible. I certainly understand the problem.

Chairman MCCAIN. Some of your comments I will keep on record to provide to you in case we do have difficulties in that area, Peter.

Mr. LEVINE. I appreciate that, Mr. Chairman.

Chairman MCCAIN. It was my beloved friend, Morris Udall, who once said the politician's prayer is that the words that I utter today be tender and sweet because tomorrow I may have to eat them. Thank you. [Laughter.]

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman.

Again, Peter, thank you for your service to Congress.

You were there in 2008 when this office was created. Briefly, can you give an assessment of what it has done positively and where are still the failings that it has not lived up to?

Mr. LEVINE. This committee was responsible for creating the position of DCMO, and it was created for the reasons that Senator McCain laid out in his opening statement, because the committee did not believe that Department was paying enough attention to the management issues that end up leading to waste and inefficiency and costing the Department so much money. It actually started with an amendment by Senator Byrd to create a second Deputy Secretary who was going to be a Deputy Secretary for management, and it evolved to where the Deputy Secretary would be the CMO [Chief Management Officer] and he would be assisted by a DCMO.

The idea was to elevate the issue of management within the Department and give it top level attention so that we could address some of these problems that just seemed to go on from year to year to year and never be solved.

There has been only one DCMO to date, one Senate-confirmed DCMO to date. I think she worked hard. I do not think she had the support at the top level of the Department that she needed to really take on some of these bigger problems. I have been assured that I will have that support, and I hope to have that support and I hope to take on the big management problems that have been of concern to this committee for so long.

Senator REED. Thank you.

Senator McCain alluded to in his questions about the IT systems. The Pentagon is the biggest enterprise in the world, but there are lots of big companies that are audited every year and they are pretty complicated and complex. I guess it begs the question, what can you learn from the private sector, not just studying them but adopting some of their mechanisms, getting advisors coming in who are management experts to tell you how you should do things differently at the Pentagon?

Mr. LEVINE. We need to do all of that. There are some mechanisms in the Department for doing that. There are some authorities we have given the Department to do that kind of thing, and the Department has not taken full advantage of the authority it has in that regard. We will want to bring in expertise from the private sector and do whatever we can to draw on that.

Senator REED. I know the Secretary has a business sort of advisors group. I do not know the official title.

Mr. LEVINE. The Defense Business Board.

Senator REED. I would assume you are going to be looking to them or work closely with them for advice and insight.

Mr. LEVINE. My understanding is that they are available to assist in these areas and to provide advice, and I hope that we will be able to draw on that advice. Yes, sir.

Senator REED. One aspect too here of the auditability and everything is that sometimes the fault is not in our stars but in ourselves, and some of the congressional requirements that we place make it very difficult to manage. Are you going to look also at the structures we give you to operate? We do not have the same type of capital budget, for example, in the Pentagon that you find in

most big, private enterprises. Are you going to be able to give us advice too about what changes we should make?

Mr. LEVINE. Senator Reed, I think there is an awful lot that can be done to improve the way the Department works without legislation. I think there are lots of ripe targets there. If I identify something that does need legislation or an area where we do need congressional help, of course I will come back to you and ask for that.

Senator REED. Just the final point and more of a comment than a question. Information technology is so critical to businesses today to be agile, to be proficient and productive, and some of the systems that you are operating are antiquated, to be kind.

Mr. LEVINE. I am hearing about COBOL-based systems and FORTRAN-based systems. Yes.

Senator REED. That is encouraging because those are the last computer languages that I learned in 1967 and 1969. So there is a place for me over there programming FORTRAN and BASIC.

[Laughter.]

Maybe I will withdraw the question.

[Laughter.]

But you know, you are right. You are looking at systems which are 20 years out of date, and the irony, of course—at least the perception that I have—is in the 1950s and 1960s and 1970s, the Pentagon was where the really spectacular information technology breakthroughs and automation were going on. It was business that was trying to catch up, and now it is completely reversed.

Mr. LEVINE. Particularly in the area of business systems, all of the initiative is now on the private sector side. You are talking about accounting systems or purchasing systems or personnel systems, those kinds of IT systems. The key is in order to make use of those, you need to address the problems that Senator McCain referred to earlier with the ECSS system where we tried to buy a commercial system but then we refused to change our processes. We ended up having to hire a squadron of computer programmers to try to reinvent a system that was working perfectly well in the commercial sector. What we need to do is to change our business processes so that they make sense and that they can be appropriately automated rather than automating an old process that really is not very efficient in the first place.

Senator REED. Thank you very much. Again, thank you for your service and your personal support systems in Congress.

Mr. LEVINE. Thank you, Senator Reed.

Chairman MCCAIN. Senator Inhofe?

Senator INHOFE. Thank you, Mr. Chairman.

You know, Peter, I find it difficult to believe the many, many years that I have personally had the honor of working with you I never met any of your family before. Mary Ellen, it is really nice to meet you. For the benefit of my fellow Senators up here, Daniel is at Harvard in computer science right now and he made a real sacrifice to be here today. You will be very much rewarded to know how much everyone thinks of your daddy because I do not recall anyone at any of these hearings who is more loved than he is.

In fact, the chairman said that 99 percent was nonpartisan in his past and talked about a few spirited conversations. I cannot re-

member any spirited conversations in the past that you and I have had.

Chairman MCCAIN. Peter can.

[Laughter.]

Senator INHOFE. No. That he and I have had. I understand that.

Even at the time with the Big 4, I remember 2 years ago with the Big 4, we got to know each other pretty well. It was really a great experience.

Anyone, if you just listen today to all of these people that are running for President of the United States, when they talk about the military and they talk about the Department of Defense, they talk about the Pentagon, they talk about waste, fraud, and abuse. In fact, that term was made by Senator Reed a minute ago. We hear a lot about that, and it is a very popular thing. But it seems like no one has ever really done anything about it maybe because we have never had anyone in this new position. I think the world of Beth McGrath, but she did not have the background that you do.

Now, you have been in the trenches. You know these problems that exist. It is going to be a real tough thing for you to do. In reading the mission statement here, it said in 2008 DOD formally chartered the office of DCMO to better synchronize, integrate, and coordinate the business operations of the Department and ensure the optimum alignment and all that stuff. If there is anyone who has a background that is more conducive to that, it would be you.

In your opening statement, you said that reductions should not take the form of across-the-board cuts. Cutting personnel without improving management processes or divesting functions will result in fewer people to do the same work, creating bottlenecks and backlogs that are counterproductive to the mission of the Department.

I think everyone knows the easy thing to do is the meat axe approach. Then it is somebody else's problem. But you are going to have to—and you have already done this—deal with OSD [the Office of the Secretary of Defense], deal with the combatant commands. When they come and testify here or the ones that we talk to in the field, and they talk about what they could do, sometimes it is just not something that is really easy in our system.

Does anything come to your mind now on how you are going to be able to focus these cuts and these efficiencies that we are depending upon you to do that specifically you are going to dive right in? You know the job, and you know about this from a position of knowledge. What are you going to be doing?

Mr. LEVINE. Senator, you know I have never shied away from taking on a difficult problem. If confirmed, in the near future I will have about a year and a half to work with, and I figure I have to take on some very specific targets to identify five or six priorities to go after. The Deputy Secretary has already asked the DCMO to review the organization of OSD and to look for places where we have redundant or superfluous organizations, and we will continue that. I have a couple of areas that I want to look at specifically.

I think the acquisition decision-making process is incredibly inefficient, and it has to be improved and it is not only too costly but it slows things down in a way that is counterproductive.

I think that the civilian personnel system can be dramatically improved. We need to streamline processes and we need to look at organizations and make that process more efficient and less costly.

There are several others like that, but I think that what I am going to have to do is to target specific issues and go after them and I intend to do that.

Senator INHOFE. In a comment you made—I do not know if it was a response to a question or your opening statement. I cannot remember, but you talked about the one person who was predecessor in this job sometimes may not have had the support of the top management. I am going to ask you that if you run into that, you can come to us because I do not recall having heard from that office before that there were some problems. I would say this—and I think everyone here looking at it up here at this table—that if you are not getting the full support, there is one thing you can do about it and that is come to us and we will make sure you do get the full support. Is that all right?

Mr. LEVINE. Yes, absolutely, Senator. I think that that is something that will help as I have to work with under secretaries and tell them that we are going to have to take on issues in their organizations or chiefs or deputy chiefs of staff. If they understand that the committee stands behind that and really wants these efficiency measures and really wants to make improvements necessary, that will be very helpful. Thank you.

Senator INHOFE. That is good because they are going to have to know that we are behind you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Hirono?

Senator HIRONO. Thank you, Mr. Chairman.

I was looking at the advance policy questions that have been submitted to you, and the first question is what is your understanding of the relationship between the Deputy Chief Management Officer and each of the following. I noted that there were at least 14 sets of individuals and their offices, everybody from the Secretary of Defense to the business transformation offices of the Military Departments. That is a lot of people that you are attempting to work with to do the kinds of modernization that you have told us you want to do.

How many people do you have in your office to help you deal with 14 individuals and offices?

Mr. LEVINE. I cannot remember. I think the staff of the DCMO is about 100 people.

What I would say is, first of all, in listing all those people that the office has to deal with, your staff was very good and very thorough in putting together those advance policy questions.

Second, I do think I have something of an advantage in taking it on in that from my work with the committee, I already know all those people that I will have to interface with and have worked with them over the years. I think that that will put me in a position to do that.

Senator HIRONO. I think those relationships are critical because anytime that you are dealing with folks who are already in place who are supposed to be doing many of the things that you are doing within their own Services, without that kind of relationship,

they do not necessarily have to listen to you. I commend you for that.

Now, going to acquisition reform, you said that it obviously needs to be much more efficient and less costly, and you said you would target specific issues in the area of acquisition reform and go after those. Could you tell us what your first specific target issue for acquisition reform would be?

Mr. LEVINE. I need to be careful here because the Under Secretary of Defense for Acquisition Technology and Logistics is the acquisition policy official for the Department of Defense. The DCMO has a role here, as in other areas, in looking at process. We had a GAO report that the committee received recently that indicates that for a program manager of a major program in the Department to get a milestone decision can take 2 years and 2,000 man-hours. They may have to go to 200 different offices to get their approval. That kind of process where you have to go to all these different offices—the program managers should not have to do that. They are spending all their time briefing people and changing slides to get approval rather than working on the substance of the program. I think that process—without changing the acquisition policy, which this committee will do, the Under Secretary for Acquisition Technology will decide what the policy is. The process can be significantly improved, and I hope to work with Frank Kendall and others in the Department to do that.

Senator HIRONO. I am really hopeful that you will be able to move the ball because I know that the chairman has had all kinds of questions, as have many of us, regarding acquisition reform. It is not exactly transparent. For example, if you would be looking at things like contracts, the kind of contracts we put in place, the requirement process. Would you agree that the more specific we are as to what it is we want, that would limit the changes that we make that just add to the cost? There is a whole range of things that are very specific to the acquisition process, complicated as it is.

Mr. LEVINE. Yes, Senator. There are a whole range of things like that that need improvement. This committee has made significant strides in the past, and I understand that the chairman has made it a priority to address that issue again this year. I know it continues to be a priority for the Department, and I will make whatever contribution I can if confirmed.

Senator HIRONO. We have had questions relating to cybersecurity. I think that is one of these most vulnerable areas of vulnerability across departments. Can you talk a little bit more about how you would make sure that DOD addresses is cybersecurity needs in an appropriate way?

Mr. LEVINE. I should defer that question to my son who is the IT expert in the family.

[Laughter.]

The DCMO works closely with the Chief Information Officer (CIO), of the Department who really is more the technology person, the IT technology side. The DCMO is more on the business process side. If confirmed, I would work closely with Terry Halvorsen, who is the Chief Information Officer of the Department and is heavily focused on cybersecurity issues. One of the things that you look at

in the chaotic systems environment the Department has where we have so many different systems run by so many different people is that that presents too many targets. One of the things that Mr. Halvorsen is working on is streamlining that system, consolidating, which not only enables you to be more efficient and have a better business process but also should enable a more secure environment.

Senator HIRONO. Thank you.

Thank you, Mr. Chairman.

Mr. LEVINE. Thank you, Senator.

Chairman MCCAIN. Senator Rounds?

Senator ROUNDS. Thank you, Mr. Chairman.

Mr. Levine, I understand that you have been here for a long time, a lot longer than I have been. It would appear to me that before you would have made a major change moving from this side to that side, that you would have had a number of conversations with the individuals who will employ you and you would have had discussions about your capabilities and your ability to actually get the job done. I would like to explore just a little bit.

You have indicated that, number one, as the DCMO you are going to be responsible for the processes, but I am just curious. In the discussions that you have had to convince you to want to do this job in the first place and one that I suspect might make you more frustrated than a former Governor coming into the U.S. Senate is——

[Laughter.]

Senator ROUNDS.—what did you receive in terms of an assurance of resources available to you, the assurances themselves that you would have the ability to get in and actually look at the different processes, open access, and finally your access to the guys who can hire and fire and make a difference? What types of discussions and where are you at right now in that process?

Mr. LEVINE. When the Deputy Secretary, Secretary Work, talked to me about the job and asked me if I would do it, I said, so you want to make me the most unpopular person in the Pentagon. He said, yes, and I will be right there with you. That was the assurance that I needed that he understood that what the DCMO has to do is to go into basically other people's rice bowls and tell them they are not doing it right and they need to do it differently, and that is never going to be something that is popular in any organization and certainly not an organization like the Pentagon. He understands that that is what the DCMO needs to do and he said he stands fully behind it and will be absolutely supportive of it.

I did not get any assurance of more resources, and I do not think that that would have been an appropriate—if there is some specific project that needs something, we will try to find resources within the Department and available resources. But I think that building a new office or a new bureaucracy is not the way you fight bureaucracy. We need to make use of the resources we have and not create some new structure to try to do that.

Senator ROUNDS. Do you believe the resources that are available to you will be capable? Do you have the resources available to make a dent?

Mr. LEVINE. Senator, I do not believe that the resources of the DCMO office alone are sufficient. I do not think that any one office could be sufficient for that. What I believe is that with the commitment of the Deputy Secretary, I will be able to draw on other offices in the Department and other expertise in the Department. For example, if we are going to look at acquisition, we are going to have to work with the acquisition people, with Frank Kendall and his organization, and the Service acquisition executives and their organizations. They do have expertise, and we are going to have to draw on that expertise. We are going to have to draw on expertise from the private sector through the Defense Business Board and other mechanisms that are available to do that. I think there are mechanisms to provide the support that we need and to provide the resources we need, but I do not think the answer is to build a huge new office.

Senator ROUNDS. You indicated that when we talk about the chain of command, specifically you felt comfortable coming back to us. Do you think that under the current chain of command and the responsibility that you have to those individuals that will be your superiors, that you have access and that you believe you can come directly to this committee and ask for the resources or the assistance to get something done?

Mr. LEVINE. I think that the Secretary and Deputy Secretary understand very well where I am coming from and the background that I have and understand the relationship I have with this committee and look at that as a positive rather than a negative. Yes, I do think that is the case.

Senator ROUNDS. Thank you, sir.

I yield back.

Mr. LEVINE. Thank you, Senator.

Chairman MCCAIN. Senator McCaskill?

Senator MCCASKILL. So many questions, so little time.

Mr. LEVINE. Senator, it is very strange to see you all from this side.

Senator MCCASKILL. I can imagine.

Mr. LEVINE. I am seeing you face to face for the first time, rather than seeing the back of your heard.

Senator MCCASKILL. I can imagine. My swivel, where I go first to Jason and then to Peter—I do not know how this is going to work out.

First, I want to talk about the audit stuff. I was really disappointed when I found out in March that they have pulled the clean audit finding from the Marine Corps.

Mr. LEVINE. Yes, Senator.

Senator MCCASKILL. People that have been at this longer than I have, but I have certainly since the day I got here tried to figure out, coming in as a former auditor, how in the world we had gotten to the point that the Department of Defense was incapable of being audited.

My false sense of optimism that the Marine Corps had finally come up with a clean audit, to now have it pulled because we found out about these suspense accounts at the Department of the Treasury, and now not only do we not have a clean audit of the Marine

Corps, that is going to call into question the ability of us to get clean audits anywhere.

Briefly, can you give me any sense of what we can do about fixing this suspense account problem at the Department of the Treasury for all of these commingling of funds that sound like to me funds that are looking for an appropriation but have not found them?

Mr. LEVINE. Senator, I do not know the answer to that.

Now, I do know that one of the even more troubling things about the Marine Corps audit is that I believe that it was a 2011 clean audit that got the clean opinion, which means that we have done 2012, 2013, and 2014, and now we are told that we have the problem. Not only is the 2011 audit not good, but that means that the subsequent audits would not be good either. I do not know why it took us 4 years to get to the point where that problem was discovered.

Senator MCCASKILL. Could you find the answer to that question?

Mr. LEVINE. Yes, Senator. If confirmed, I will look into that and get back to you on that.

Senator MCCASKILL. I would really like to know the answer to that because the fact that it took them years—I cannot figure out why this is so hard.

Mr. LEVINE. It seems to me that if there was a problem with the 2011 audit, we should have known that in 2012, and we would have been working on it for 3 years by now and figuring out how to get traceability and fix it. We should not be hitting the point in 2015 where we learn about the problem. All I can say is I do not understand it, and if confirmed, I will look into that and get back to you about it.

Senator MCCASKILL. I also want to make a comment that I am hopeful that no matter who gains the White House in 2016, regardless of which party, that I am hopeful that the work that you have done on this committee will serve you well and hopefully the next commander in chief would want to utilize continually your expertise that you have. You just start so much further down the line than anybody else who would take this job because of your incredible working knowledge of the labyrinth that is the process of acquisition and how they spend money and the way they mess it up. I just hope that you stick around.

I know you cannot get this done in a year and a half, but I am still going to keep banging about this contractor manpower thing. We had the hearing back in 2012. You remember it. In July of last year, I sent a letter to the Department asking for specific information about the implementing of a department-wide contractor manpower reporting application. We have to know what we are buying through contractors, and we need to know it department-wide. We cannot evaluate whether or not we are getting a good deal with contractors or a bad deal with contractors if we do not even know how many contractors we have. I really would like you and would like a commitment from you today that you would at least help me figure out what the stall is here. Why is this so hard? If you would comment on that, I would appreciate it.

Mr. LEVINE. Yes, Senator. We have this requirement for a contractor inventory, for an inventory of the service contractors work-

ing for the Department. I know this is an issue that is important to Senator Manchin as well.

There is an inventory system in place. It does produce a number. I checked yesterday and I was told that the number of service contractors we currently have working for the Department of Defense is 629,000. In fact, it was not just 629,000. It was 629,000 and so many hundred and such. It was a very precise number.

The problem, now that I have told you that there is a number, is accuracy as with so many of the Department systems. Contractors are hard to count, and the universe of contractors is hard to define because when you are doing service contracts, we have times when we hire service contracts by the person, and so we have a number of people. You also have places where you hire for a result. If you have an elevator maintenance contract, you do not care whether you have six people working on it or five. You are contracting to have the elevator operating. We have places where it is easier to count and places where it is harder to count.

We have different systems of counting in the different Military Departments. The Army has a system where they go out and they put as a term of all their contracts with service contractors, you have to tell us how many people you working on it. The other Military Departments have a conversion factor where they say we are spending this number of dollars. We figure it must be this number of people.

The number sounds very precise, but it is a lot less precise than it sounds because of the techniques that they use to gather that information.

Senator MCCASKILL. Exact numbers may not be as important as the ability to compare apples to apples, branch to branch, Service to Service, whether or not we are getting value. If the elevator operators that are maintaining elevators in the Army are making three times as much as the elevator operators that are maintaining elevators for the Navy, we need to know that. That is why this inventory is so important.

Mr. LEVINE. You need to have more information, not just about how many you have but how you are hiring them and whether you are hiring them in the right way. Yes, Senator, I agree.

Senator MCCASKILL. Okay. Get to work. We will be watching.

Mr. LEVINE. Thank you, Senator.

Chairman MCCAIN. Senator King, can you follow that act?

Senator KING. Thank you, Mr. Chair.

Peter, I would like to talk about two versions, one about personnel and the other about purchasing and contracts, which we have been talking about.

Often I think it is as much about process as it is policy. An example of this is personnel management. What do you think about human resources [HR] reform within the Department of Defense, and what can Congress do to help facilitate more efficient HR practices?

Mr. LEVINE. The Defense Business Board reported earlier this year that the human resources area is an area where they think that there are significant efficiencies that can be achieved by the Department, that it is an area where we have too many layers of management, too many managers with a small span of control. You

have one person, for example, managing three people, and those people managing five people. You have too many layers of middle management. That is something we are going to have to look at.

We are also going to have to look at efficiencies of specific processes. We have a civilian hiring process, and I am told it takes at least 6 months and maybe 8 months or more to hire a single individual to work at the Department of Defense. That is just crazy. You lose some of the most talented individuals you are trying to hire because you cannot offer them a job even though you know you want them to come work for you.

Senator KING. This is a problem throughout Government.

Mr. LEVINE. It is a problem throughout Government.

Senator KING. When you layer on the security clearance part, it could go up to 2 years.

Mr. LEVINE. Yes. The security clearance is hard to deal with. There are changes that we are looking at in that area that this committee has asked the Department to look at with what is called a continual security clearance process.

But I think there are significant improvements also that can be made in the hiring process, and this relates to the issue of sort of too much bureaucracy. If you add in extra layers, then your different human resources offices spend time negotiating with each other instead of getting the job done, and we need to cut out some of those middle boxes and simplify the process.

Senator KING. I take it that you see this as part of your responsibility to build a team to tackle this particular problem?

Mr. LEVINE. Absolutely, Senator.

Senator KING. We have talked about contracting and procurement. I have a modest suggestion that I utilized when I was Governor, which is pick some typical cases. Take five or six different cases from the mundane—you know, Fort Bragg needs five new sinks in their kitchens to acquisition of a tank or something larger—and ask your people to prepare a chronology of all the steps necessary so that you can see it. Rather than talking in the abstract, you are saying, okay, why did it take 12 approvals to buy a sink? The same thing with services. I have found they can blow the smoke at you when you are talking in generalities, but when you say why did it take this long to get this printer in this office—specific cases.

I used to also call the 800 numbers for the public and see who answers, how long does it take, what do they tell you. I will never forget calling the tourism office in Maine. Everything went fine until they said we will send you a brochure in 3 to 6 weeks and it was June. In 3 to 6 weeks in Maine, the summer is over.

[Laughter.]

Senator KING. The point is you learn from reaching into in a direct kind of way. I hope you will try out some of those.

Mr. LEVINE. Senator, I am going to have to chose my targets carefully with a limited amount of time, but one of the targets I hope to chose is the acquisition process and particularly the acquisition milestone decision-making process that we use for major weapon systems. I think you are exactly right, that what we are going to need to do is we hear that program managers have to go

to 200 different offices we are going to have to document for several programs.

Senator KING. Take a real life case.

Mr. LEVINE. It may be one from each of the services or something. Who is it you have to go to? What does this process actually look like when you diagram it so that we can say you cannot do that anymore. It cannot be that complicated.

Senator KING. This may be a moment in time where the stars are literally aligned, starting with the chairman of this committee to Ash Carter to Frank Kendall to you. That is a very special constellation of people who are very aware of this problem and that it has to be addressed. We may not have an opportunity like this for years. I hope that you will be a real irritant on this subject. As I mentioned to you yesterday, you do not want to look back 10 years from now and say, gee, I wish I had pushed on this.

Mr. LEVINE. Senator, some people tell me I am too good at being an irritant. But, yes, I will do my best.

Senator KING. I had that experience once in a court where I said, Judge, I do not want to beat my head against a stone wall. He said, Attorney King, I know of no one in Maine better qualified for that. [Laughter.]

I appreciate your willingness to take this on, and I do hope you will view this as an extraordinary opportunity. Working with a great team, and with the support of this committee, I think some good things can be done for America both in terms of security and in terms of our taxpayers. Thank you.

Mr. LEVINE. I appreciate that. Thank you, Senator.

Chairman MCCAIN. An incredibly wise judge.

Senator Ayotte?

Senator AYOTTE. First of all, Peter, I am so thrilled that you are going to be nominated for this. I have been so impressed with your work on SASC. The Department is very fortunate to have someone of your caliber to go over and serve there. I am really enthusiastically looking forward to voting for you and I am very glad that you have translated your service in the Senate over to help and take that knowledge over to the Department of Defense.

Mr. LEVINE. Thank you, Senator.

Senator AYOTTE. Thank you, and thank you to your family for all the sacrifices they have made over the years for many of us on SASC and all the questions we have asked. We appreciate it.

I know that many of the questions that I had have already been asked, I am looking forward to your spending some time on the high risk list that GAO puts together and really focusing on that and trying to address some of those concerns. I know that that has already been directed at you.

Mr. LEVINE. Yes, Senator. That will be a priority.

Senator AYOTTE. One of the things I think we have struggled with here and thought about is just the size of management and headquarters organization at the Department of Defense. It has really grown fairly significantly over the last 15 years. Given the challenges that we are facing in terms of resourcing and what we need to do to defend the Nation, I wanted to get your thoughts on how the size, the composition at the Department of Defense management headquarters—what thoughts you have to make that

more efficient. Is it the right size or should we be looking at shifting what happens there?

Mr. LEVINE. Senator, I think that, first of all, it cannot be the right size. We have to make it more efficient. We have to make it smaller. We have to find cuts. I think that is hard to do. It is hard to get your arms around management headquarters at the Department. You have shifting definitions. I know there is a case that Senator McCain was concerned about, for example, where the Air Force claimed to have downsized some of its headquarters, and apparently they moved something to a separate command or created a separate command to do it. That kind of thing does happen, you know, changing definitions so you do not have to change the numbers.

I believe we have to change the processes. We have to change the structures, and we have to find things that we have been doing that we can either do better or not do at all. That to me is the core is to take on those issues. But we have to get smaller.

Senator AYOTTE. Terrific.

I think so too especially as you look at just the growth in the size and obviously the priorities that we need to have and what we are trying to accomplish. I think all of us are looking forward to working with you I in this new position, and I look forward to enthusiastically supporting you. Thank you for your willingness to do this. I appreciate it.

Mr. LEVINE. Thank you, Senator. I, of course, can come talk to you anytime if you have specific concerns in these areas as we go forward.

Senator AYOTTE. Terrific. Thank you.

Chairman MCCAIN. Senator Manchin?

Senator MANCHIN. Thank you, Mr. Chairman.

Again, Mr. Levine, Peter for me, thank you for the service you have given to this body in the Senate and to this committee for many, many years. We really, all of us, I think in a bipartisan way leaned on you pretty heavy, and you did a great job.

Mr. LEVINE. Thank you, Senator.

Senator MANCHIN. I want to thank you for taking that experience level that you have to this next level. You could have very easily have taken another path. But staying in what you know and what you have been able to do over the years, knowing our concerns, means a great deal to all of us on this committee, and we thank you on behalf of the committee.

Let me just say that, Peter, every time we have talked and we get the money crunch, it is all a reduction of staff. I always hear about reduction of staff. We throw the frontline soldier out there first. I know you have heard the concerns we have had, and you and I have talked about contracting, procurements, all the things and the waste that we have. There is not a person who does not want to defend this country and make sure that we support our troops.

With that being said, I have been particularly concerned with the growth of the headquarters staff. Every time we talk about reduction of staff, no one ever talks about headquarters staff in light of the drawdown of what we are talking about in the military services. It is sometimes hard to get visibility as to whether their cuts

to headquarters staffs are actually creating more efficient organizations or simply reshuffling the deck chairs on the Titanic.

Is that something in your bailiwick that you will be able to get a hold of?

Mr. LEVINE. It will be, Senator. The Deputy Secretary has asked the DCMO office, as I understand it, to review the Office of the Secretary of Defense, which is I guess—I do not know the number—somewhere in the order of 2,000–3,000 people and figure out where there can be cuts made. Now, that is civilian personnel in the Office of the Secretary of Defense. This is one of the misleading things about management in headquarters is that, of course, there is contract support and there are other support elements in there that you do not see on the surface. But I expect it is something that we will look at actively and see where we can bring it down. Not just the Office of the Secretary of Defense because one of the problems with the Department is we have so many different management headquarters, and we need to focus on all of them.

Senator MANCHIN. Let me just say this. I do not want to take a lot of time. You know, when you look at the support and look what is going on, we spend—what—$600 billion, $650 billion on defense right now. When you look at all the other countries combined and where we are—we are a superpower and we want to remain that superpower and we want to make sure that our people are the best trained, best equipped, and have the latest technology. We are always on the vision of the cutting edge of what is the next technology we need to keep world peace. I am in favor of every bit of that.

I have to look people in the eye in West Virginia and basically say, well, we have to cut here, here, and here because we had to spend here, here, and here. Efficiencies. Without the audits, without knowing what is going on, without proving business decisions, running an organization, the largest in the world, the size of the Pentagon, it is going to take tough management. Someone is going to bite the bullet here.

When you come back to us and say, listen, we have looked at everything humanly possible and with all of our incurred costs, we just cannot, that is fine. But if there are ways to run it better—and that is where I think there is more efficiencies to be gotten out of this, that is what I am looking for.

Mr. LEVINE. Yes, Senator. You have had the testimony before the committee of the Service Chiefs telling you that with the sequestration level budgets, we do not have the money to support the force structure we have now. Absolutely, wherever we can find efficiencies, wherever we can get savings from the infrastructure and the support services, we need to do that.

Senator MANCHIN. When I look at the Guard, being a former Governor—and I know Senator King being a former Governor—we are really fond of our Guard because of what we ask them to do every day. This is not the Guard that we knew. This is not the Guard of 20 years ago. This is a whole different Guard. They are going on the front lines prepared, ready to go. I do not know why we do not utilize them more for cost savings than going into the contracting route that we have gone. That just does not make any

sense to me. I am anxious to get that report. I know that Senator McCaskill asked you about that.

Mr. LEVINE. Yes. Of course, you have the Independent Commission on the Army which will be looking at that issue and coming back to you within the next year or so.

Senator MANCHIN. Thank you.

Chairman MCCAIN. Senator Reed?

Senator REED. I have one final question. Senator McCain and I were talking back forth about how we have told the Pentagon to get an audit. The question is there are agencies—and Senator McCain reminded me—Homeland Security has a private outside auditor that comes in. But I think we are jumping over a basic question which is can the Department of Defense be audited? Has anyone ever asked the outside experts to come in and just answer the first question, i.e., yes, it can be audited but you have to have these changes, these changes, these changes, these changes? I think we have assumed it is auditable, and then you have not been able to do it. It is frustrating. Will one of the first questions you ask be, can we audit this place?

Mr. LEVINE. Back in 2001 or 2002, I helped write a piece of legislation, advised the committee on a piece of legislation which said essentially do not even try to audit the Pentagon right now. What it said is you need to determine that you are at a state where your books and records are in a good enough shape that it is worth hiring an auditor and spending the money on an auditor before you plunge money into that because right now they are so bad that you are just sending good money after bad. You cannot do it right now.

There is now a process, which we have in law and it has been in law for several years, which says the Department has to assert that they are audit-ready before they can spend money for auditors. They are now reaching a point where they are willing to make those assertions. As I say, there has been a definite progress over that period of time. We are not where we need to be.

Frankly, I think that one of the things that the committee needs to think about and the Department needs to think about is if I am right and we do not make the 2017 deadline, how do we keep that pressure on after 2017 because the 2017 deadline has put some real pressure on the Department to make improvements. But you have to think, okay, so if you get to 2017 and it did not happen, how do we make sure that the same pressure remains on in 2018 and we do not just say, well, we blew it, now we are going to give up and go home because we cannot afford to do that.

Senator REED. Just a final quick point. I thank the chairman for his indulgence.

That process is sort of self-certification. We are ready.

Mr. LEVINE. Right.

Senator REED. Would it not make sense to have a private auditor to come in and say, yes, they are ready, we have looked at it, the systems are in place, et cetera? Because I think some of the problems are, ala the Marine Corps, we are ready.

Mr. LEVINE. The Comptroller is working with major accounting firms on that exact process. In fact, one of the issues they have had over time is they have to have audit firms consult with them on that issue. They are also going to have independent audit firms

come in and help in the audit when it takes place. They have to make sure they get them lined up so that they are not all conflicted out because they have to have both audit firms to advise them and audit firms to conduct the audit. But, yes, they are doing that.

Senator REED. Thank you.

Chairman MCCAIN. Just to pursue that line again, I see nothing wrong with bringing in an outside auditor to look at the whole situation and see if they cannot do the auditing. The Department of Homeland Security somehow was able to get audited—they are a pretty big organization—by an outside auditor. They have been screwing around for 15 years now.

Mr. LEVINE. We have to get it done. I agree with you, Senator.

Chairman MCCAIN. An outside auditor I think is at least an option that we ought to explore or even try.

I congratulate you again on your appointment. We look forward to working with you. I want to assure you the next hearing will not be nearly as pleasant as this one was.

[Laughter.]

We congratulate you and also appreciate you very much, and congratulations to your wonderful family.

The hearing is adjourned.

[Whereupon, at 10:32 a.m., the committee adjourned.]

[Prepared questions submitted to Mr. Peter K. Levine by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

RELATIONSHIPS

Question. What is your understanding of the relationship between the Deputy Chief Management Officer of the Department of Defense and each of the following?

The Secretary of Defense.

Answer. The Secretary of Defense is responsible for all programs and activities of the Department of Defense. Accordingly, the Deputy Chief Management Officer (DCMO) is responsible and accountable to the Secretary in the performance of his duties. In addition, as a result of a recent reorganization within the staff of the Office of the Secretary of Defense (OSD), the DCMO is directly responsible to the Secretary for the management and support of the OSD staff; the management and protection of the Pentagon reservation; and selected intelligence oversight matters.

Question. The Deputy Secretary of Defense.

Answer. Under section 132 of title 10, U.S.C., the Deputy Secretary of Defense serves as the Chief Management Officer (CMO) of the Department of Defense. Section 132a provides that the DCMO shall assist the Deputy Secretary in the performance of his duties as CMO. The Deputy Secretary of Defense has delegated duties and authorities to the DCMO to assist in effectively and efficiently organizing the business operations of the Department.

Question. The Defense Business Systems Management Committee (DBSMC).

Answer. I understand that section 901(c) of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for fiscal year 2015 repealed the requirement for the DBSMC. The functions of the DBSMC have been absorbed as a part of the Deputy's Management Advisory Group (DMAG). Business reform, DOD strategy and budget discussions are all subjects of the DMAG. The DMAG is co-chaired by the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff and includes as members the Under Secretaries of the military departments, the military vice chiefs, and key OSD staff. If confirmed, I would serve as a voting member of the DMAG and would be responsible for bringing business management agenda items to the DMAG.

Question. The Under Secretary of Defense for Financial Management (Comptroller).

Answer. The DCMO works with the Comptroller to improve the financial management of the Department and move toward an auditable financial statement by improving the business systems and processes of the Department.

Question. The Other Under Secretaries of Defense.

Answer. The DCMO works with the Under Secretaries to review and improve key business processes, modernize business systems, and implement Department-wide management initiatives. The DCMO is currently working with the Under Secretaries to carry out the Business Process and Systems Review (BPSR) directed by the Deputy Secretary of Defense.

Question. The Assistant Secretaries of Defense.

Answer. The DCMO works with the Assistant Secretaries to modernize and improve the business systems and processes of the Department of Defense.

Question. The Secretaries of the Military Departments.

Answer. If confirmed, I expect to work closely with the Secretaries of the military departments to ensure that the business management and modernization objectives of the Secretary of Defense and the Deputy Secretary of Defense are carried out by the military departments.

Question. The Chief Management Officers of the Military Departments.

Answer. The Under Secretaries of the military departments serve as the CMOs of their respective organizations and, as such, have enterprise responsibility for overseeing business operations within their departments. The Office of the DCMO interacts routinely with these officials on business transformation initiatives. If confirmed, I expect to work closely with the CMOs of the military departments to carry out the business management and modernization objectives of the Secretary and the Deputy Secretary.

Question. The Investment Review Boards of the Military Departments.

Answer. The DCMO provides direction and guidance to the pre-certification authorities of the military departments to ensure the consistency and rigor of the investment management process throughout the Department. The Defense Business Council, which is co-chaired by the DCMO and the CIO, reviews of the results of the service investment reviews.

Question. The Comptrollers of the Military Departments.

Answer. The DCMO works with the Comptrollers of the military departments to modernize financial systems and processes, and ensure that business modernization efforts within their areas of responsibility are carried out in a manner consistent with the goals and objectives established by the Secretary and the Deputy Secretary. The DCMO also serves as a member of the Financial Improvement and Audit Readiness Governance Board. In this capacity, the DCMO works with the Comptrollers of the military departments to further their efforts toward achieving financial audit readiness.

Question. The Business Transformation Offices of the Military Departments.

Answer. The Under Secretaries of the military departments, in their capacity as CMOs, oversee the business transformation offices (BTOs) of their respective departments. The DCMO works with the CMOs and the BTOs to ensure that the military departments carry out the business management and modernization objectives of the Secretary and the Deputy Secretary.

Question. The Inspector General of the Department of Defense.

Answer. The DCMO responds to inquiries and recommendations of the Government Accountability Office and the DOD Inspector General relative to defense business operations and the operation of the Office of the DCMO.

Question. The General Counsel of the Department of Defense.

Answer. The DCMO receives legal advice and guidance from the General Counsel of the Department of Defense on matters relating to defense business operations and the operation of the Office of the DCMO.

Question. The Directors of the Defense Agencies.

Answer. Under a recent OSD reorganization, the DCMO is responsible for two Defense Agencies, the Washington Headquarters Service and the Pentagon Force Protection Agency. The DCMO works with other Defense agencies to further the Department's business transformation goals.

DUTIES OF THE DEPUTY CHIEF MANAGEMENT OFFICER

Question. Section 132 of title 10, U.S.C., provides that the Deputy Secretary of Defense serves as the Chief Management Officer (CMO) of the Department of Defense. The Deputy Secretary is to be assisted in this capacity by a Deputy Chief Management Officer (DCMO). The NDAA for fiscal year 2015 includes several changes to the CMO and DCMO structure scheduled to take effect in 2017.

What is your understanding of the duties and responsibilities of the CMO and DCMO of the Department of Defense?

Answer. The duties and responsibilities of the CMO and DCMO, as prescribed by the Secretary of Defense, are to: (a) ensure that the Department can carry out its

strategic improvement plans; (b) ensure that the core business missions of the Department are optimally aligned to support the warfighting mission; (c) establish performance goals and measures for improving and evaluating overall economy, efficiency, and effectiveness and monitor and measure the progress of the Department; and (d) develop and maintain a Department-wide strategic plan for business reform. In general, the duty of the DCMO is to assist the CMO in carrying out those objectives and, if delegated, assume primary responsibility for those functions. As a result of a recent OSD staff reorganization, the DCMO is also accountable to the Secretary of Defense for the effective organization and operation of the OSD staff; the effective operation and protection of the Pentagon reservation; and for the execution of select intelligence oversight responsibilities.

Question. What specific duties and responsibilities do you expect the Deputy Secretary to assign to you in your capacity as DCMO?

Answer. I understand that the Deputy Secretary has directed the DCMO to conduct a review of the organizations and business processes of the Office of the Secretary of Defense (OSD) and the defense agencies, with the objective of streamlining organizations and improving business processes. I expect that the Deputy Secretary may also direct the DCMO, in coordination with the CMOs of the military departments, to ensure that similar reviews are conducted by the military departments. If confirmed, I expect to play a key role in these efforts.

Question. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?

Answer. For the last 18 years, I have served on the staff of the Senate Armed Services Committee as minority counsel, General Counsel, and Staff Director. In this capacity, I have helped to advise committee members on defense management issues, including the committee's oversight of DOD business systems and processes. I have also participated in committee reviews of previous efforts to streamline business processes and achieve management efficiencies in OSD and the military departments. Through this work, I have developed a familiarity with key DOD organizations and business processes and I have worked closely with DOD leaders responsible for managing and overseeing those organizations and processes. I believe that the knowledge and experience I have gained through my work for the Armed Services Committee provides a solid foundation for the work I will be asked to perform as DCMO.

Question. Do you believe that the CMO and DCMO have the resources and authority needed to carry out the business transformation of the Department of Defense?

Answer. I do not believe that any one component of the Department of Defense has the resources, knowledge, and capabilities necessary to carry out the comprehensive business transformation that the Department needs. However, I believe that the DCMO, with the support of the Deputy Secretary, has both the capacity to bring together needed resources, knowledge, and capabilities from key organizations throughout the Department and the authority to direct those resources as necessary to carry out the business transformation effort.

Question. What role do you believe the CMO and DCMO of the Department of Defense should play in the planning, development, and implementation of specific business systems by the military departments?

Answer. I believe that the military departments should retain full responsibility for planning, developing and implementing their own specific business systems. Oversight for the acquisition of new business systems has been delegated to the Under Secretary of Defense for Acquisition, Technology, and Logistics, not the DCMO. The role of the CMO and the DCMO is to ensure that the military departments conduct appropriate business process reengineering before acquiring new systems or modernizing existing systems, that appropriate governance processes are in place to keep the customization of commercial, off-the-shelf business systems to a minimum, and that new and existing business systems of the military department are consistent with the business enterprise architecture of the Department of Defense. The CMO and the DCMO can also play an important role in identifying gaps and deficiencies in the business systems and processes of the military departments and components and ensuring that the military departments and components work to address those gaps and deficiencies in an expeditious manner.

Question. Do you believe that the DCMO should have clearly defined decisionmaking authorities, or should the DCMO serve exclusively as an advisor to the Deputy Secretary in his capacity as CMO?

Answer. I understand that the DCMO has some statutorily-assigned decisionmaking authorities, particularly in the investment review process conducted pursuant to section 2222 of title 10, U.S.C.. The DCMO may be assigned additional decisionmaking responsibilities by the Deputy Secretary of Defense. However, I believe

that the DCMO can only be effective if he works closely with the Deputy Secretary and has the full support of the Deputy Secretary in his capacity as CMO.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the DCMO?

Answer. I believe that the two major challenges facing the DCMO are: (1) to help the Department achieve the management efficiencies and savings that it will continue to need in an austere budget environment; and (2) to help the Department implement the business systems and processes needed to produce a clean audit and provide senior managers with sound information on which to base management decisions.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. With regard to the first challenge, if confirmed I expect to play a key role in carrying out the review of management organizations and processes directed by the Deputy Secretary. This review provides an important opportunity to streamline management organizations, align resources with priorities, and improve business processes throughout the Department. It should also provide an opportunity to identify and address DOD business processes that have become dysfunctional—taking too long, costing too much, and producing less than optimal results. It is my hope that this review will not only result in significant savings, but also in more effective management and improved outcomes.

With regard to the second challenge, the military departments and defense agencies have already committed to major investments in new business systems. In the limited time remaining in this Administration, dramatic changes of course for these investments would probably be counterproductive. However, I believe that that the DCMO can help optimize ongoing investments by enforcing the investment review process and ensuring that the military departments and defense agencies continue to reengineer and improve their business processes, institute appropriate governance structures to minimize customization of commercial, off-the-shelf systems, and take full advantage of the capabilities of their new and existing business systems.

PRIORITIES

Question. What broad priorities would you establish, if confirmed, with respect to issues which must be addressed by the DCMO?

Answer. My top priorities, if confirmed, will be to address the two major challenges addressed in response to the previous question: achieving management efficiencies and improving the business systems and processes of the Department.

MANAGEMENT GOALS

Question. If confirmed, what key management performance goals would you want to accomplish, and what standards or metrics would you use to judge whether you have accomplished them?

Answer. If confirmed, I expect to focus on maintaining and improving support to the Department in its business operations while reducing the overall cost of those operations. I would expect to develop standards or metrics based on savings and on customer-oriented results per unit of cost expended to achieve the results. I understand that the ongoing benchmarking initiative implemented by OMB contains some relevant metrics that could serve as examples, such as the cost of human resource support per population supported.

Question. The GPRA Modernization Act of 2010 (GPRAMA) makes the Deputy Secretary of Defense—as the Chief Management Office (CMO) and Chief Operating Officer (COO)—responsible for improving the management and performance of the department. The Deputy Chief Management Officer (DCMO) serves as the agency Performance Improvement Officer under GPRAMA and is to advise and assist the CMO in areas such as performance planning and measurement.

If confirmed, what actions would you and your office take to prioritize as well as improve DOD's ability to plan for and manage achievement of performance goals across the department?

Answer. I understand that Office of the DCMO has started to reform performance goals to ensure they are more appropriately aligned to the Department's objectives. I am not yet in a position to judge the effectiveness of that effort. If confirmed, I expect to use my role as the DCMO and as a member of the DMAG to advocate alignment of measures to the Department's priorities.

Question. As required by GPRA Modernization Act of 2010, the Administration has established certain cross agency priority goals, such as benchmarking of mission support operations, cybersecurity, and security clearances, to which DOD must contribute.

If confirmed, what actions would you take to ensure that DOD is contributing to government-wide success on cross agency priority goals?

Answer. I understand that one of the duties of the DCMO is to serve as the Department's representative to the President's Management Council, which has responsibility for cross-agency priority goals. If confirmed, I expect to coordinate DOD support for appropriate cross-agency goals to ensure the success of both the Department and the success of the broader Federal agency community.

Question. In July 2008, DOD issued its first Strategic Management Plan, which was intended to serve as the department's highest-level plan for improving defense business operations. This plan and its subsequent iterations were to outline DOD's priority business goals, objectives, measures, and initiatives, and advance the department's performance management activities. They were also to be aligned with the Quadrennial Defense Review and the Performance Budget. However, DOD's Strategic Management Plan has not fully met these expectations nor does it fully meet the GPRAMA requirement of an Agency Strategic Plan to be issued by 2014.

If confirmed, what actions would you and your office take to ensure the timely development of a department-wide strategic plan that can effectively improve business operations while support the warfighter during an environment of continued budget austerity?

Answer. I understand that work is underway on a revised Agency Strategic Plan that more closely conforms to the GPRAMA requirements. If confirmed, I will work with the Department to complete this plan and improve the Department's ability to objectively assess its performance and ensure that resources are applied to key challenges.

STAFFING AND RESOURCES

Question. The NDAA for fiscal year 2014 contains a provision requiring the Secretary of Defense to develop a plan for streamlining Department of Defense management headquarters by reducing the size of staffs, eliminating tiers of management, cutting functions that provide little or no addition value, and consolidating overlapping and duplicative program offices.

GAO has recently reported that "DOD's data on its headquarters personnel lacked the completeness and reliability necessary for use in making efficiency assessments and decisions." Further, that "DOD did not have an accurate accounting of resources being devoted to management headquarters to use a starting point for tracking reductions to such headquarters."

In your view, is the GAO correct? If so and if confirmed, what will you do to address these issues?

Answer. I believe that the GAO conclusions quoted above are correct. As I understand it, the statutory baseline for measuring the size of DOD management headquarters was established in the 1990s and was not as clearly defined as it should have been even then. With the extensive changes to DOD organizational structures that have taken place over the last two decades, measurements against the original baseline would probably not be meaningful even if they were possible.

In my view, the meaningful measurement of DOD streamlining efforts will require the establishment of a new baseline that is relevant to the Department's current management structure. It is my understanding that, as a part of the review directed by the Deputy Secretary, the DCMO has begun to collect data that could be used to establish such a baseline. If confirmed, I will endeavor to carry forward this process.

Question. What is your view on reductions to the size and composition of Department of Defense management headquarters?

Answer. I believe that significant reductions to the size and composition of DOD management headquarters are not only possible, but essential. Ideally, cuts should be made not only at headquarters, but through entire management processes. However, I do not believe that reductions should take the form of across-the-board cuts. Cutting management personnel without improving management processes will result in fewer people to do the same work, creating bottlenecks and backlogs that are counterproductive to the mission of the Department.

I do not believe that there are any significant management processes in the Department of Defense that cannot be streamlined and made more efficient. Making process changes will be difficult and time-consuming and may require changes to the culture of the Department of Defense. However, significant improvements can and should be made to enable the Department to reduce the size and composition of its management headquarters and achieve savings without undermining the mission.

Question. What role do you expect to play, if confirmed, in ensuring savings are achieved?

Answer. If confirmed, I expect to help direct the Deputy Secretary's initiative to streamline the management processes of the Department of Defense. This initiative should provide an opportunity to achieve the reductions in the size and composition of DOD management headquarters described above.

Question. Do you believe that the Department of Defense can achieve significant additional savings in this area?

Answer. Yes.

Question. What types of expertise do you believe the office of the DCMO needs to effectively carry out its mission?

Answer. The DCMO needs expertise in business systems, business process reengineering, business case analysis, and program assessment. It also needs personnel with a thorough understanding of the organization and business processes of the Department of Defense.

Question. What mix of employees, contractors, and individuals detailed from other organizations inside and outside the Department of Defense should the DCMO rely upon to provide it with needed expertise?

Answer. I understand that the office of the DCMO has some organic capacity and some contractor support in each of the areas described in response to the previous question. To successfully streamline the Department's management processes, the office will need to draw on other centers of expertise in the Department and to partner with the principal offices responsible for the management processes under consideration.

Question. Do you believe the Office of the DCMO has the staffing and resources needed to effectively carry out its mission?

Answer. I do not believe that any one component of the Department of Defense has the resources, knowledge, and capabilities necessary to carry out the comprehensive business transformation that the Department needs. However, I believe that the DCMO, with the support of the Deputy Secretary, has both the capacity to bring together needed resources, knowledge, and capabilities from key organizations throughout the Department and the authority to direct those resources as necessary to carry out the business transformation effort.

UNDER SECRETARY OF DEFENSE FOR BUSINESS MANAGEMENT AND INFORMATION

Question. The Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for fiscal year 2015 converts the Deputy Chief Management Officer (DCMO) to the Under Secretary of Defense for Business Management and Information, who will also serve as the Chief Information Officer. This new position, to begin in February 2017, is expected to provide greater authority to supervise management of business operations and systems.

What are your views on this new Under Secretary of Defense for Business Management and Information position?

Answer. I support the legislation. I believe that the merger of the DCMO position with the CIO position will serve to strengthen both positions. In my view, however, the title and responsibilities of the position are less important to the success of the mission of the office than the alignment of the position with the Deputy Secretary and the Deputy Secretary's ongoing support for, and engagement in, that mission.

Question. If confirmed, what would be your priorities prior to the implementation of the new position in February 2017, and what actions would you take and what resources would you need to achieve those priorities?

Answer. I understand that some preliminary planning and guidance will be needed before February 2017 to ensure that the new position can get off the ground in a timely and effective manner. If confirmed, I will work to identify the necessary steps and ensure that they are completed.

Question. The Government Accountability Office reported in December 2007 on key strategies for implementing Chief Operating Officer (COO)/Chief Management Officer (CMO) positions in government, which includes defining the specific roles and responsibilities of the COO/CMO position, and ensuring that the COO/CMO has a high level of authority and clearly delineating reporting relationships, among other strategies.

What do you believe would be the most effective approach to implementing the Under Secretary of Defense for Business Management and Information position, and what additional resources or flexibilities would be needed to do so?

Answer. I believe that the alignment of the DCMO and, in the future, the Under Secretary of Defense for Business Management and Information with the Deputy

Secretary of Defense is the most promising approach to ensure the success of the position.

I am not aware at this time of any additional resources or flexibilities that will be needed to implement the position of Under Secretary of Defense for Business Management and Information. If I become aware of any such requirements, I will work with the committee and the Department to address them.

BUSINESS ENTERPRISE ARCHITECTURE AND TRANSITION PLAN

Question. Section 2222 of title 10, U.S.C., requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes.

What is your understanding of the role of the DCMO in the implementation of the business enterprise architecture and transition plan required by section 2222?

Answer. It is my understanding that the Department has chosen to implement the requirement for a business enterprise architecture and transition plan through a "federated" approach in which the DCMO is responsible for developing and maintaining the top level architecture, while leaving it to the military departments to fill in most of the detail.

Question. What is your assessment of the current state of DOD's comprehensive business enterprise architecture and transition plan?

Answer. While the Department has made considerable progress in refining its business enterprise architecture since the enactment of section 2222, I do not believe that the business architecture and transition plan developed by the Department is as mature as Congress hoped it would be when the provision was enacted. In particular, I do not believe that the current transition plan provides the comprehensive roadmap needed for the replacement, upgrade, or decommissioning of legacy business systems that are outdated, duplicative, or unreliable.

Question. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of DOD's business systems?

Answer. I believe that the Department can make, and has made, significant progress by developing more limited plans that have helped to guide specific portfolios of business systems. However, I do not believe the Department will ultimately be able to complete the transformation process without a comprehensive, integrated, enterprise-wide approach—regardless whether that approach takes the form of a single plan or the federated plans currently envisioned by the Department.

Question. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding leaders accountable?

Answer. DOD leaders are called upon to make business decisions on a day-to-day basis—for example, decisions on whether to hire additional employees, whether to extend contracts, whether to reduce the number of managers in an organization, or whether to enter into multi-year contracts. On occasion, they must make much larger decisions—for example, decisions on whether to shut down a command and realign its functions, whether to rely on the active force or the Reserves to perform a mission, or whether to upgrade an existing weapon system instead of acquiring a new one. Financial and business data is crucial to all of these business decisions, and in my view, better data is likely to result in better decisions.

Question. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not available for these purposes?

Answer. I do not think that the Department can afford to be paralyzed by the inadequacy of its financial and business information. A decision not to act—for example, a decision not to reform a defective business process or consolidate duplicative organizations—is every bit as much of a decision as the decision to act. I believe that DOD managers have a responsibility to make use of the best business and financial data available, even if that data is less than perfect, and exercise their best judgment on a case-by-case basis.

Question. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to DOD managers?

Answer. The quality of financial and business information available to DOD managers should improve as the Department's business systems and processes improve. Sound controls, improved interfaces, and the elimination of unnecessary manual transmission of data should improve data quality. Business process reengineering should result in data that is more relevant to the tasks to be performed.

Although the DCMO is not directly responsible for the acquisition of new business systems, the DCMO can contribute to the improvement of business systems and processes through the ongoing investment review process and the business transformation process launched by the Deputy Secretary.

Question. What role do you envision playing, if confirmed, in assuring that appropriate business process re-engineering efforts associated with business system programs have been undertaken?

Answer. One of the key responsibilities of the DCMO is to ensure that appropriate business process re-engineering efforts are undertaken before any new business system is acquired or any existing business system is upgraded. Business process reengineering is not a one-time effort, and there is also much that the DCMO can do to ensure continuing reengineering efforts to optimize the fielding of business system programs and to ensure that their capabilities are fully realized. If confirmed, I will take these responsibilities very seriously.

Question. What metrics do you believe should be used to ensure that the business process supported by the defense business system program is or will be as streamlined and efficient as practicable?

Answer. I understand that there is a body of practice in the commercial sector that can be brought to bear on the question of measuring the success of a defense system business program in improving the business process. Examples of these metrics include reduced processing time; improved accuracy of information; better responsiveness to customers and overall reduction in cost of operations.

Question. What metrics do you believe should be used to ensure that the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces has been eliminated or reduced to the maximum extent practicable?

Answer. I understand that there is a body of practice from the commercial sector that would suggest appropriate metrics to include measures of requirements stability, numbers of "RICE" objects (the reports and extensions that have to be configured), and actual numbers of interfaces. Loss of control of these elements would suggest either a weak management structure, or alternatively, a bad initial assessment of the applicability of a commercial, off-the-shelf (COTS) product. To avoid unnecessary and expensive customization of COTS business systems, the Department needs not only sound metrics, but also effective governance systems.

Question. Section 2222 requires that the DBSMC review and approve all major defense business system modernization programs to ensure that they are in compliance with the Department's business enterprise architecture and transition plan.

What is your understanding of the extent to which the process for the Defense Business Systems Management Committee (DBSMC) review and approval has ensured that business system modernization programs are fully coordinated with the business enterprise architecture and transition plan, as intended?

Answer. As indicated above, I do not believe that the current business enterprise architecture and transition plan is as comprehensive as Congress intended it to be. I do not have any reason to believe that the investment review process has failed to coordinate business system modernization programs with the architecture, but that coordination has probably not been as helpful as it might have been, had the architecture been more complete.

Question. How meaningful do you believe DBSMC review and approval has been?

Answer. I believe that the DBSMC review and approval process has contributed to the Department's understanding of its business systems programs and provided a useful incentive for business process reengineering. However, I am concerned that the current low thresholds for DBSMC review may have contributed to a review and approval process that has failed to recognize its full potential. If confirmed, I plan to review this issue and seek appropriate changes.

Question. Do you believe that the DBSMC has the expertise and resources needed to conduct a meaningful, independent review of proposed business system modernization programs, or is the DBSMC reliant on the representations made by the military departments and their program managers?

Answer. I believe that the DBSMC has important expertise and resources, and can draw on other resources of the Department, for this purpose. However, I am concerned the current low thresholds for DBSMC review may have resulted in a tendency to rely too much on representations made by the military departments and their program managers.

Question. What recommendations, if any, do you have for improving or changing the DBSMC review process?

Answer. If confirmed, I plan to review the DBSMC process and look for opportunities to make the process more rigorous.

COMPTROLLER GENERAL HIGH RISK LIST

Question. The Department of Defense remains on GAO's High Risk List in the following areas:

(1) Business Transformation
(2) Business Systems Modernization
(3) Support Infrastructure Management
(4) Financial Management
(5) Supply Chain Management
(6) Weapon System Acquisition
(7) Contract Management

What is the role of the DCMO for enabling DOD to be removed from the GAO High Risk list in each of these areas?

Answer. The DCMO is the senior official of the Department of Defense with primary responsibility for business transformation. This transformation will require an enduring effort over a period of years. If confirmed, I plan to give the effort my highest priority.

Individual business systems modernization programs are carried out by the military departments and defense agencies. Through the investment review process, the DCMO exercises considerable influence over these programs. If confirmed, I will emphasize the need for continued business process reengineering to optimize the fielding of business system programs and to ensure that their capabilities are fully realized.

The Under Secretary of Defense (Comptroller) is the senior official of the Department of Defense with primary responsibility for financial management. The DCMO can contribute to the financial management effort by working to improve the business systems and processes of the Department, so that the financial data generated by those processes is more timely and reliable. If confirmed, I expect to work closely with the Comptroller in the effort to move the Department toward an auditable financial statement.

The Under Secretary of Defense for Acquisition, Technology, and Logistics is the senior official of the Department of Defense with primary responsibility for support infrastructure management, supply chain management, weapon system acquisition, and contract management. The DCMO can contribute to improved management in these areas by working with the Under Secretary to assess existing management practices and identify areas for potential streamlining and reengineering. If confirmed, I will actively look for opportunities to improve these management processes.

FINANCIAL MANAGEMENT

Question. What is your understanding of DOD's efforts and progress toward the goal of being able to produce auditable financial statements?

Answer. I have long been skeptical of the ability of the Department to achieve the statutory timeline for producing auditable financial statements. However, I believe that the Department has made considerable progress toward this objective and is much closer to being able to produce auditable financial statements today than it was five years ago.

Question. What is your assessment of the current version of the Financial Improvement Audit Readiness (FIAR) plan prepared by the Department of Defense?

Answer. I believe that the FIAR plan has steadily improved over the years. While I am sure there are still gaps and inconsistencies in the FIAR plan, I believe that it largely serves its purpose by providing helpful guideposts for the Department's efforts to achieve auditable financial statements.

Question. What steps do you believe the Department should take to improve the FIAR plan?

Answer. This is an issue that I will review closely, if confirmed.

Question. What role do you expect to play, if confirmed, in the Department's efforts to produce auditable financial statements?

Answer. The Under Secretary of Defense (Comptroller) is the senior official of the Department of Defense with primary responsibility for financial management. The DCMO can contribute to the financial management effort by working to improve the business systems and processes of the Department, so that the financial data generated by those processes is more timely and reliable. I understand that the DCMO also plays a role in the governance process for the FIAR plan. If confirmed, I expect to work closely with the Comptroller in the effort to move the Department toward an auditable financial statement.

Question. Do you believe that the Department is likely to meet the current 2017 statutory objective for ensuring that its financial statements are validated as ready for audit?

Answer. I have long been skeptical of the ability of the Department to achieve the statutory timeline for producing auditable financial statements. Senior officials of the Department have expressed a greater degree of optimism that this timeline can be met. If confirmed, I will work with them to understand whether or not this optimism is realistic. Regardless whether the statutory objective is achieved, I believe that it has served a useful purpose by prompting aggressive action by the Department to make improvements to business systems and processes without which an auditable financial statement would not be possible.

Question. What is the likeliness that this audit will produce a clean opinion? In your view, how long is it likely to be from the time when the Department certifies its financial statements as "ready for audit" to the time when the Department achieves a clean audit opinion? If confirmed, what specific actions would you propose taking to promote compliance with the statutory objective?

Answer. I do not believe it is likely that the first round of audits is likely to produce a clean opinion. As I understand it, financial audits are a learning process through which the Department expects to identify continuing deficiencies in its financial data, which can then be remedied. Based on discussions with financial professionals, I believe that it could take several cycles before the Department achieves a clean audit opinion. If confirmed, I will work with the Comptroller to identify steps that the Department can take to improve its business systems and processes, so that those systems and processes can produce the quality of financial data needed to produce a clean audit.

Question. What is your understanding of what the validation of audit readiness means? What steps will the Department go through to validate its financial statements as ready for audit and when will these steps be taken?

Answer. As I understand it, validation of audit readiness means that Department has performed an internal test to assure itself that appropriate controls are in place and functioning prior to asserting readiness for inspection by an external auditor. I understand that the Department already has taken action to validate preparation for audit including the hiring of qualified financial process consultants to help review internal controls; testing of financial systems in accordance with the GAO's Federal Information Systems Audit Controls Manual (FISCAM) and developing associated corrective action plans; and conducting trial runs of audits in assessable areas. I understand these internal validation checks will continue as the Department seeks to achieve full audit readiness.

Question. How will the costs and delays of implementing major Enterprise Resource Planning (ERP) systems in the Department affect its ability to achieve an auditable Statement of Budgetary Resources (SBR)?

Answer. I understand that the military departments and defense agencies have been working on back-up plans to ensure that they are able to produce auditable data in areas where ERPs and other upgraded business and financial systems have not yet been fielded. These plans appear to include building new controls into existing business processes and measures to ensure data traceability in legacy business systems. If confirmed, I will work with the Comptroller to understand the efficacy of these interim measures.

Question. The National Defense Authorization Acts for fiscal year 2010 and fiscal year 2013 require that DOD validate the audit readiness of DOD's Statement of Budgetary Resources (SBR) by September 30, 2014. Why has the Department missed this audit deadline?

Answer. The Department validated the audit readiness of its Schedule of Budgetary Activity (SBA) prior to September 30, 2014, but was unable to validate its SBR by that time. The difference between the SBA and the SBR is that the SBA includes only current-year budgetary activity, while the SBR also reflects prior-year transactions.

As I understand it, the Department has determined that its business systems and processes are now capable of producing auditable financial data on ongoing transactions. However, the Department concluded that it would be prohibitively expensive to fully document earlier transactions, which were conducted in legacy systems without appropriate controls.

Section 1005 of the National Defense Authorization Act for fiscal year 2013, which established the 2014 objective, also directed the Department to avoid "an unaffordable or unsustainable level of one-time fixes and manual work-arounds" in its effort to meet that objective. For this reason, I understand that the Department chose to take a more affordable and sustainable path to a full SBR audit by rolling

in the audit over time, covering a longer period of budget activity with each successive year.

BUSINESS PROCESS AND SYSTEMS REVIEW

Question. In August 2014, the Deputy Secretary of Defense directed the Deputy Chief Management Officer and Chief Information Officer to co-lead a review of business processes and the supporting information technology systems within the organizations of the Principal Staff assistants (PSA) and their associated defense agencies and field activities. This review is intended to provide the PSAs with information that will help them clarify whether their organizations are aimed at department-wide outcomes as well as identify resources allocated to outcomes, obstacles to achieving those outcomes, and activities that might be improved or eliminated. This effort has already identified potential savings.

If confirmed, what actions would you and your office take to ensure that the potential savings from these business process and system reviews are achieved?

Answer. As I understand it, the DOD Business Process and Systems Review (BPSR) process will take place in two phases. The first phase will identify potential changes to DOD organizations, activities, and processes that could yield savings. The second phase will further study those organizations, activities, and processes to quantify the potential savings and establish a plan of action for achieving those savings. I understand that the first phase of the BPSR process has been completed for some OSD organizations and their associated defense agencies and field activities. The DCMO and the CIO are currently working to initiate the phase 2 process for those organizations and activities, and to schedule phase 1 reviews for the additional OSD organizations and activities. If confirmed, I will aggressively pursue this process.

Question. What other DOD components—beyond the reviews of headquarters and Office of the Secretary of Defense entities already underway—could benefit from a similar review to identify potential savings from, among other things, improving or eliminating activities?

Answer. I believe that every management headquarters element of the Department of Defense, including at a minimum the organizations and entities listed in section 904 of the National Defense Authorization Act for fiscal year 2014, could benefit from a review to identify potential savings through changing or reducing the size of staffs, eliminating tiers of management, cutting functions that provide little or no added value, and consolidating overlapping and duplicative programs and offices.

Question. What role should Congress play in the reduction of personnel or the divesting of owned or leased facilities that might result from this review?

Answer. Congress plays an important role in prompting the Department of Defense to do the hard work of conducting management reviews to identify potential savings through reductions in personnel. Congress also plays an essential role in providing the authority to achieve needed efficiencies by reducing personnel and divesting owned or leased facilities that are excess to needs.

I believe that significant reductions to the size and composition of workforce are possible. However, I do not believe that reductions should take the form of across-the-board cuts. In my view, cutting personnel without improving management processes or divesting functions will result in fewer people to do the same work, creating bottlenecks and backlogs that are counterproductive to the mission of the Department.

BUSINESS TRANSFORMATION

Question. Since 2005, the Government Accountability Office (GAO) has designated the Department of Defense's approach to business transformation as "high risk" due to its vulnerability to waste, fraud, abuse and mismanagement. However, GAO has recently found that the Department has not implemented leading performance management practices for Federal agencies in the area of business transformation. GAO also found that DOD's performance measures are "not clear, comprehensive, or aligned with its strategic goals."

Do you believe that the Department needs to more clearly define roles and responsibilities, as well as relationships among key positions and governance entities?

Answer. I understand that the Department has continued to refine its governance processes, including making more explicit the role of the DCMO in business management transformation. The Deputy Secretary has reshaped the structure and functions of the Deputy's Management Advisory Group (DMAG), to include making the DCMO a full member of that body. If confirmed, I will review this issue and determine whether further action is necessary.

Question. If so, what steps do you believe the Department should take to achieve this objective?

Answer. If confirmed, I review this issue and determine whether further action is necessary.

Question. If confirmed, what steps, if any, would you take to more clearly define the Department's strategic planning process, including mechanisms to guide and synchronize efforts to develop strategic plans; monitor the implementation of reform initiatives; and report progress, on a periodic basis, towards achieving established goals?

Answer. I understand that the Deputy Secretary of Defense has recently undertaken a series of reforms to improve the strategic planning process, including the reshaping of the DMAG. If confirmed, I will work with the Deputy Secretary and others to identify and pursue potential improvements to these processes.

ACQUISITION OF MAJOR AUTOMATED INFORMATION SYSTEMS

Question. A number of the Department's Major Automated Information Systems are over budget and behind schedule. GAO recently reported that even new programs are failing to establish initial baselines for cost, schedule, and performance.

What is your assessment of the extent of the problems the Department faces in its acquisition of Major Automated Information Systems?

Answer. It is my understanding that virtually every DOD acquisition of a major business system has suffered from cost overruns, schedule delays, customer resistance, and failure to meet performance requirements. In some cases, the Department has been able to work through these problems, but in other cases the problems have become so extreme that they have led to system failure and program cancellation.

Question. What do you see as the root causes of these problems?

Answer. In my view, there are three closely related root causes for most of these failures: failure of leadership, failure of planning, and failure to perform adequate business process engineering. Too often, the Department has sought to address deficiencies in its business systems by acquiring commercial solutions without adequately understanding its own business processes and planning the changes that will be needed to implement commercial solutions.

Question. What is your understanding of the role of the DCMO in the management and oversight of Major Automated Information Systems?

Answer. Although the DCMO is not directly responsible for the acquisition of new business systems, the DCMO plays a key role in the management and oversight of business systems through the ongoing investment review process. The role of the DCMO is to ensure that the military departments and defense agencies conduct appropriate business process reengineering before acquiring new systems or modernizing existing systems, that appropriate governance processes are in place to keep the customization of commercial, off-the-shelf business systems to a minimum, and that new and existing business systems of the military department are consistent with the business enterprise architecture of the Department of Defense. The DCMO can also play an important role in identifying gaps and deficiencies in the business systems and processes of the military departments and defense agencies, and ensuring that they work to address those gaps and deficiencies in an expeditious manner.

GEOGRAPHIC AND FUNCTIONAL COMBATANT COMMAND MISSION AND HEADQUARTERS-SUPPORT COSTS:

Question. In May 2013 and June 2014, the Government Accountability Office (GAO) reported on the considerable growth that has occurred over the last several years in the mission and headquarters-support costs of the geographic and functional combatant commands. GAO found that the commands do not conduct comprehensive, periodic evaluations that would help them ensure that they are properly sized and structured. As a result, there is little assurance that these commands can manage resources efficiently and meet their assigned missions. Through its Business Process and System Reviews of the Office of the Secretary of Defense and associated defense agencies, the Office of the Deputy Chief Management Officer has identified opportunities for savings through restructuring and reorganizing resources to ensure that they are properly aligned with desired outcomes.

What is your understanding and assessment of the GAO's findings as well as the potential savings already identified as part of the Business Process and Systems Reviews currently underway?

Answer. I am aware that the GAO found considerable growth in the size and cost of the combatant commands over the last decade. I understand that GAO identified some steps that the Department has taken to control those costs, but concluded that

more could be done in this regard. I am not aware that the BPSR review process has been extended to the combatant commands.

Question. If confirmed, would you recommend that the geographic and functional combatant commands be subject to such reviews? If so, what actions would you propose or take to require and implement such reviews?

Answer. I am in general agreement with the findings and recommendations of the two GAO reports referenced. I believe that every management headquarters element of the Department of Defense, including the combatant commands, could benefit from a review to identify potential savings through changing or reducing the size of staffs, eliminating tiers of management, cutting functions that provide little or no added value, and consolidating overlapping and duplicative programs and offices. I do not have a position as to whether the BPSR process is the best mechanism conducting such a review of the combatant commands.

Question. In your view, how might the results of such reviews, if conducted, be used to improve the strategic analysis and decision making processes associated with the Unified Command Plan?

Answer. I believe that the Unified Command Plan should be informed by a sound understanding of the existing organizations and capabilities of the combatant commands. In advance of conducting a review, I do not believe it is possible to determine how that review would improve the processes referenced.

DOD CONFERENCE POLICIES

Question. What role will you play, if confirmed, establishing DOD conference approval processes?

Answer. I understand that the DCMO is responsible for the overall DOD conference approval policy. If confirmed, I will work to ensure that this policy appropriately balances the benefits of DOD presence at appropriate conferences with the need to be judicious in expending the Department's resources, consistent with applicable legal requirements.

Question. How will you assess the impact of these policies on the missions of DOD organizations and the value of the policies relative to the costs of their implementation?

Answer. I believe that many conferences have a genuine professional value in terms of peer exposure, training, and professional growth. Examples include professional conferences for accounting and finance; for the medical community; and for the scientific community. I am also concerned that the DOD conference approval process could be interpreted to extend to important meetings that are not conferences at all. If confirmed, I expect to work with the functional communities within the Department to ensure that the conference policy does not unnecessarily detract from the missions of DOD organizations and the development of DOD personnel.

Question. The GAO recently recommended that "the Secretary of Defense direct the Secretaries of the military departments, in coordination with the Office of the DCMO, to establish time frames for providing conference review and approval decisions based on applicants' needs.

Do you agree with this recommendation? Why or why not? How would you develop the time frames that GAO recommends?

Answer. I agree with the recommendation. If confirmed, I will work with involved stakeholders to address concerns about the timeliness of the review and approval process.

SERVICES CONTRACTING

Question. Over the last decade, the Department has become progressively more reliant upon contractors to perform functions that were once performed exclusively by government employees. As a result, contractors now play an integral role in areas as diverse as the management and oversight of weapons programs, the development of personnel policies, and the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as DOD employees.

In your view, has DOD become too reliant on contractors to support the basic functions of the Department?

Answer. Contractors have always played a valuable role in supporting the operations of the Department of Defense. However, I believe that there are areas in which the Department has become so reliant on contractors that it risks losing the organic capability to manage its own operations.

Question. What risks do you see in the Department's reliance on such contractor support? What steps do you believe the Department should take to mitigate such risk?

Answer. I believe that it is important that government officials remain accountable and responsible for the actions taken by Federal agencies, including those listed in the question. In my view, responsibility and accountability are possible only if the government retains not only final decisionmaking authority, but also the organic capability to fully understand the range of options available and to make informed choices among them.

Question. What advantages do you see in using contractors to perform functions for the Department of Defense?

Answer. I believe that the use of contractors to perform commercial and industrial functions can leverage private sector capabilities to improve efficiency and lower costs. With regard to the performance of core government functions, contractors can and do support decision-making by providing knowledge and expertise that would not otherwise be available to the Department of Defense.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the DCMO?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR DAN SULLIVAN

8(A) DIRECT AWARDS TO NATIVE COMMUNITY-OWNED CONTRACTORS

1. Senator SULLIVAN. Mr. Levine, in March 2015, the Department of Defense (DOD) issued a report to Congress "Assessment of Justification and Approval Requirements Implemented Under section 811 of the National Defense Authorization Act for fiscal year 2010 (section 811)." The report found that in fiscal year 2014 no 8(a) sole-source contracts were awarded that required an 8(a) justification and approval. DOD stated it cannot conclude the cause for this decline. There have been numerous reports from firms that the decline in awards is due to scrutiny on the firms themselves, not the sole-source contracts that could be awarded to these firms. How would you encourage DOD to work more effectively with Native community-owned contractors, particularly regarding 8(a) sole-source contracts?

Mr. LEVINE. It is my understanding that the Competition in Contracting Act (CICA) requires the use of competitive contracting throughout the Federal procurement system, subject to certain exceptions. While the Department of Defense may use sole source contracts in appropriate circumstances, these circumstances are an exception to the general preference of the use of competitive procedures. For this reason, the Department does not generally encourage the use of sole source contracts of any kind.

The DCMO is not an acquisition official, and if confirmed, I would not be in a position to establish acquisition policy for the Department of Defense. However, I would expect DOD acquisition officials to work with Native community-owned contractors to grow the over-all level of contracting by ensuring that: (1) these firms are aware of, and prepared for, opportunities to compete for DOD contracts, includ-

ing in competitions limited to 8(a) firms; and (2) they understand the exceptions to the Competition in Contracting Act and the circumstances in which it might be appropriate for the Department to award a sole-source contract.

2. Senator SULLIVAN. Mr. Levine, the March 2015 DOD report listed 10 instances of guidance issued regarding the implementation of section 811. Can you please provide a copy of each communication?

Mr. LEVINE. The Department has provided me with the attached implementing documents highlighted in the Department's Report to Congress on section 8135(a) of the 2015 Consolidated Appropriations Acts. These documents include an interim FAR rule effective March 16, 2011; a final FAR rule effective April 18, 2012; a memo from Director for Defense Procurement and Acquisition Policy issuing guidance to the Military Departments and Defense Agencies; and other guidance documents issued by the Military Departments and Defense Agencies. [See Appendix A]

3. Senator SULLIVAN. Mr. Levine, has the Office of Federal Procurement Policy (OFPP) issued any guidance to the Department of Defense or other agencies regarding section 811 and can you provide this guidance?

Mr. LEVINE. The Department informs me that under the leadership of the Office of Federal Procurement Policy, the FAR Council held three Tribal consultation and outreach meetings to discuss rulemaking associated with section 811. The meetings took place during October 2010 in Washington, DC; Albuquerque, NM; and Fairbanks, AK; and were publicized in the Federal Register on August 31, 2010 (75 FR 53269). The FAR Council analyzed the comments provided at the public meetings and published an interim FAR rule, with a request for requesting public comments, in the Federal Register on March 16, 2011 (76 FR 14559) to implement section 811 in the FAR. The interim rule encouraged agencies to maximize the effective use of competition by making certain that contracting officers provide a proper justification and obtain approval before awarding a sole-source contract over $20M as required by section 811. After extensive analysis of public comments received in response to the interim rule, the FAR Council subsequently published a final FAR rule in the Federal Register on April 18, 2012 (77 FR 23369), that made no changes to the interim rule.

4. Senator SULLIVAN. Mr. Levine, the March 2015 DOD report states the Army issued guidance to the Principal assistants Responsible for Contracting and policy chiefs. According to the report, the guidance highlighted the FAR [Federal Acquisition Regulation] case and "the need for additional scrutiny". What date was this guidance issued?

Mr. LEVINE. The Department informs me that the acting Deputy assistant Secretary of the Army (Procurement) issued this guidance in a memorandum entitled "Extensive Use of High Dollar, Sole-Source 8(a) Contracts" on January 5, 2011.

5. Senator SULLIVAN. Mr. Levine, a January 2011 Army memorandum, "Extensive Use of High Dollar, Sole-Source 8(a) Contracts" noted, "Pending issuance of an interim or final rule on this subject, I expect you to scrutinize all proposed awards of sole-source 8(a) contracts . . . [emphasis added]" The memorandum indicates that the additional scrutiny was required in absence of formal FAR guidance. Do you think the "additional scrutiny" requested by this memo has remained in effect, despite clear guidance of the action required to issue an 8(a) sole-source award greater than $20 million?

Mr. LEVINE. The Department informs me that this guidance is no longer in effect.

6. Senator SULLIVAN. Mr. Levine, since the FAR Council has issued formal guidance regarding section 811, do you believe it is appropriate for the Army and other agencies to rescind any guidance that required increased scrutiny of such contracts that could be interpreted as anything other than the now implemented justification and approval process?

Mr. LEVINE. The DCMO is not an acquisition official, and if confirmed, I would not have any role in this issue. However, since the Army memo was predicated on the lack of FAR guidance once the guidance was issued it would appear that the Army guidance should no longer be necessary.

7. Senator SULLIVAN. Mr. Levine, section 811 does not prohibit direct awards greater than $20 million. How would you encourage such awards, when appropriate, to Native community-owned contractors given the additional scrutiny experienced by these firms?

Mr. LEVINE. As indicated above, it is my understanding that the Department does not generally encourage sole-source contract awards of any kind. Although the DCMO is not an acquisition official and does not set acquisition policy for the Department of Defense, I would expect the Department to encourage competitive awards to Native community-owned contractors and to ensure that such contractors are aware of the circumstances in which it might be appropriate to award sole-source contracts.

8. Senator SULLIVAN. Mr. Levine, section 811 only requires a justification and approval of 8(a) sole-source awards. Do you believe it is appropriate for DOD contracting officers to issue such awards provided a justification and approval is performed?

Mr. LEVINE. While the DCMO is not an acquisition official and does not set acquisition policy for the Department of Defense, I believe that it is appropriate for a DOD contracting officer to award an 8(a) sole-source contract upon the issuance of a justification and approval in accordance with the requirements of section 811.

9. Senator SULLIVAN. Mr. Levine, would you support a requirement to require a justification and approval for any sole-source contract greater than $20 million that is not currently subject to a justification?

Mr. LEVINE. I am not aware of significant categories of sole-source contracts in excess of $20 million that are not subject to a requirement for justification and approval. While the DCMO is not an acquisition official and does not set acquisition policy for the Department of Defense, it seems to me that a requirement for justification and approval of any such category of contracts would be consistent with the competition policy established in CICA.

10. Senator SULLIVAN. Mr. Levine, would you support a repeal of section 811?

Mr. LEVINE. The DCMO is not an acquisition official and does not set acquisition policy for the Department of Defense. However, I believe that, consistent with the general preference for competition in Federal procurement, all significant categories of sole-source contracts should be subject to a requirement for justification and approval. For this reason, I do not see the need for repeal of section 811.

11. Senator SULLIVAN. Mr. Levine, would you support an increased threshold for contracts subject to an 8(a) justification and approval?

Mr. LEVINE. It is my understanding that most categories of sole-source contracts are subject to a much lower dollar threshold for justification and approval than the $20 million threshold set in section 811. For this reason, while the DCMO is not an acquisition official and does not set acquisition policy for the Department of Defense, I do not see the need for an increase to the $20 million threshold.

12. Senator SULLIVAN. Mr. Levine, would you consider other changes that could reduce potential inappropriate scrutiny of Native community-owned contractors receiving sole-source awards, while ensuring value to the taxpayer?

Mr. LEVINE. The DCMO is not an acquisition official and does not set acquisition policy for the Department of Defense. However, I believe that all categories of sole-source contracts should be subject to careful scrutiny to ensure that they are properly justified, in order to ensure value to the taxpayer. Subject to this general rule, I do not believe that Native community-owned contractors receiving sole-source awards should be subject to additional, inappropriate scrutiny.

13. Senator SULLIVAN. Mr. Levine, do you think section 811 applied more scrutiny to 8(a) sole-source contracts than sole-source contracts covered by the Competition in Contracting Act?

Mr. LEVINE. I am not aware of any independent reports or reviews that address this issue. In the absence of such a report or review, I do not feel that I have the information needed to answer this question.

14. Senator SULLIVAN. Mr. Levine, does section 811, similar to the Competition in Contracting Act, allow for the approval of a justification for an 8(a) sole-source to be approved by someone other than the Head of Agency and can the Head of Agency have the legal ability to delegate the approval authority for an 8(a) justification?

Mr. LEVINE. It is my understanding that section 811 allows the approval authority for sole-source contracts to be delegated to the same levels of officials as the Competition in Contracting Act. In particular, section 811(a)(2) provides that a justification and approval must be "approved by the appropriate official designated to ap-

prove contract awards for dollar amounts that are comparable to the amount of the sole-source contract." Section 811(c)(3) defines "appropriate official" to mean the same officials to whom approval authority may be delegated under CICA. Consequently, I do not believe that there is any difference between the two statutes on this point.

APPENDIX A

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION, TECHNOLOGY AND LOGISTICS

JUN 16 2011

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY (ACQUISITION AND LOGISTICS MANAGEMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING)
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Section 811 of the National Defense Authorization Act for Fiscal Year 2010

The Federal Acquisition Regulation (FAR) was recently amended with the March 16, 2011 publication of the interim rule to implement Section 811 of the National Defense Authorization Act for Fiscal Year 2010. Public comments to assist in finalizing the rule were received on May 16, 2011. Section 811 requires that a written Justification and Approval (J&A) be approved prior to the award of sole-source contracts over $20 million to an 8(a) contractor. The $20 million requirement for the J&A is not a ceiling or a cap. Though FAR 6.303-2 has 12 elements that are to be responded to when drafting the contents of a J&A, the interim rule for 8(a) contracts only requires five elements to be completed by the contracting officer.

Program offices and contracting officers are encouraged to work closely with their respective small business specialists to identify 8(a) firms to include Native Enterprises (Alaska Native Corporations, Tribal and Native Hawaiian firms) that could provide needed services or supplies. The Department of Defense is committed to providing contracting opportunities to all small businesses, including 8(a) entities. The implementation of this interim rule will help strengthen our small business accomplishments.

The DPAP staff point of contact for small business procurement policy is Ms. Cassandra R. Freeman, 703.693.7062 or cassandra.freeman@osd.mil.

Richard Ginman
Director, Defense Procurement
and Acquisition Policy

cc:
Director, Office of Small Business Programs

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
ACQUISITION LOGISTICS AND TECHNOLOGY
103 ARMY PENTAGON
WASHINGTON DC 20310-0103

05 JAN 2011

SAAL-PP

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Extensive Use of High Dollar, Sole-Source 8(a) Contracts

1. The Army has recently come under scrutiny for extensive use of high dollar, sole-source contracts with Alaska Native Corporations (ANCs) awarded pursuant to the Small Business Administration's, 8(a) business development program. While I understand there are times when such action is necessary, the practice should be the exception rather than the rule. It is imperative that discipline be put into the process supported by sound business judgment.

2. Use of high dollar non-competitive contracts, and on occasion the use of permissible contracting flexibilities, resulted in the need to review our business practices and to instill tighter controls. Pursuant to PL 111-84, Section 811, the Defense Acquisition Regulations Council initiated a FAR Case 2009-038 that will require an approved Justification and Approval prior to award of a sole-source, 8(a) contract greater than $20 million, to include Alaska Native Corporations.

3. Pending issuance of an interim or final rule on this subject, I expect you to scrutinize all proposed awards of sole-source 8(a) contracts in excess of the 8(a) competitive threshold to ensure the justification is appropriate, applicable subcontracting limitations are met and overall the award is in the best interest of the Government.

Lee Thompson
Acting Deputy Assistant Secretary
of the Army (Procurement)

DISTRIBUTION:
HEADS OF CONTRACTING:
CENTCOM JOINT THEATER SUPPORT CONTRACTING COMMAND,
U.S. ARMY CONTRACTING COMMAND (AMSCC-CG),
U.S. ARMY AVIATION AND MISSILE COMMAND (AMSAM-CG),
U.S. ARMY SUSTAINMENT COMMAND (AMSAS-CG),

SAAL-PP
SUBJECT: Justification and Approval of Sole-Source 8(a) Contracts Over $20 Million

DISTRIBUTION (CONT):
U.S. ARMY COMUNICATIONS-ELECTRONICS LIFE CYCLE MANAGEMENT COMMAND (AMSEL-CG),
U.S. ARMY JOINT MUNITIONS AND LETHALITY LIFE CYCLE MANAGEMENT COMMAND (AMSEL-CG),
U.S. ARMY RESEARCH, DEVELOPMENT AND ENGINEERING COMMAND (AMSRD-CG),
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U.S. ARMY TANK-AUTOMOTIVE LIFE CYCLE MANAGEMENT COMMAND (AMSTA-CG),
U.S. ARMY INSTALLATION CONTRACTING COMMAND (AMSCC-ICC-CG),
U.S. ARMY SPACE AND MISSILE DEFENSE COMMAND (SMDC-ZB-RD),
U.S. ARMY MEDICAL COMMAND (MCAA),
U.S. ARMY MEDICAL RESEARCH AND MATERIAL COMMAND (MCMR-ZA),
U.S. ARMY CORPS OF ENGINEERS (CECG),
NATIONAL GUARD BUREAU (NGB-ZA),
U.S. ARMY INTELLIGENCE AND SECURITY COMMAND (IACG),
U.S. ARMY PROGRAM EXECUTIVE OFFICE, SIMULATION, TRAINING AND INSTRUMENTATION (SFAE-STRI-PEO),

PRINCIPAL ASSISTANTS RESPONSIBLE FOR CONTRACTING:
CENTCOM JOINT THEATER SUPPORT CONTRACTING COMMAND (SCO-I),
CENTCOM JOINT THEATER SUPPORT CONTRACTING COMMAND (SCO-A),
CENTCOM JOINT THEATER SUPPORT CONTRACTING COMMAND (PARC CONUS)
U.S. ARMY CONTRACTING COMMAND (AMSCC-BT),
U.S. ARMY SUSTAINMENT COMMAND (AMSAS-AC),
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U.S. ARMY CECOM LIFE CYCLE MANAGEMENT (AMSEL-AC-C),
U.S. ARMY JM&L LIFE CYCLE MANAGEMENT COMMAND (AMSML-AQ),
U.S. ARMY RESEARCH, DEVELOPMENT AND ENGINEERING COMMAND (AMSRD-AC),
U.S. ARMY MILITARY SURFACE DEPLOYMENT AND DISTRIBUTION COMMAND (BMTAQ),
U.S. ARMY TACOM LIFE CYCLE MANAGEMENT COMMAND (AMSTA-AQ),
U.S. ARMY INSTALLATION CONTRACTING COMMAND ENTERPRISE AND INSTALLATION OPPERATIONS (AMSCC-ICC-EI),
U.S. ARMY INSTALLATTION COMMAND (AMSCC-ICC-NCR),
U.S. ARMY EXPEDITIONARY CONTRACTING COMMAND THE AMERICAS (MSCC-ECC-TA),

SAAL-PP
SUBJECT: Justification and Approval of Sole-Source 8(a) Contracts Over $20 Million

DISTRIBUTION (CONT):
U.S. ARMY EXPEDITIONARY CONTRACTING COMMAND PACIFIC
(AMSCC-ECC-PA),
U.S. ARMY EXPEDITIONARY CONTRACTING COMMAND EUROPE
(AMSCC-ECC-EC),
U.S. ARMY EXPEDITIONARY CONTRACTING COMMAND
SOUTHWEST ASIA (AMSCC-ECC-SWA),
U.S. ARMY EXPEDITIONARY CONTRACTING COMMAND KOREA
(AMSCC-ECC-KC),
U.S. ARMY SPACE AND MISSILE DEFENSE COMMAND (SMDC-RD-CM),
U.S. ARMY MEDICAL COMMAND (MCAA),
U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND (MCMR-AAZ-A),
HEADQUARTERS, U.S. ARMY CORPS OF ENGINEERS (CECT-ZA),
U.S. ARMY CORPS OF ENGINEERS, PARC – ATLANTA (CEPR-ATL),
U.S. ARMY CORPS OF ENGINEERS, PARC – DALLAS (PARC-DAL)
U.S. ARMY CORPS OF ENGINEERS, PARC – WINCHESTER (PARC-WIN),
NATIONAL GUARD BUREAU (NGB-ZC-PARC),
U.S. ARMY INTELLIGENCE AND SECURITY COMMAND (IAPC-PARC),
U.S. ARMY PROGRAM EXECUTIVE OFFICE, SIMULATION, TRAINING AND
INSTRUMENTATION (SFAE-STRI-K).

1 Aug 2011

Communiqué 11-48: Use J&A electronic tool for Limited Source and Fair Opportunity justifications; J&A required for 8(a) > $20M

JA Training on electronic tool 1_Aug.

DASN memo.section 811 (2).pdf

Author: Jessica Blackwell

The purpose of this communiqué is as follows: (1) address major changes to the electronic J&A tool, (2) provide some useful tips when using the tool, and (3) introduce the new requirement to execute a J&A prior to awarding a sole-source contract in an amount over $20 million under the 8(a) program.

1. The J&A Electronic Tool will be upgraded and improved with the following major changes:

-There are now 3 justification templates that can be created. They are:
*J&As/CJ&As in accordance with FAR Part 6, *Limited Source Justifications(called LSJ in the tool) in accordance with FAR 8.4 for GSA/FSS, and *Justification for an Exception to Fair Opportunity in accordance with FAR 16.505(b)(2) (called FOJ in the tool).

-All J&As/CJ&As, LSJs and FOJs will be created in e-POWER. The originator can access the templates by directly getting into e.POWER or using the link at MyNAVAIR.
-Justification form fields that previously held only 2000 characters now support 6000 characters.
-The funding picklist used in creating J&As/CJ&As that was previously a drop-down menu, is now a pop-up window that includes a description and has been expanded.
-If a J&A is >= $85.5M, the Funding Table will be printed below the data in paragraph 3 of the body of the J&A/CJ&A.
-Notifications have been updated to provide more detailed information.

2. TIPS on J&A electronic tool:

-Check that the entries in Block#3 (the funding table) have been entered in thousands. For example, $3,000 is entered as 3; $1M is entered as 1000; $5,500,000 is entered as 5500; $6,322,140 is entered as 6322.
-To reassign a J&A, use proxy feature in e-power, contact AIR 2.1 point of contact, Chris Juron or the NAVAIR National Helpdesk at 2-3104 or 1-888-292-5919 -After J&A is printed on letterhead and signatures obtained, it remains in the PCO's e-POWER inbox waiting for the next step. The next step has two options- either, make more changes to the J&A in the electronic tool (option is titled "Return to Specialist for Changes") OR mark it as the final version (this option is titled "Approved/Signed"). By completing the final steps, we can build an accurate repository of J&As.
-The Tutorial is regularly updated to address changes and improvements as they occur and is available in three places -on the MyNAVAIR website, in e-POWER under "documentation," and on the AIR 2.0 website under Procurement Training. The attached (dated 1Aug2011) tutorial is effective with the system upgrade discussed in paragraph #1 above.

3. NEW REQUIREMENT for 8(a) > $20M:
An interim rule (effective Mar 16, 2011) has been issued amending FAR to implement Sec. 811 of the National Defense Authorization Act for FY 2010 (Pub. L. 111-84). Sec. 811 requires a J&A prior to awarding a sole-source contract in an amount over $20 million under the 8(a) program. This written J&A must be approved by an appropriate official and, after award, made public. Authorized by 15 U.S.C. 637(a), the 8(a) program enables contract awards to be made to small business concerns determined eligible for the 8(a) program by the Small Business Administration (SBA). The attached Defense Procurement and Acquisition Policy (DPAP) memorandum provides details.

The Federal Register announcement emphasized the requirement for a J&A is not a ceiling or a ``cap" on sole-source awards over $20 million for 8(a) contractors. Prior to the enactment of section 811, a sole-source award of a new contract made using the 8(a) contracting authority did not require a J&A, regardless of the dollar value. The new statute does not institute any requirement for a J&A for sole-source 8(a) awards that are less than or equal to $20 million.

As requested in a series of outreach meetings, the interim rule has been drafted to adopt only the five elements listed in section 811(b) of the statute, which are set forth in FAR 6.303-2(d) and as follows:

(1) A description of the needs of the agency concerned for the matters covered by the contract;
(2) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract;
(3) A determination that the use of a sole-source contract is in the best interest of the agency concerned;
(4) A determination that the anticipated cost of the contract will be fair and reasonable; and
(5) Such other matters as the head of the agency concerned shall specify.*

Use the NAVAIR web-based tool to complete the J&A. However, to comply with the intent of this change, Block#6, Description of Efforts Made To Solicit Offers from as Many Offerors as Practicable and Block# 8, Actions to Remove Barriers to Future Competition, are not applicable elements.

NOTE: *In their respective implementing memos, DoD and DON have encouraged program offices and contracting officers to work closely with small business specialists to identify 8(a) firms that could provide needed supplies and services, to strengthen DoD's small business accomplishments.

J&A Electronic Writing Tool

(Includes Limited Source Justifications and Justifications for Exceptions to Fair Opportunity)

Training Package

Policy contained in AIR 2.0 Communiqué 10-73 and 11-16 found on AIR 2.0 website: https://contracts.navair.navy.mil/)

Training Package Updated 1 August 2011

Release Notes

The following major changes have been made to this latest release of the e.POWER J&A application:

- **The MyNAVAIR website for creating J&As has been discontinued. All J&As will now be created through e.POWER. (see slide 6)**
  - **See slide 57 on Searching justifications in e-POWER**
- **There are now 3 types of Justifications that can be created (J&A, LSJ, FOJ). (see slides 12-14 for details)**
- **Justification form fields that previously held only 2000 characters now support 6000 characters.**
- **The funding picklist, used in creating J&As, that was previously a drop-down menu in Section #3 is now a pop-up window that includes a description and has been expanded. (see slide 12 for details)**
- **If a J&A is >= $85.5M, the Funding Table will be printed below the data in Section 3.**
- **Notifications have been updated to provide more detailed information.**

Web-Based Tool

- Software application which allows users to submit a web-based Justification Form to the NAVAIR Community of Interest (COI).
- Forms will provide pull-downs, required fields, and business logic where feasible to minimize errors upon submission.
- Form will auto-populate user's credentials based on CAC log-in.
- Each section to be filled in by the user will offer sample language and help in completing each field to minimize re-writes.
- Form is routed among stakeholders in e.POWER.
- The form will auto-generate an MS-Word document in the current Assistant Secretary of the Navy (ASN(RDA)) format.

3

Web-Based Tool (cont.)

- Form will allow for continuous saving and updating until it is submitted to the next status.
- Tool will track "status" of the form as follows: Draft, Review, Rework, Approve, Cancel.
- When status is changed within the tool, automatic email notification will be provided.
- Tool will provide a document repository.
- The Help Desk referenced herein is: National Help Desk https://homepages.navair.navy.mil/NHD/

  Phone: 1-888-292-5919 or 301-342-3104

❖The current system administrator (with limited rights) in contracts is Chris Juron / 301-757-6556 / christine.juron@navy.mil

4

Getting Started

- Getting into the Contracts Justification tool
  - Starting from e.POWER website https://teamworkflow.navair.navy.mil/epwfactivator/
    - Save this link as a bookmark for future.
  - Starting from MyNAVAIR website (see next slide). https://mynavair.navair.navy.mil/portal/server.pt/community/mynavair/206
    - Under the Acquisition Resources section, Click J&A Submission.
    - Justification tool access through the MyNAVAIR website (https://teamworkflow.navair.navy.mil/janda/) has been discontinued
- There are 8 blocks to fill out with a choice of 3 different forms (J&A, LSJ, FOJ).
- As is typical for web sites, there is a 30 minute timeout. Users should save their forms within 30 minutes or risk losing work.

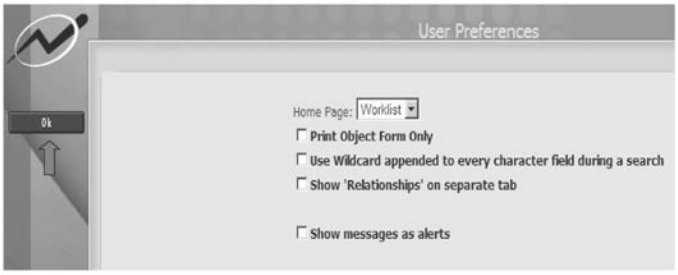
Getting Started – From MyNAVAIR

- If going to the MyNAVAIR website, you will now receive the screen above.
- If you do not already have an e.POWER account, one will be automatically created for you and CAC-enabled once you access the screen above.
- Click the e.POWER button to access and login to the e.POWER system.

Logging into e.POWER

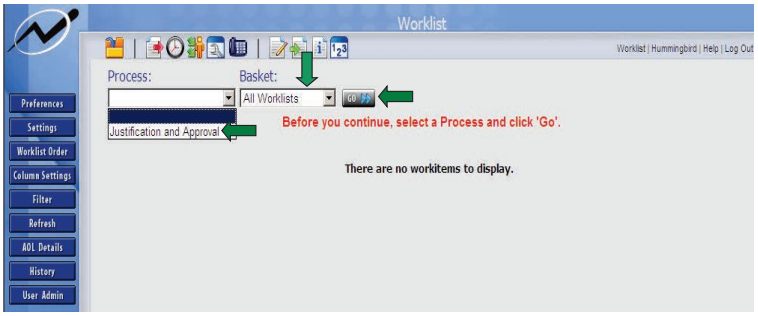
- The URL to access e.POWER is: https://teamworkflow.navair.navy.mil/epwfactivator/.
- Save this link as a bookmark for future.
- e.POWER is CAC enabled, so Click OK on the initial pop-up message and then SUBMIT WITHOUT entering a password. If you are not CAC enabled, use the forgot password link and follow instructions or contact the National Help Desk for assistance.

Logging into e.POWER – User Preferences



The first time you log into e.POWER, you are asked to save your User Preferences. It is best to leave all selections unchecked and simply click Ok.

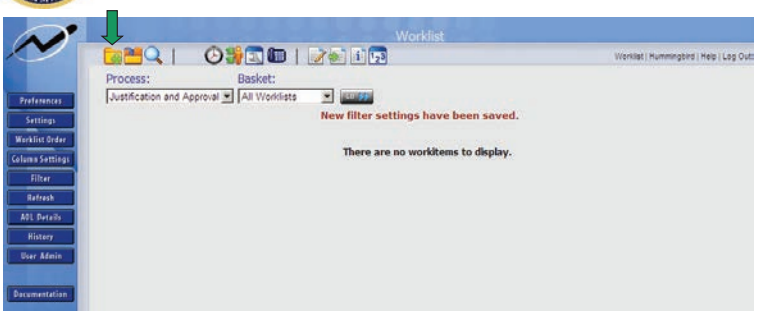
Logging into e.POWER – Worklist Screen



After your User Preferences are set, you will need to set your Process (on your initial login only). This is done at the Worklist screen. It is possible to have more than one option in this list. Select the "Justification and Approval" option, make sure the Basket is set to "All Worklists" and click the GO >> button.

Originator

Creating forms in e.POWER – New Object



To create a new Contracts Justification form, select the New Object icon on the top toolbar. The next two slides show the layouts of the J&A, LSJ, and FOJ forms that can be created within e.POWER.

Note: Clicking/un-clicking on a field from within the PPT Slide Show view will show/hide comments about the fields on the next three slides.

Create J&A Form

Justification Type
LSJ: Limited Source Justification

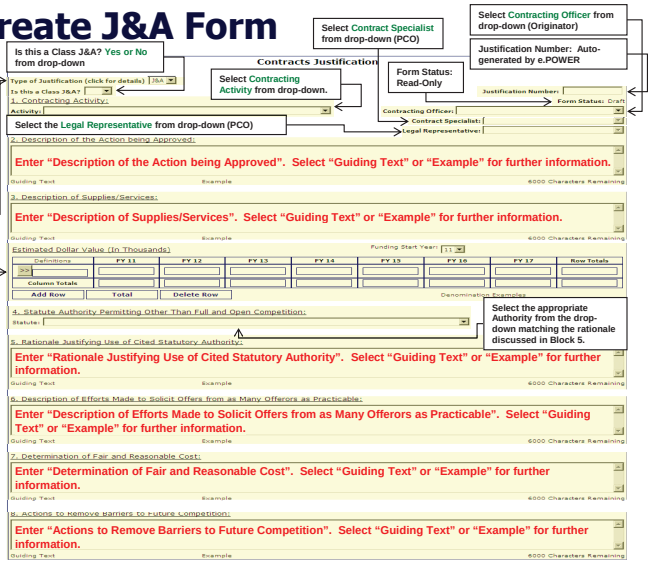
FOJ: Justification for Exception to Fair Opportunity

J&A: Justification for Other than Full and Open Competition

•For more detailed Justification Type info, select the "Types of Justification" link.

****Warning: Always wait for the form to load completely before making selections!****

•Click on the >> button to select type of funds. If you don't see the proper funding site then it will need to be added by calling the Help Desk.
•Select the funding start year by selecting from the drop-down.
•Populate funding by fiscal year.
•Funds need to be specified in Thousands of Dollars.
•Click Add Row for additional funding lines.
•Once funds have been populated, click Total, and your funds will automatically be added by appropriation and fiscal year and provide an overall total.



Create LSJ Form

Select Contracting Officer from drop-down (Originator)

Justification Number: Auto-generated by e.POWER

Contracts Justification

Type of Justification (click for details) LSJ

Select Contract Specialist from drop-down (PCO)

Form Status: Read-Only

Justification Number:

Form Status: Draft

1. Contracting Activity:

Activity:

Contracting Officer:

Contract Specialist:

Select the Legal Representative from drop-down (PCO)

Legal Representative:

2. Nature and/or Description of Action Being Approved:

Enter "Nature and/or Description of Action Being Approved".

6000 Characters Remaining

3. Description of the Supplies or Services Required to Meet the Agency's Needs (including the estimated value):

Enter "Description of the Supplies or Services Required to Meet the Agency's Needs (including the estimated value)".

6000 Characters Remaining

4. Identification of the Justification Rationale (see FAR 8.405-6(b)) and, if applicable, a Demonstration of the Proposed Contractor's Unique Qualifications to Provide the Required Supply or Service:

Supporting Information:

Enter Supporting Information for "Identification of the Justification Rationale (see FAR 8.405-6(b)) and, if applicable, a Demonstration of the Proposed Contractor's Unique Qualifications to Provide the Required Supply or Service".

6000 Characters Remaining

5. Determination by the Ordering Activity Contracting Officer that the Order Represents the Best Value Consistent with FAR 8.404(d):

Enter "Determination by the Ordering Activity Contracting Officer that the Order Represents the Best Value Consistent with FAR 8.404(d)".

6000 Characters Remaining

6. A description of the market research conducted among schedule holders and the results or a statement of the reason market research was not conducted:

Enter "A Description of the Market Research Conducted Among Schedule Holders and the Results or a Statement of the Reason Market Research was not Conducted".

6000 Characters Remaining

7. Any Other Facts Supporting The Justification:

Enter "Any Other Facts Supporting The Justification".

6000 Characters Remaining

8. A Statement Of The Actions, If Any, The Agency May Take To Remove Or Overcome Any Barriers That Preclude The Agency From Meeting The Requirements Of FAR 8.405-1 And FAR 8.405-2 Before Any Subsequent Acquisition For The Supplies Or Services Is Made:

Enter "A Statement Of The Actions, If Any, The Agency May Take To Remove Or Overcome Any Barriers That Preclude The Agency From Meeting The Requirements Of FAR 8.405-1 And FAR 8.405-2 Before Any Subsequent Acquisition For The Supplies Or Services Is Made".

6000 Characters Remaining

Justification Type
LSJ: Limited Source Justification

FOJ: Justification for Exception to Fair Opportunity

J&A: Justification for Other than Full and Open Competition

•For more detailed Justification Type info, select the "Types of Justification" link.

****Warning: Always wait for the form to load completely before making selections!****

Select Contracting Activity from drop-down.

Select the appropriate Justification Rationale from the drop-down.

Create FOJ Form

Select Contracting Officer from drop-down (Originator)

Justification Number: Auto-generated by e.POWER

Contracts Justification

Type of Justification (click for details) FOJ

Select Contract Specialist from drop-down (PCO)

Form Status: Read-Only

Justification Number:

Form Status: Draft

1. Contracting Activity:

Activity:

Contracting Officer:

Contract Specialist:

Select the Legal Representative from drop-down (PCO)

Legal Representative:

2. Nature and/or Description of Action Being Approved:

Enter "Nature and/or Description of Action Being Approved".

6000 Characters Remaining

3. Description of the Supplies or Services Required to Meet the Agency's Needs (including the estimated value):

Enter "Description of the Supplies or Services Required to Meet the Agency's Needs (including the estimated value)".

6000 Characters Remaining

4. Identification of the Justification Rationale (see FAR 16.505(b)(2)) and, if applicable, a Demonstration of the Proposed Contractor's Unique Qualifications to Provide the Required Supply or Service:

Supporting Information:

Enter Supporting Information for "Identification of the Justification Rationale (see (FAR 16.505(b)(2)) and, if applicable, a Demonstration of the Proposed Contractor's Unique Qualifications to Provide the Required Supply or Service".

6000 Characters Remaining

5. Determination by the Ordering Activity Contracting Officer that the Order Represents the Best Value Consistent with FAR 16.505(b)(2):

Enter "A Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable".

6000 Characters Remaining

6. A description of the market research conducted among schedule holders and the results or a statement of the reason market research was not conducted:

Enter "A Description of the Market Research Conducted Among Schedule Holders and the Results or a Statement of the Reason Market Research was not Conducted".

6000 Characters Remaining

7. Any Other Facts Supporting The Justification:

Enter "Any Other Facts Supporting The Justification".

6000 Characters Remaining

8. A Statement Of The Actions, If Any, The Agency May Take To Remove Or Overcome Any Barriers That Preclude The Agency From Meeting The Requirements Of FAR 8.405-1 And FAR 8.405-2 Before Any Subsequent Acquisition For The Supplies Or Services Is Made:

Enter "A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers that Led to the Exception to Fair Opportunity before any Subsequent Acquisition for the Supplies or Services is Made".

6000 Characters Remaining

Justification Type
LSJ: Limited Source Justification

FOJ: Justification for Exception to Fair Opportunity

J&A: Justification for Other than Full and Open Competition

•For more detailed Justification Type info, select the "Types of Justification" link.

****Warning: Always wait for the form to load completely before making selections!****

Select Contracting Activity from drop-down.

Select the appropriate Justification Rationale from the drop-down.

Filling out Form Fields in e.POWER

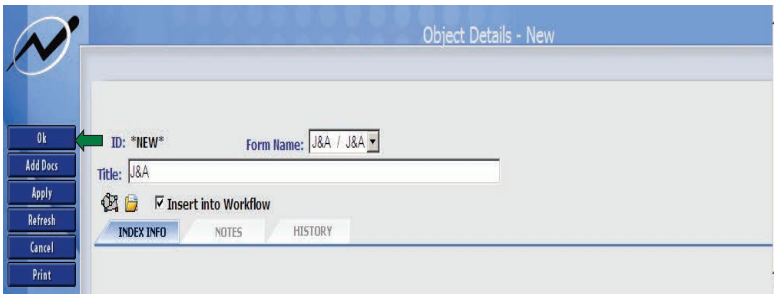
Notes for filling out fields from the previous two slides:

****Warning: Always wait for the form to load completely before performing actions!!****

- If you are unsure of what belongs in the form text boxes, click on Guiding Text for help. If you want a sample of what the language may look like, click on Example. (Note: These options are only available on the J&A form.)
- You can cut and paste from any word document or from the example box, then edit to fit your needs. Be conscious of the maximum characters and special characters that may cause errors.
- In the Contracting Officer, Contract Specialist, or Legal Representative drop-down menus, if you don't see the appropriate individual in the drop-down menu, alert that person so they can take appropriate action to be added.
- If your Funding Table Total exceeds $85.5 million dollars, you will receive a warning message in the event that this was an erroneous figure.

15

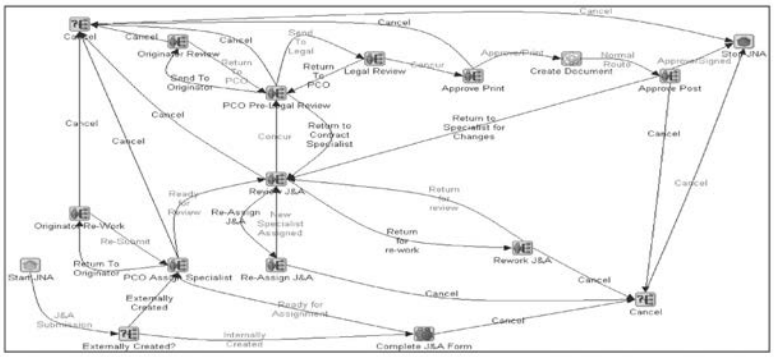
Submit Contracts Justification Form into Workflow



After the form fields have been filled-out for either the J&A, LSJ, or FOJ form, select the Ok button on the left-hand button menu. This will insert the form into workflow (see workflow map on next slide).

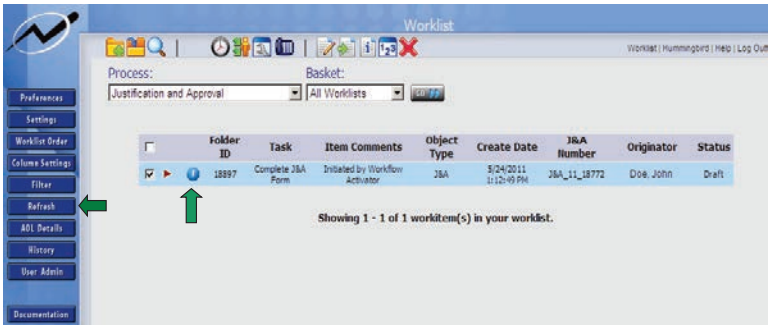
16

e.POWER – Workflow Process Map



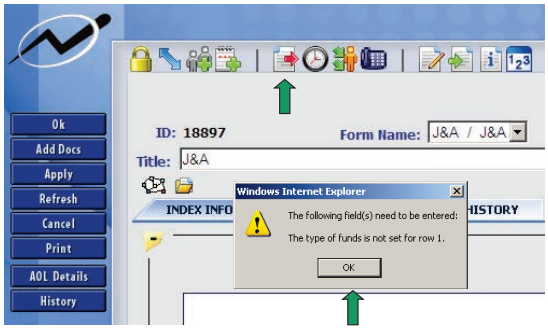
The Workflow Process Map above shows how the forms created in the e.POWER tool are routed through the system.

Sending Contracts Justification Form to the PCO



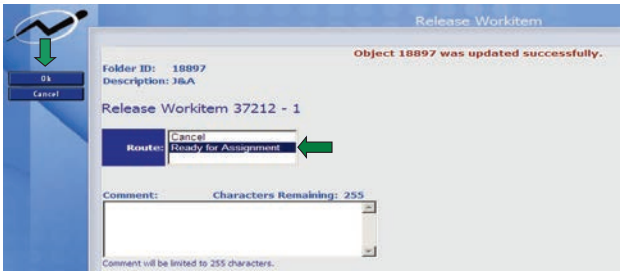
Your form has now been submitted to the workflow. Click the Refresh button on the left-hand button menu until your form shows up in your worklist. Next, click the icon to open up the form to make any additional changes before processing to the PCO.

Final Changes before Sending Form to the PCO



After updating your form with any additional changes, click the **Process Workitem** icon on the top toolbar menu. (**Note:** All form fields must be completed before your form can be submitted to the PCO or you will receive a **warning message**.)

Submit Contracts Justification Form into Workflow



From the Release Workitem screen, to process your form to the PCO at the PCO Assign Specialist task, select the default route of **Ready for Assignment**. To cancel your form and send it out of workflow select the Cancel route (***do not confuse this with the Cancel button which will cancel the Release Workitem action and send you back to the Worklist screen***). Enter any comments, if desired, and click the **Ok** button to process.

Originator Workflow Process Complete

As an Originator, you are now completed with your portion of the workflow process, however, contracts may return the form back to you at certain times within the process. If this happens, you will receive an email that the form has been returned to you for your action.

PCO

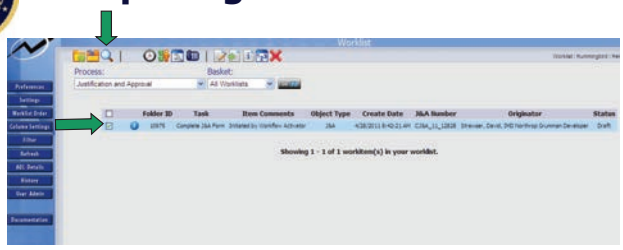
(Procuring Contract Officer)

PCO Assign Specialist

- A system generated e-mail will be sent to the PCO in Outlook with a link. Open the Justification using the link.
- If the PCO has changes to recommend to the Originator then it should be returned to the Originator providing the necessary action to be taken…
  - …by using the comment block.

    OR
  - …by using notes. (Slides 29-33)

Opening the Justification



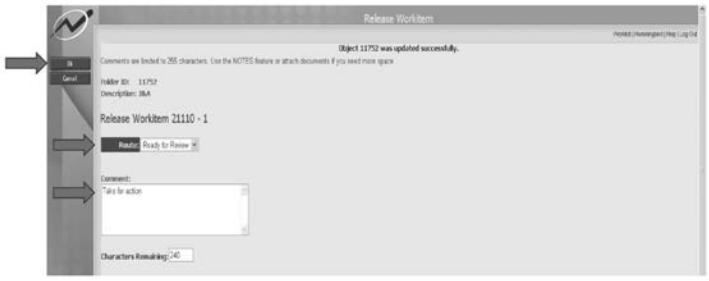
- Once logged into the tool, the list of Justifications requiring action will show in your Worklist.
- Open the Justification by clicking on the blue circle with the white "I" in it at the Justification desired.
- If you need to find a Justification that is not in your inbox, use the search functionality. The search icon is the magnifying glass (refer to slide 57 for more instructions on the search).

Contracting Officer Assigns Justification to Specialist 1 of 2

- PCO selects Contract Specialist from drop-down box for review and processing of Justification.
- To assign the Contract Specialist review, click the Process Workitem button at the top of the screen. This is the button with the red arrow on it.
- If you want to save changes and forward to the Contract Specialist at a later time, click OK to save changes and save form.

25

Contracting Officer Assigns Justification to Specialist 2 of 2



- Select the Ready for Review route and include appropriate comments in the field provided.
- Select Ok at the left of the screen.

26

Contract Specialist Review

- A system generated e-mail will be sent to the Contract Specialist in Outlook with a link. Open the Justification using the link.
- If the Contract Specialist has changes to recommend to the requiring office and/or needs concurrence with changes they made to the document, then it should be returned to the Originator (see slides 36-37) providing the necessary action to be taken…
  - …by using the comment block.

    OR
  - …by using notes. (Slides 29-33)

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Navigating in e.POWER Form Tabs

•Index Info: This tab shows the Justification form and any attached documentation, this is the default tab.
•Notes: This tab is available to view any notes associated with the Justification.
•History: This tab shows all history for the Justification.

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Navigating in e.POWER
Adding Notes 1 of 2

•To add a note to the form, click on the Add Notes icon.

Navigating in e.POWER
Adding Notes 2 of 2

•After entering your note click on Ok to return to the form.

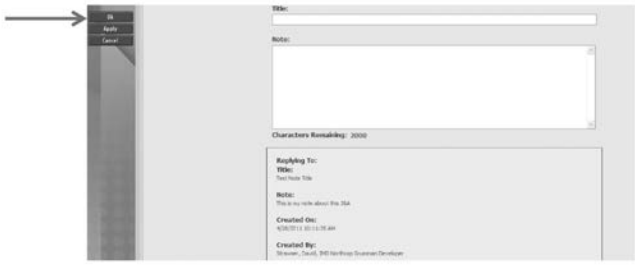
Navigating in e.POWER
Viewing Notes

The red corner indicates a Note has been added. An alert message will also show when notes are present.

•To view Notes, click on the Notes Tab.

•To view the Note, click on the title
•If you added the note, you can also modify or delete the note. Security can be applied by named users or groups. Click reply to reply.

Navigating in e.POWER
Replying to a Note



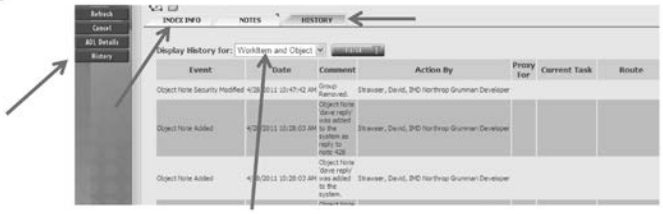
•Enter your Note and Title and click on Ok when finished.
•Each note can be up to 2000 characters
•All notes display who made the note and when the note was added.

Navigating in e.POWER Securing Notes

•To secure note, click on security.

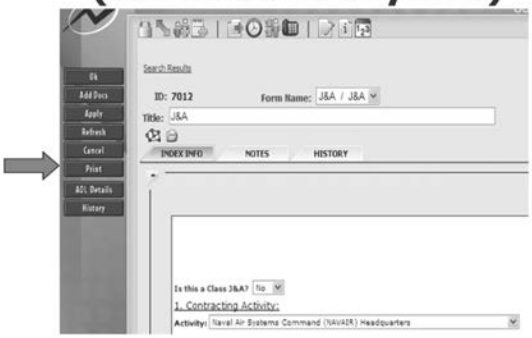
•As the message indicates, without applying security, all notes are available to everyone with access to the form.
•Security can be added to a named user or group
•When finished, click Close.

Navigating in e.POWER History



•There are two ways to view History of a Justification, the History button and the History Tab.
•The History button opens a new window and shows a summary view. Click Ok to return to the form.
•The History Tab shows everything that has been done to the Justification, including changes in values as in Track Changes. Be sure "Workitem and Object" is selected in the Display drop-down. Click on Index Info to return to the form.

Navigating in e.POWER Printing the Draft Justification (can be done anytime)



- Clicking the Print button opens a window containing current Justification form data that is printable. Once the window is opened, select Print to print the data or Close to return to the Justification form.

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Send Justification Back to Originator 1 of 2

- To send the Justification back to the requiring office for review and/or rework, select the Process Workitem button.

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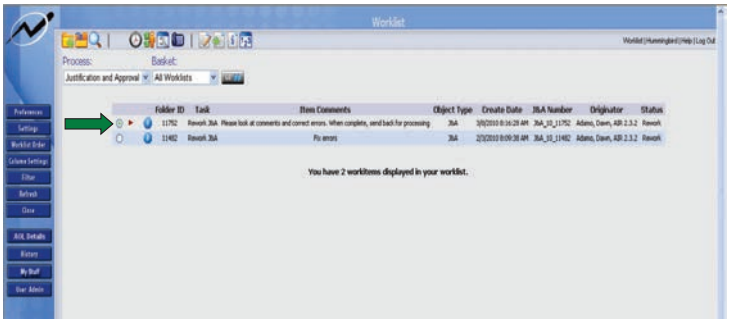
Send Justification Back to Originator 2 of 2

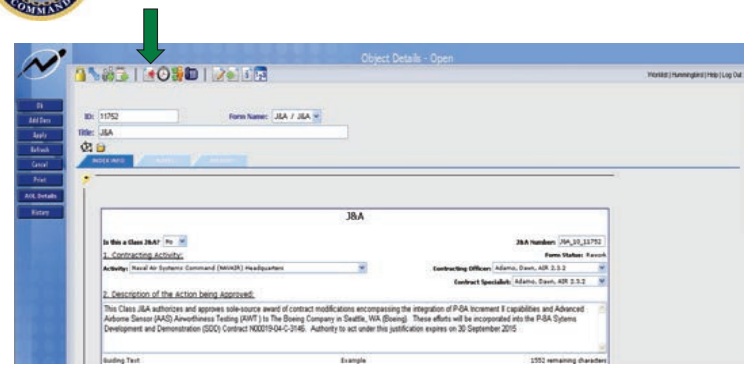
- Click Return for Rework under the Route drop down box.
- Add appropriate comments to the Comment box.
- Click Ok when finished. The Originator will receive the system generated e-mail in the Outlook inbox with the link.

Return to Originator for Rework 1 of 2



- The Originator should open the Justification by clicking on the blue circle with the white "I" in it at the Justification for which rework is required.

Return to Originator for Rework 2 of 2



- Once all revisions to the document have been made, select **Process WorkItem**.

Return to Contract Specialist for Review

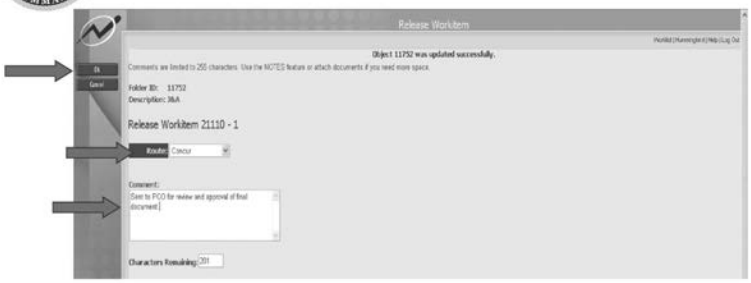
- Choose Return for Review under the Route drop-down box, add appropriate comments, then click Ok.

Review/Rework Process

- The Specialist and Originator can send the Justification back and forth as many times as necessary, until the Specialist is satisfied the Justification is sufficient and can be sent to the PCO for review and approval.
- A system generated e-mail to the recipient's Outlook inbox results each time.

41

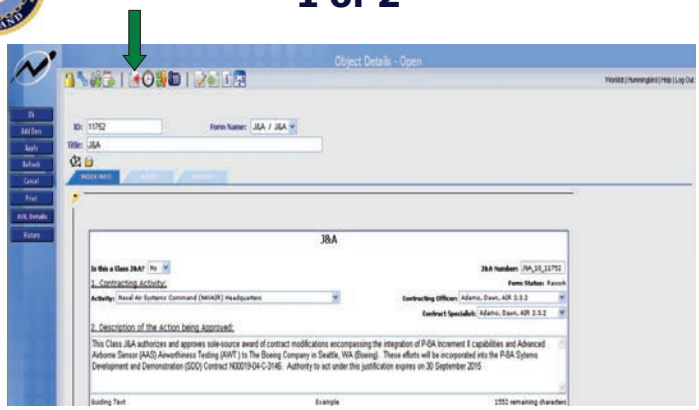
Justification to Contracting Officer for Review



- The Contract Specialist opens the Justification from the Worklist.
- Once inside the form, the Specialist should click on Process Workitem.
- Choose Concur from the Route drop-down box, include comments, and click Ok.

42

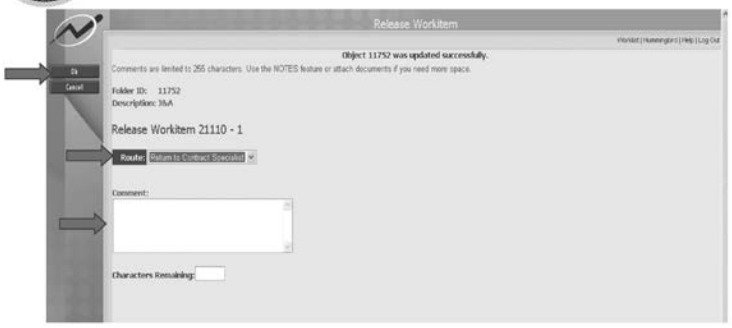
Return to Specialist for Rework 1 of 2



- To return the Justification to the Specialist for changes, click **Process Workitem**.

43

Return to Specialist for Rework 2 of 2



- Choose Return to Contract Specialist from the Route drop-down box, include appropriate comments, and click Ok.

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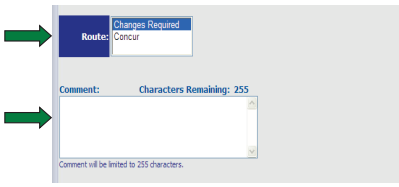
Review/Rework Process

- The Specialist and PCO can send Justification back and forth as many times as necessary, until the PCO is satisfied the Justification is sufficient.
- A system generated e-mail to the recipient's Outlook inbox results each time.
- Once the Justification is ready for legal review, it is forwarded to the respective attorney.

Send to Legal for Review 1 of 2

- Once the Contract Specialist and the PCO are satisfied with the Justification, the PCO sends to the Legal Representative for Legal review.
- Select the lawyer from the drop-down illustrated above and process to legal.
- A system generated e-mail will be sent to the legal recipient's Outlook inbox. Click the link to get into your e.POWER inbox.
- The Justification can be printed in draft (see slide 35) by legal.

Send to Legal for Review 2 of 2



- After legal completes their review, the form is sent back to the PCO.
- Legal has two review options:
  - Concur and send back to PCO
  - Changes Required and send back to PCO
- Legal can type in the document, in the comment block or use Notes.
  - Refer to Slides 29-33 on using notes.
- When Legal selects Concur, it is routed to the PCO. The PCO is then able to process the Justification as Approve/Print.

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Approve and Print 1 of 2

- When the PCO processes the Justification with Approve/Print, the Word document is created with the appropriate signature page and letterhead.
- To Approve and Print, click Process Workitem, and choose Approve/Print from the Route drop-down box, then click Ok.
  - Document is locked down. No further changes can be made unless the PCO processes the form as Return to Specialist for Changes. (see slides 50-52)
  - This will print the document on the appropriate letterhead and format ready for signature, including those sent to ASN for signature. The document can also be saved outside the tool.
  - The hard copy will need to be signed by the Program Manager, Contracts and Legal before further routing through the contracts chain.

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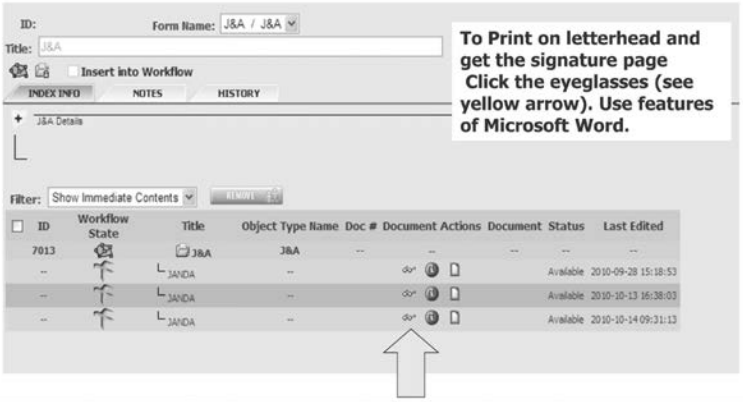
Approve and Print 2 of 2

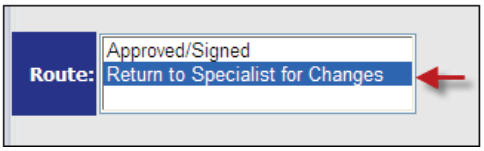


v

Return to Specialist for Changes (if necessary) 1 of 3

- If the signatories make changes to the Justification, those changes MUST be made to the document in e.POWER.
- Click Process Workitem.

Return to Specialist for Changes (if necessary) 2 of 3



- Choose **Return to Specialist for Changes** from the **Route drop-down box** then click **Ok**.

Return to Specialist for Changes (if necessary) 3 of 3

- The Justification will now go through all of the appropriate reviews again. Once the Justification makes it back through workflow, a new Word document will be created.
- Return to slides 48-49 for Approve and Print.

Approve/Signed

- Once all signatures have been obtained on the Justification, the PCO will:
  - click Process Workitem.
- Choose Approved/Signed from the Route drop-down box then click Ok. No further changes can be made.
- By clicking Approved/Signed, the PCO is verifying that it is the final version signed by all parties.
- The document is now ready for the Contract Specialist to post to FedBizOpps and Navy Electronic Commerce Online (NECO) in accordance with local instructions*.
- Reference: AIR 2.0 website --- Communiqué 11-16: Publication of J&As [https://contracts.navair.navy.mil]
- At a minimum, the appropriation table and signature page is redacted before posting. Based on the PCO/Legal assessment , other sensitive information and details may be removed for various reasons prior to posting.

Establish Proxies 1 of 3

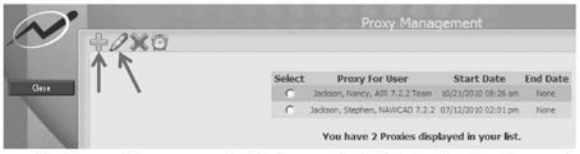
- Users can establish proxies in e.POWER to grant other users access to their e.POWER account. Proxies are assigned from available e.POWER user names. Users grant proxy assignments for a specific time period with a given start and end date. A proxy can be edited to extend or shorten the time period, or a proxy can be deleted when no longer desired.
- Select the settings button. The Worklist Display Settings window opens.
- Select the set proxy button. The Proxy window opens.
- From the top toolbar, select the *Create New Proxy* button. The New Proxy Properties window opens:

Establish Proxies 2 of 3

- From the Worklist screen, select Settings button. The Worklist Display Settings window opens.

- Select the Set Proxy button. The Proxy Management window opens

Establish Proxies 3 of 3



- From the Proxy Management window, select the Create New Proxy icon (green plus sign).

- Select the MORE… button to add users and set the Start and End Dates or No Expiration and click Ok.
- After all users have been added, click Close. Users will now be able to log in to perform work on your behalf until their proxy privileges have been revoked or have expired. You can also edit proxies by selecting the Edit Selected Proxy icon (pencil).

Using Search in e.POWER

•Click on the magnifying glass from the worklist.

•Ensure J&A and not All Object Types is selected.
•Enter your criteria and click Ok.
•Searches can be saved and opened with the top icons.

57

Uploading Documentation 1 of 3

•To upload a document, click Add Docs.

•Click the ellipses to select the author.

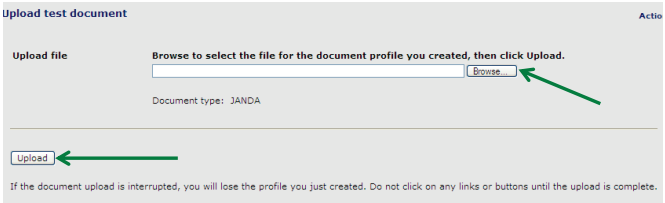
58

Uploading Documentation 2 of 3

- Type your logon name in the By field and click apply.
- Ensure your name is checked and click Ok.

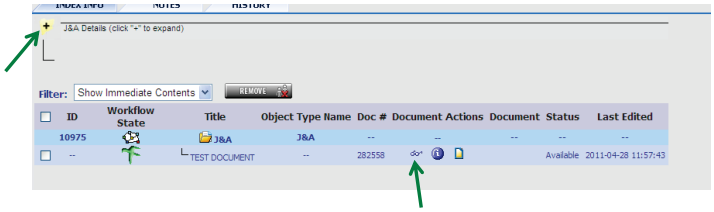
- Click the folder Icon to create the document.

Uploading Documentation 3 of 3



- Click the Browse button and attach the document as you would for any attachment in Outlook.
- After you have attached your document, click Upload.

Viewing Attached Documentation



- When documentation is available, the Justification form is automatically collapsed.
- To open the form click on the + icon.
- To view the document, click the eye glasses icon.
- Clicking the eye glasses icon will open the document in a new window.

Document Actions

- One can view metadata about the file by clicking the "i" icon.
- The document can be checked out and locked for updating by clicking the paper icon. The document repository will keep the different versions of the document.
- To remove an attached document double-click the appropriate checkbox and click Remove.
- If more than one document is attached they will be listed in additional rows.

FAQs

- Why am I not getting E-mail notifications?
  - ✓ Answer: profile needs to be active – contact Help desk or Contracts System Admin
- Why is e.POWER asking me for a password?
  - ✓ Answer: #1 follow instructions at e.POWER sign in then set yourself up so it is CAC enabled for next time OR #2 contact Help desk or Contracts Sys Admin to update your profile so it is CAC enabled
- How can I be added to the drop down list?
  - ✓ Answer: call Contracts Sys Admin
- How do I move the Justification to another representative if I am not the right representative?
  - ✓ Answer: contact Help desk or Contracts Sys Admin to move it to another person's e.POWER inbox

❖ National Help Desk Contact: 1-888-292-5919, 301-342-3104, or https://homepages.navair.navy.mil/NHD/

❖ Contracts System Admin currently is Chris Juron / Phone: 301-757-6556 / e-mail: christine.juron@navy.mil

DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(RESEARCH, DEVELOPMENT AND ACQUISITION)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Section 811 of the National Defense Authorization Act for Fiscal Year 2010

The attached Director, Defense Procurement and Acquisition Policy memorandum of June 16, 2011 is forwarded for your information and action, as appropriate. An interim rule published on March 16, 2011 amended the Federal Acquisition Regulation to implement Section 811 of the National Defense Authorization Act for Fiscal Year 2010. Section 811 requires that a written Justification and Approval be approved prior to sole source 8(a) awards over $20 million. Further details are provided within the memorandum.

Please encourage your program offices and contracting officers to work with their respective small business specialists to identify 8(a) firms that could provide needed services or supplies, to strengthen DoD's small business accomplishments.

My point of contact is Gabrielle Trickett, gabrielle.trickett@navy.mil, 703-614-9641.

Allie Coetzee
CAPT, SC, USN
Executive Director
DASN (Acquisition & Procurement)

Attachment:
As stated

Distribution:
See next page

SUBJECT: Section 811 of the National Defense Authorization Act for Fiscal Year 2010

Distribution:
CMC (LB)
MARCORSYSCOM (CT)
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AGC (RDA)
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OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

JUN 16 2011

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY (ACQUISITION AND LOGISTICS MANAGEMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING)
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Section 811 of the National Defense Authorization Act for Fiscal Year 2010

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Program offices and contracting officers are encouraged to work closely with their respective small business specialists to identify 8(a) firms to include Native Enterprises (Alaska Native Corporations, Tribal and Native Hawaiian firms) that could provide needed services or supplies. The Department of Defense is committed to providing contracting opportunities to all small businesses, including 8(a) entities. The implementation of this interim rule will help strengthen our small business accomplishments.

The DPAP staff point of contact for small business procurement policy is Ms. Cassandra R. Freeman, 703.693.7062 or cassandra.freeman@osd.mil.

Richard Ginman
Director, Defense Procurement
and Acquisition Policy

cc:
Director, Office of Small Business Programs

DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(RESEARCH, DEVELOPMENT AND ACQUISITION)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

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Allie Coetzee
CAPT, SC, USN
Executive Director
DASN (Acquisition & Procurement)

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Copy to:
AGC (RDA)
DON OSBP

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION, TECHNOLOGY AND LOGISTICS

JUN 16 2011

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COMMANDER, UNITED STATES TRANSPORTATION COMMAND (ATTN: ACQUISITION EXECUTIVE)
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The DPAP staff point of contact for small business procurement policy is Ms. Cassandra R. Freeman, 703.693.7062 or cassandra.freeman@osd.mil.

Richard Ginman
Director, Defense Procurement
and Acquisition Policy

cc:
Director, Office of Small Business Programs

FAR PART 6 JUSTIFICATION FORMAT

Justification for OTFAOC *(Template)*

Sole-Source J&A accomplished IAW FAR Subparts 6.203-5 and 19.808, 19.1306, and 19.1406

NOTE: *Contracting officers must be sensitive about proprietary information when posting justifications. Contracting officers shall carefully screen all justifications for contractor proprietary information and remove such information before making available to the public. Contracting officers are to adhere to the exemptions on disclosure of information contained in the Freedom of Information Act (5 U.S.C. 552) and the prohibitions against disclosure in FAR 24.202 in determining the information that should be removed.*

On average, the J&A document should be between 5 and 7 pages in length.
*****GUIDANCE LANGUAGE IS ITALICIZED IN RED FONT. REMOVE ALL GUIDANCE LANGUAGE IN THE FINAL DOCUMENT*****

Purchase Request Number:
Contract Number:
Task/Delivery Order Number:
Procurement Title:
Contracting Office:
Estimated Value: $
Statutory Authority: *15 U.S.C. 637(a) (8(a) sole-source) or 15 U.S.C. 657a (HubZONE sole-source) or 15 U.S.C. 657f (SDVOSB sole-source)*

Note that a Sole Source J&A is NOT required for 8(a) set-asides less than or equal to $20M (FAR 6.302-5(c)(2)(iii))

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Justification for OTFAOC Number: *(Assigned by Procuring Activity Competition Advocate)*

Upon the basis of the following justification, I, as the *[insert title of appropriate official]*, hereby approve the use of other than full and open competition of the proposed contractual action pursuant to the authority of *15 U.S.C. 637(a) (8(a) sole-source) or 15 U.S.C. 657a (HubZONE sole-source) or 15 U.S.C. 657f (SDVOSB sole-source)*

JUSTIFICATION

1. REQUIRING AGENCY AND CONTRACTING OFFICE: *Specify the requiring agency and the DITCO contracting activity responsible for accomplishing the contract action. (FAR 6.303-2(b)(1))*

2. NATURE/DESCRIPTION OF ACTION(S): *Describe the nature of the contractual action for which approval is requested (i.e., new contract, modification). Include type of contract (e.g.*

FFP, CPAF) type and year of funds to be used (e.g. R&D, Procurement, O&M); and estimated share and ceiling arrangements, when applicable. (FAR 6.303-2(b)(2))

3.. DESCRIPTION OF SUPPLIES/SERVICES: *A brief description of the supplies and/or services required to meet the agency's needs, including the delivery schedule and/or the period of performance (inclusive of all option periods), and the estimated life-cycle costs of the procurement). (FAR 6.303-2(b)(3) and FAR 6.303-2(d)(1))*

(a) Explain the requirement in layman's terms so it can be understood by a non-technical reviewer who is not familiar with the requiring activity or the project.
(1) If the action described is a modification to an existing contract, be sure to distinguish clearly between the work covered by the basic contract and the additional work to be obtained by the proposed modification.
(2) Identify the customer activity.
(3) State option quantities and/or performance periods.

(b) If FAR 52.237-3 (Continuity of Services) and/or 52.217-8 (Option to Extend Services) will be included in a noncompetitive bridge contract action, be sure to mention each and its associated potential time period and dollar value. These two clauses should be considered for inclusion in competitive contracts to preclude the necessity for later noncompetitive actions if the follow-on is delayed or if a phase-in/phase-out period is required.

4. IDENTIFICATION OF STATUTORY AUTHORITY: *Identify the statutory authority, FAR Citation and FAR Exception Description permitting other than full and open competition.*

5. A DETERMINATION THE USE OF A SOLE SOURCE IS IN THE BEST INTEREST OF THE AGENCY CONCERN: *Discuss how this particular sole source procurement provides the best possible solution for the Government. Discuss the contracting officer's compliance with applicable Part 19 sole source set-aside requirements. Identify the proposed sole source contractor and discuss the unique capabilities, experience, expertise, etc. that the contractor has that makes the firm the best firm to perform the required work. Identify the constraints of the procurement, such as schedule requirements or unique features and mandatory requirements which create a sole source environment. (FAR 6.303-2(b)(5) and 6.303-2(d)(3)).*

6. FEDBIZOPPS ANNOUNCEMENT/POTENTIAL SOURCES: *Describe efforts made to ensure that offers are solicited from as many potential sources as is practicable. Also indicate whether a notice was or will be published as required by FAR 5.2, and, if not, which exemption under FAR 5.202 applies. (FAR 6.303-2(b)(6))*

7. DETERMINATION OF FAIR AND REASONABLE COST: *Include a statement by the contracting officer that the anticipated cost will be considered fair and reasonable and provide the basis for this determination. Indicate the method to be used by the contracting officer to determine that the resulting contract costs or prices will be fair and reasonable. Examples of such methods include results of the limited competition, comparison of proposed costs or prices*

with costs or prices for similar supplies or services, the extent of cost or price analysis anticipated (including the requirements for certified cost or pricing data), technical evaluations, and audit of vendor costs (if vendor is compliant with Cost Accounting Standards). (FAR 6.303-2(b)(7)) and 6.303-2(d)(4)).

8. MARKET RESEARCH: *Describe the extent of the market research (FAR 10.002) conducted to identify all qualified sources and the results thereof. Research must have been meaningful and conducted within the previous 12 months. The J&A must include a detailed description and results of the market research (including who, what, when, where, why and the outcome) or a statement discussing why it was not conducted. The J&A should also fully analyze any alternative strategies to using an exception to full and open competition and indicate that a good faith effort to consider viable alternatives. (FAR 6.303-2(b)(8)).*

9. ANY OTHER SUPPORTING FACTS: *Indicate any other facts supporting the use of the authority. If technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions have not been developed or are not available, explain why. (FAR 6.303-2(b)(9) and 6.303-2(d)(5))*

10. LISTING OF INTERESTED SOURCES: *Provide a listing of the sources, if any, which expressed, in writing, an interest in the procurement. (FAR 6.302-2(b)(10)).*

11. ACTIONS THE AGENCY MAY TAKE TO REMOVE OR OVERCOME BARRIERS THAT LED TO THE EXCEPTION TO FULL AND OPEN COMPETITION. *(FAR 6.302-2(b)(11))*

(a) Procurement History. *The following items of information are expected.*
(1) Contract numbers and dates of the last several awards for this action.
(2) Competitive status of these actions.

(b) Briefly describe the actions proposed to remove barriers to full and open competition//fair opportunity/need for limited sources/need for brand-name and explain the results thereof, if a J&A was prepared to support any related prior procurement(s).

(c) If any related prior award was accomplished without the need for a brand-name, exception to fair opportunity, limited-sources, and/or exception to full and open competition justification, explain the changed circumstances in detail.

Required certifications/approvals should begin on a separate page.

TECHNICAL CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

NAME: _____ SIGNATURE: _____
(Print/Type)

TITLE/ORGANIZATION: _____ PHONE: _____
(Print/Type)

DATE: _____

REQUIREMENTS CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

NAME: _____ SIGNATURE: _____
(Print/Type)

TITLE/ORGANIZATION: _____ PHONE: _____
(Print/Type)

DATE: _____

CONTRACTING OFFICER CERTIFICATION: I certify that this justification is accurate and complete to the best of my knowledge and belief. *(Add the following and delete the "APPROVED BY" blocks below if this certification is also serving as approval: Since this effort exceeds $150K but does not exceed $650K, this certification serves as APPROVAL).*

NAME: _____ SIGNATURE: _____
(Print/Type)

TITLE/ORGANIZATION: _____ PHONE: _____
(Print/Type)

DATE: _____

(For Approval signature select the appropriate approval level signatory and delete all others)

PROCURING ACTIVITY COMPETITON ADVOCATE APPROVAL: I have reviewed this justification and find it to be accurate and complete to the best of my knowledge and belief.

NAME: _____ SIGNATURE: _____
(Print/Type)

TITLE/ORGANIZATION: _____ PHONE: _____
(Print/Type)
DATE: _____

HEAD OF THE CONTRACTING ACTIVITY APPROVAL: I have reviewed this justification and find it to be accurate and complete to the best of my knowledge and belief. Since this justification for OTFAOC does not exceed $85.5M, this review serves as approval.

NAME: _____ SIGNATURE: _____
(Print/Type)

TITLE/ORGANIZATION: _____ PHONE: _____
(Print/Type)
DATE: _____

SENIOR PROCUREMENT EXECUTIVE APPROVAL: I have reviewed this justification and find it to be accurate and complete to the best of my knowledge and belief. Since this justification for OTFAOC exceeds $85.5M, this review serves as approval.

NAME: _____ SIGNATURE: _____
(Print/Type)

TITLE/ORGANIZATION: _____ PHONE: _____
(Print/Type)
DATE: _____

ALL QUESTIONS REGARDING THIS JUSTIFICATION ARE TO BE REFERRED TO
[insert name, phone number, and email of Contracting Officer or Specialist as appropriate].

technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in the hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy at:

U.S. EPA Record Center, attn: Ms. Debbie Jourdan, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960, *Phone:* (404) 562–8862, hours 8 a.m.–4 p.m., Monday through Friday by appointment only; or, Thomas Public Library, 315 Martin Luther King, Jr. Drive, Fort Valley, GA 31030, *Phone:* 478–825–1640, hours 9 a.m.–6 p.m., Monday through Thursday, 9 a.m.–1 p.m. Friday, closed Saturday and Sunday.

FOR FURTHER INFORMATION CONTACT: Brian Farrier, Remedial Project Manager, Superfund Remedial Section C, Superfund Remedial Branch, Superfund Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. Mr. Farrier can be reached via electronic mail at *farrier.brian@epa.gov*.

SUPPLEMENTARY INFORMATION: In the "Rules and Regulations" Section of today's **Federal Register**, we are publishing a direct final Notice of Deletion of Powersville Site Superfund Site without prior Notice of Intent to Delete because we view this as a noncontroversial revision and anticipate no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final Notice of Deletion, and those reasons are incorporated herein. If we receive no adverse comment(s) on this deletion action, we will not take further action on this Notice of Intent to Delete. If we receive adverse comment(s), we will withdraw the direct final Notice of Deletion, and it will not take effect. We will, as appropriate, address all public comments in a subsequent final Notice of Deletion based on this Notice of Intent to Delete. We will not institute a second comment period on this Notice of Intent to Delete. Any parties interested in commenting must do so at this time.

For additional information, *see* the direct final Notice of Deletion which is located in the *Rules* section of this **Federal Register.**

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

Dated: August 3, 2010

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 2010–21441 Filed 8–30–10; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 6 and 19

[FAR Case 2009–038, Docket 2010–0095; Sequence 1]

Federal Acquisition Regulation; Tribal Consultation; Justification and Approval of Sole-Source 8(a) Contracts

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of tribal consultation and outreach meetings and request for comments.

SUMMARY: The Federal Acquisition Regulatory Council (FAR Council) will hold tribal consultation and outreach meetings to discuss rulemaking associated with section 811 of the National Defense Authorization Act (NDAA) for F 2010, Public Law 111–84. Section 811 addresses requirements for the justification and approval of sole source contracts over 20 million under the 8(a) small business development program. Presentations made during the meetings will be taken into consideration by the FAR Council as it develops changes to the Federal Acquisition Regulation (FAR) to implement section 811.

DATES: The meetings will be held during the month of October in Washington, DC, Albuquerque, NM, and Fairbanks, AK. For more detailed information about the consultation registration procedures, dates, location, times, and agendas, please see *http://www.acq.osd.mil/dpap/dars/section811.html.*

FOR FURTHER INFORMATION CONTACT: For questions about registration, the submission of comments, or for clarification of the subject matter of the consultation and outreach, submit them to the e mail address identified at *http://www.acq.osd.mil/dpap/dars/section811.html.* Please put "Consultation uestions " in the subject line of the e mail.

SUPPLEMENTARY INFORMATION:

A. Additional Information

Procedures for the consultation and outreach: The FAR Council respectfully requests that any elected or appointed representatives of the tribal communities that are interested in attending the consultation and outreach meeting preregister and indicate whether they would like to make a presentation during the meeting. Registration is on a first come first served basis. To pre register, please go to *http://www.acq.osd.mil/dpap/dars/section811.html* and send an e mail to the address identified on the site with your name, organization affiliation, address, telephone number, e mail address, and fax number, and indicate which consultation and outreach session you are interested in attending. Please put "Consultation Registration" in the subject line of the e mail.

Formal oral presentations: The purpose of these consultations and outreach is to encourage meaningful dialogue with tribal officials regarding the development of federal acquisition policy when implementing section 811 of the NDAA 2010. In addition, participants interested in making formal oral presentations during the meeting should provide the following information by the preregistration deadline stated on *http://www.acq.osd.mil/dpap/dars/section811.html:* Name, organization affiliation, address, telephone number, e mail address, and fax number. Based on the number of registrants requesting time for presentations, the FAR Council may ask participants to limit the length of their formal presentations so that all attendees wishing to speak have the opportunity to be heard and there is adequate time for discussion.

ritten comments: The FAR Council welcomes written statements from attendees making formal oral presentations, other attendees, and members of the tribal communities who

are unable to attend the meeting but wish to share their views on the development of regulations to implement section 811. Written comments may be submitted to the e-mail address identified at *http://www.acq.osd.mil/dpap/dars/section811.html*. Please provide your name, organization affiliation, address, telephone number, e-mail address, and fax number. Please put "Consultation Comments" in the subject line of the e-mail. Parties wishing to have their written comments shared at the meeting should ensure comments are received by the deadlines stated on Web site.

Meeting accommodations: The meeting is physically accessible to persons with disabilities. For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact the Special Assistance Contact via the telephone number or e-mail address listed on *http://www.acq.osd.mil/dpap/dars/section811.html*.

B. Background

Section 811 of the FY 2010 NDAA establishes a new requirement for Federal agencies to justify a sole-source contract award to a business under the Small Business Administration's 8(a) business development program, including businesses owned by Indian Tribes and Alaska Native Corporations, if the sole-source award is to exceed $20 million. The 8(a) program enables contract awards to be made to socially and economically disadvantaged small business concerns using the Small Business Administration (SBA) as the prime contractor to the requiring agency.

Section 811 states that a sole-source justification must include the following information: (1) A description of the needs of the agency concerned for the matters covered by the contract, (2) a specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract, (3) a determination that the use of a sole-source contract is in the best interest of the agency concerned, (4) a determination that the anticipated cost of the contract will be fair and reasonable, and (5) such other matters as the head of the agency concerned shall specify. Before an award can be made, the justification must be approved by an appropriate official, as specified in statute. Section 811 does not require a justification and approval (J&A) if the contract award is equal to or less than $20 million. Similar to the handling of J&As for other sole-source awards, J&As prepared pursuant to section 811 must be made public within 14 days after contract award is made. Finally, section 811 requires that the FAR—the government-wide regulation governing the Federal acquisition process—be revised to reflect its revisions.

The FAR Council is responsible for overseeing the development and maintenance of the FAR, including changes to implement section 811. Its members include the Administrator for Federal Procurement Policy, who serves as the chair of the Council and is a senior official in the Office of Management and Budget, and senior acquisition officials from the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration.

The FAR Council believes the conduct of tribal consultation and outreach in connection with section 811 will be a valuable component of its deliberations in preparing to implement this law, which includes contracting with Indian Tribes and Alaska Native Corporations. As explained in E.O. 13175, Tribal consultation is a critical component of a sound and productive Federal-Tribal relationship. The President's Memorandum of November 5, 2009 underscores this Administration's commitment to regular and meaningful consultation with tribal officials in policy decisions that have tribal implications. The FAR Council seeks tribal consultation and outreach in connection with section 811 to allow for constructive dialogue and an opportunity for the FAR Council to hear the views of the tribal community, Tribal Leaders, Elders and elected members of Alaska Native Villages or their appointed representatives on how this law may affect the ability of Indian Tribes and Alaska Native Corporations to receive Federal contracts under the 8(a) Program. Officials from the Small Business Administration will also participate in the consultation and outreach.

Attendees who plan to make oral presentations during the meeting are also encouraged to provide a written copy of their statements and any supplementary material they believe is relevant and will assist the FAR Council in its deliberations. Electronic or digitized copies are especially welcomed. FAR Council members or other officials representing the FAR Council may ask questions of individuals making formal oral presentations during the meeting to clarify or further explain their statements. The FAR Council will analyze the presentations, both oral and written, along with any written comments received. Following consultation and outreach and analysis of comments from the tribal community, the FAR Council will prepare a rule for review by the Office of Management and Budget pursuant to Executive Order 12866, *Regulatory Planning and Review*. Members of the public at large, as well as tribal officials, will have the opportunity to provide written comments on FAR changes to implement section 811, which will be considered by the FAR Council, before a final rule is promulgated.

Dated: August 26, 2010.

Edward Loeb,

Director, Acquisition Policy Division.

[FR Doc. 2010–21743 Filed 8–30–10; 8:45 am]

BILLING CODE 6820–EP–P

classified information) or create other security risks.

* * * * *

(5) *Decision documentation for orders.* (i) The contracting officer shall document in the contract file the rationale for placement and price of each order, including the basis for award and the rationale for any tradeoffs among cost or price and non-cost considerations in making the award decision. This documentation need not quantify the tradeoffs that led to the decision.

(ii) The contract file shall also identify the basis for using an exception to the fair opportunity process (*see* paragraph (b)(2)).

* * * * *

PART 18—EMERGENCY ACQUISITIONS

18.105 [Amended]

■ 15. Amend section 18.105 by removing "(*See* 8.405–3(a)(4))" and adding "(*see* 8.405–3(a)(6))" in its place.

PART 38—FEDERAL SUPPLY SCHEDULE CONTRACTING

■ 16. Amend section 38.101 by revising the second sentence in paragraph (e) to read as follows:

38.101 General.

* * * * *

(e) * * * The requirements of parts 5, 6, and 19 apply at the acquisition planning stage prior to issuing the schedule solicitation and, generally, do not apply to orders and BPAs placed under resulting schedule contracts (except *see* 8.404).

[FR Doc. 2011–5553 Filed 3–15–11; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 6, 15, and 19

[FAC 2005–50; FAR Case 2009–038; Item III; Docket 2010–0095, Sequence 1]

RIN 9000–AL55

Federal Acquisition Regulation; Justification and Approval of Sole-Source 8(a) Contracts

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Interim rule.

SUMMARY: DoD, GSA, and NASA are issuing an interim rule amending the Federal Acquisition Regulation (FAR) to implement section 811 of the National Defense Authorization Act for Fiscal Year 2010. This FAR change encourages agencies to maximize the effective use of competition by making certain that the proper Justification and Approval (J&A) is obtained prior to award of 8(a) sole-source contracts over $20 million, as required by section 811.

DATES: *Effective Date:* March 16, 2011.

Comment Date: Interested parties should submit written comments to the Regulatory Secretariat on or before May 16, 2011 to be considered in the formulation of a final rule.

ADDRESSES: Submit comments identified by FAC 2005–50, FAR Case 2009–038, by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by inputting "FAR Case 2009–038" under the heading "Enter Keyword or ID" and selecting "Search." Select the link "Submit a Comment" that corresponds with "FAR Case 2009–038." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "FAR Case 2009–038" on your attached document.
- *a :* (202) 501–4067.
- *ail:* General Services Administration, Regulatory Secretariat (MVCB), ATTN: ada Flowers, 1275 First Street, NE., 7th Floor, Washington, DC 20417.

nstructions: Please submit comments only and cite FAC 2005–50, FAR Case 2009–038, in all correspondence related to this case. All comments received will be posted without change to *http://www.regulations.gov* including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Robinson, Procurement Analyst, at (202) 501–2658, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at (202) 501–4755. Please cite FAC 2005–50, FAR Case 2009–038.

SUPPLEMENTARY INFORMATION:

I. Background

DoD, GSA, and NASA are issuing an interim rule amending the FAR, to implement section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. . 111–84), enacted ctober 28, 2009. Section 811 requires a J&A prior to awarding a sole-source contract in an amount over $20 million under the 8(a) program (15 .S.C. 637(a)). This written J&A must be approved by an appropriate official and, after award, made public. Authorized by 15 .S.C. 637(a), the 8(a) program enables contract awards to be made to small business concerns determined eligible for the 8(a) program by the Small Business Administration (SBA).

The requirement for a J&A is not a ceiling or a "cap" on sole-source awards over $20 million for 8(a) contractors. The statute requires execution of a J&A documenting the reasons for making the award on a sole-source basis rather than competing among the small businesses in the 8(a) program. Prior to the enactment of section 811, a sole-source award of a new contract made using the 8(a) contracting authority did not require a J&A, regardless of the dollar value, and the new statute does not institute any requirement for a J&A for sole-source 8(a) awards that are less than or equal to $20 million.

II. Discussion and Analysis

Section 811 became effective on the date of enactment, ctober 28, 2009. Section 811 addresses requirements for the J&A of sole-source contracts over $20 million under the 8(a) small-business development program.

The Federal Acquisition Regulatory Council (FAR Council) held three Tribal consultation and outreach meetings to discuss rulemaking associated with section 811.

The meetings took place during ctober 2010 in Washington, DC; Albuquerque, New Mexico; and Fairbanks, Alaska (*see* the meeting notice that was published in the **Federal Register** on August 31, 2010 at 75 FR 53269). Transcripts of the meetings are available at *http://www.ac .osd.mil/dpap/dars/section docs.html.*

After the meetings, DoD, GSA, and NASA weighed the costs and benefits of publishing this rule as proposed or interim. The rule is being published as interim, rather than proposed, because the rule is implementing a statutory mandate, and the statutory date for issuance of regulations has already passed. Because this is an interim rule, the public will have another opportunity to comment. These additional comments could result in further changes in the final rule.

A frequently heard comment at the ctober meetings was a request that the FAR not use the 12 elements currently required at FAR 6.303–2 for J&As for less than full-and-open competition, but instead limit the elements to be addressed to the five elements listed in

section 811(b), which are set forth as follows:

(1) A description of the needs of the agency concerned for the matters covered by the contract;

(2) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract;

(3) A determination that the use of a sole-source contract is in the best interest of the agency concerned;

(4) A determination that the anticipated cost of the contract will be fair and reasonable; and

(5) Such other matters as the head of the agency concerned shall specify.

DoD, GSA, and NASA have drafted the interim FAR rule to adopt only these five elements. DoD, GSA, and NASA did not adopt the suggestions raised in the October meetings (1) not to include the fair and reasonable price determination and (2) not to allow agency heads to address any matter, without specific limits (the fifth element set out in section 811). A determination that the anticipated cost of a contract will be fair and reasonable is a universal requirement in Federal contracting; including the requirement in the J&A would be sensible, even if it were not specifically required by section 811.

A common issue raised in the meetings was that the fifth element, "Such other matters as the head of the agency concerned shall specify," was too broad. DoD, GSA, and NASA determined that it made sense to allow agency heads to identify other factors supporting the decision to make a sole-source 8(a) award. By retaining the wording from the statute, agency heads retain the discretion to consider such factors as Indian economic development or meeting agency small business contracting goals—both factors that participants in the October meetings offered as legitimate reasons to make a sole-source award.

Commenters at the meetings and in the written comments also requested that the "over $20 million" threshold for requiring a J&A be applied only to the base year of a contract. For example, if a requirement was for $75 million, with a base year estimate of $15 million and four one-year $15 million options, commenters stated their belief that the requirement should not need a J&A because the base-year amount was not over $20 million. DoD, GSA, and NASA have declined to use the base year amount as the basis for determining the applicability of the J&A requirement. The FAR (1.108(c)) establishes the following rule:

• *Dollar thresholds.* Unless otherwise specified, a specific dollar threshold for the purpose of applicability is the final anticipated dollar value of the action, including the dollar value of all options. If the action establishes a maximum quantity of supplies or services to be acquired or establishes a ceiling price or establishes the final price to be based on future events, the final anticipated dollar value must be the highest final priced alternative to the Government, including the dollar value of all options.

Unless there is a specific reason, such as a statutory requirement to establish the dollar value of a procurement using a different method, agencies will not deviate from this FAR convention.

Commenters also requested that the requirement for the agency head to approve the J&A be delegated down to a much lower level, such as the contracting officer. FAR 1.108(b) states the following:

• *Delegation of authority.* Each authority is delegable unless specifically stated otherwise. * * *

J&As are delegable, but there are limits on the redelegation authority based on the dollar value of the procurement; these are stated at FAR 6.304. The competition advocate for the procuring activity and the head of the procuring activity are included in the approval authorities to ensure the J&A is prepared and coordinated properly within the agency. Unless there is a specific reason, agencies will not deviate from the FAR convention at FAR 6.304.

A commenter was concerned about whether "fair and reasonable price" equates to "fair market price." The FAR provides various provisions to address the commenter's concern. The various techniques that contracting officers may use to determine that a price is fair and reasonable are described at FAR 15.404–1, Proposal analysis techniques. With regard to 8(a) contracts, FAR 19.202–6(b) states that contracting officers shall follow the procedures at FAR 19.807, which reads in pertinent part as follows:

Estimating fair market price.

• The contracting officer shall estimate the fair market price of the work to be performed by the 8(a) contractor.

• In estimating the fair market price for an acquisition other than those covered in paragraph (c) of this section, the contracting officer shall use cost or price analysis and consider commercial prices for similar products and services, available in-house cost estimates, data (including certified cost or pricing data) submitted by the SBA or the 8(a) contractor, and data obtained from any other Government agency.

As required by the FAR, agencies will continue to use the existing regulations to evaluate prices offered for 8(a) contracts over $20 million.

The changes made by the interim rule are summarized as follows:

(1) Cross references to the requirement for a J&A when the procurement is a sole-source 8(a) over $20 million are added at FAR 6.204, entitled "Section 8(a) competition," FAR 6.302–5, entitled "Authorized or required by statute," and in 19.808–1, entitled "Sole source".

(2) FAR 6.302–5, which sets forth the situations in which other than full-and-open competition is authorized or required by statute, has been modified to clarify that, while 8(a) sole-source awards are still authorized, they now must be supported by a J&A prior to award when the total estimated contract amount is over $20 million.

(3) Circumstances requiring a J&A for other than full-and-open competition have been expanded to include a new FAR 6.303–1(b) that includes the section 811(a) prohibition against awarding a sole-source 8(a) contract over $20 million unless a written J&A is approved by the appropriate official and made public after award.

(4) FAR 6.303–2, Content, (of the J&A) has a new paragraph that lists the five required elements for the sole-source 8(a) J&A from section 811.

(5) FAR 19.808–1(a), Sole source, was revised to inform the contracting officer that the SBA may not accept for negotiation a sole-source 8(a) contract over $20 million unless the requesting agency has completed a J&A in accordance with the requirements at FAR 6.303.

Other requirements of section 811 were reviewed by DoD, GSA, and NASA and determined to be fully covered by the existing FAR. The specific areas reviewed included—

(1) *The definition of a "covered procurement" at section 811(c)(1).* Review determined that covered procurements, for the purposes of section 811, are those made under the SBA's Section 8(a) program. Therefore, it was not necessary to define and use the term "covered procurement" in this rule.

(2) *The definition of "head of an agency" at section 811(c)(2).* Review of the statutory references in this section determined that the FAR-wide definition of this term at FAR 2.101 could be used.

(3) *The definition of "appropriate official" at section 811(c)(3).* The statutory references provided in this section equate to those currently in FAR 6.304, Approval of the Justification.

(4) *Requirement for synopses of proposed procurement actions.* The existing FAR synopsis requirements at subpart 5.2, Synopses of Proposed

Contract Actions, were reviewed. No change is proposed to FAR 5.202, Exceptions, or FAR 5.205, Special situations, because the statute did not modify the existing 8(a) synopsis requirements.

(5) *Requirement at section 811(a)(3)to make the J&A and related information available to the public.* This statutory requirement matches the J&A publication requirements added by the National Defense Authorization Act for Fiscal Year 2008, section 844, entitled "Public Disclosure of Justification and Approval Documents for Noncompetitive Contracts" (FAR Case 2008–003). The latter FAR case added the requirement to FAR 6.305, Availability of the Justification. Any J&A issued for an 8(a) sole-source contract award over $20 million will require posting in accordance with FAR 6.305, but no further change to that section is necessary.

Various commenters at the public meetings questioned whether contracting officers will be trained on the content of this rule implementing section 811. DoD, GSA, and NASA have prepared and submitted documentation to the Defense Acquisition University and the Federal Acquisition Institute to coordinate the appropriate changes in training curricula.

III. Executive Order 12866

This is a significant regulatory action and, therefore, was subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD, GSA, and NASA do not expect this interim rule to have a significant negative economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule does not impose any requirements on the majority of small businesses. Therefore, an Initial Regulatory Flexibility Analysis has not been performed. It is recognized that a very small number of businesses that have been awarded 8(a) contracts over the $20 million threshold may be impacted. However, the rule does not limit the number of contracts or dollars awarded to these businesses. The rule may also indirectly benefit the 9,165, currently certified section 8(a) firms by improving their likelihood of a contract award through increased competition, but this impact is similarly considered not significant.

Also, the FAR Council has limited flexibility in this case as the rule implements in the FAR statutory requirements mandated by section 811, Justification and Approval of Sole-Source Contracts, of the National Defense Authorization Act for Fiscal Year 2010.

DoD, GSA, and NASA invite comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD, GSA, and NASA will also consider comments from small entities concerning the existing regulations in subparts affected by the rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610, (FAC 2005–50, FAR Case 2009–038) in correspondence.

V. Paperwork Reduction Act

The interim rule implements section 811, which prohibits the award of a sole-source contract in an amount over $20 million under the 8(a) program authority (15 U.S.C. 637(a)) without the contracting officer first obtaining a written J&A approved by an appropriate official and making public the J&A and related information. This additional paperwork requirement is internal to the Government and does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

VI. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense (DoD), the Administrator of General Services (GSA), and the Administrator of the National Aeronautics and Space Administration (NASA) that urgent and compelling reasons exist to promulgate this interim rule without prior opportunity for public comment. This action is necessary because the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111–84) was enacted on October 28, 2009. Section 811 required the FAR to be revised no later than 180 days after enactment, or April 26, 2010. Absent implementation of this interim rule, section 811 will not be implemented in the FAR and agencies will not be compliant with this provision. However, pursuant to 41 U.S.C. 1707 and FAR 1.501–3(b), DoD, GSA, and NASA will consider public comments received in response to this interim rule in the formation of the final rule.

List of Subjects in 48 CFR Parts 6, 15, and 19

Government procurement.

Dated: March 4, 2011.

Millisa Gary,

Acting Director, Office of Governmentwide Acquisition Policy.

Therefore, DoD, GSA, and NASA amend 48 CFR parts 6, 15, and 19 as set forth below:

■ 1. The authority citation for 48 CFR parts 6, 15, and 19 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

PART 6—COMPETITION REQUIREMENTS

■ 2. Amend section 6.204 by adding a sentence to the end of paragraph (b) to read as follows:

6.204 Section 8(a) competition.

* * * * *

(b) * * * (But *see* 6.302–5 and 6.303–1 for sole source 8(a) awards over $20 million.)

■ 3. Amend section 6.302–5 by revising paragraphs (b)(4) and (c)(2) to read as follows:

6.302–5 Authorized or required by statute.

* * * * *

(b) * * *

(4) Sole source awards under the 8(a) Program (15 U.S.C. 637), but *see* 6.303 for requirements for justification and approval of sole-source 8(a) awards over $20 million. (*See* subpart 19.8.)

* * * * *

(c) * * *

(2) Contracts awarded using this authority shall be supported by the written justifications and approvals described in 6.303 and 6.304, except for—

(i) Contracts awarded under (a)(2)(ii) or (b)(2) of this subsection;

(ii) Contracts awarded under (a)(2)(i) of this subsection when the statute expressly requires that the procurement be made from a specified source. (Justification and approval requirements apply when the statute authorizes, but does not require, that the procurement be made from a specified source); or

(iii) Contracts less than or equal to $20 million awarded under (b)(4) of this subsection.

* * * * *

■ 4. Amend section 6.303–1 by redesignating paragraphs (b), (c), and (d) as paragraphs (c), (d), and (e), respectively; and adding a new paragraph (b) to read as follows:

6.303–1 Requirements.

* * * * *

(b) The contracting officer shall not award a sole-source contract under the 8(a) authority (15 U.S.C. 637(a)) for an amount exceeding $20 million unless—

(1) The contracting officer justifies the use of a sole-source contract in writing in accordance with 6.303–2;

(2) The justification is approved by the appropriate official designated at 6.304; and

(3) The justification and related information are made public after award in accordance with 6.305.

* * * * *

■ 5. Amend section 6.303–2 by—

■ a. Redesignating paragraphs (a) and (b) as paragraphs (b) and (c), respectively;

■ b. Adding a new paragraph (a);

■ c. Revising newly redesignated paragraph (b) introductory text; and

■ d. Adding a new paragraph (d).

The added and revised text reads as follows:

6.303–2 Content.

(a) Each justification shall contain sufficient facts and rationale to justify the use of the specific authority cited.

(b) As a minimum, each justification, except those for sole-source 8(a) contracts over $20 million (*see* paragraph (d) of this section), shall include the following information:

* * * * *

(d) As a minimum, each justification for a sole-source 8(a) contract over $20 million shall include the following information:

(1) A description of the needs of the agency concerned for the matters covered by the contract.

(2) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract (*see* 19.805–1).

(3) A determination that the use of a sole-source contract is in the best interest of the agency concerned.

(4) A determination that the anticipated cost of the contract will be fair and reasonable.

(5) Such other matters as the head of the agency concerned shall specify for purposes of this section.

6.304 [Amended]

■ 6. Amend section 6.304 by removing from paragraph (a)(1) "6.303–2(a)(12)" and adding "6.303–2(b)(12)" in its place.

PART 15—CONTRACTING BY NEGOTIATION

15.607 [Amended]

■ 7. Amend section 15.607 by removing from paragraph (b)(2) "6.303–2(b)" and adding "6.303–2(c)" in its place.

PART 19—SMALL BUSINESS PROGRAMS

■ 8. Amend section 19.808–1 by redesignating paragraphs (a) and (b) as paragraphs (b) and (c), respectively; and adding a new paragraph (a) to read as follows:

19.808–1 Sole source.

(a) The SBA may not accept for negotiation a sole-source 8(a) contract that exceeds $20 million unless the requesting agency has completed a justification in accordance with the requirements of 6.303.

* * * * *

[FR Doc. 2011–5554 Filed 3–15–11; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 10, 16, 44, and 52

[FAC 2005–50; FAR Case 2008–007; Item IV; Docket 2010–0086, Sequence 1]

RIN 9000–AL50

Federal Acquisition Regulation; Additional Requirements for Market Research

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: DoD, GSA, and NASA have adopted as final, with changes, the interim rule amending the Federal Acquisition Regulation (FAR) to implement section 826, Market Research, of the National Defense Authorization Act for Fiscal Year 2008. Section 826 requires the head of an agency to take appropriate steps to ensure that any prime contractor of a contract (or task order or delivery order) in an amount in excess of $5 million for the procurement of items other than commercial items engages in market research as necessary before making purchases.

DATES: *Effective Date:* April 15, 2011.

FOR FURT ER INFORMATION CONTACT: Ms. ori Sakalos, rocurement Analyst, at (202) 208–0498, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at (202) 501–4755. lease cite FAC 2005–50, FAR Case 2008–007.

SUPPLEMENTARY INFORMATION:

I. Background

DoD, GSA, and NASA published an interim rule in the **Federal Register** at 75 FR 34277 on une 16, 2010, to implement section 826, Market Research, of the National Defense Authorization Act for Fiscal Year 2008 (ub. . 110–181). Section 826 establishes additional requirements in subsection (c) of 10 U.S.C. 2377. As a matter of policy, these requirements are extended to all executive agencies. Specifically, the head of the agency must conduct market research before issuing an indefinite-delivery indefinite-quantity task or delivery order for a noncommercial item in excess of the simplified acquisition threshold. n addition, a prime contractor with a contract in excess of $5 million for the procurement of items other than commercial items is required to conduct market research before making purchases that exceed the simplified acquisition threshold for or on behalf of the Government. Three respondents submitted 16 comments on the interim rule.

II. Discussion/Analysis

Public Comments: A discussion of the comments and the changes made to the rule as a result of those comments are provided as follows:

A. Purpose

1. *Comment:* ne respondent stated that the guidance does not appear to explain the end purpose of the market research. Another respondent, however, concluded that the FAR states the purpose of the market research twice, in FAR 44.402(b) and 10.001(a)(3). The second respondent stated that the purpose for conducting market research is "clearly described in art 10 and there is no reason to repeat that same language elsewhere in the FAR."

Response: The Defense Acquisition Regulations Council and the Civilian Agency Acquisition Council (the Councils) agree with the second respondent. FAR part 10 "prescribes policies and procedures for conducting market research to arrive at the most suitable approach to acquiring, distributing, and supporting supplies and services" (FAR 10.000). FAR 10.001(a)(3) lists the ways in which the

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 6, 15, and 19

[FAC 2005–58; FAR Case 2009–038; Item III; Docket 2010–0095, Sequence 1]

RIN 9000–AL55

Federal Acquisition Regulation; Justification and Approval of Sole-Source 8(a) Contracts

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: DoD, GSA, and NASA are adopting as final, without change, an interim rule amending the Federal Acquisition Regulation (FAR) to implement a section of the National Defense Authorization Act for Fiscal Year 2010. This section requires the head of an agency to execute and make public prior to award, the justification for an 8(a) sole-source contract in an amount exceeding $20 million.

DATES: *Effective Date:* April 18, 2012.

FOR FURTHER INFORMATION CONTACT: Mr. Karlos Morgan, Procurement Analyst, at 202–501–2364, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755. Please cite FAC 2005–58, FAR Case 2009–038.

SUPPLEMENTARY INFORMATION:

I. Background

DoD, GSA, and NASA published an interim rule in the **Federal Register** at 76 FR 14559 on March 16, 2011, to implement section 811 of the National Defense Authorization Act for Fiscal Year 2010 (NDAA for FY 2010) (Pub. L. 111–84). Section 811 prohibits the award of a sole-source contract in an amount over $20 million under the 8(a) Business Development Program authority (15 U.S.C. 637(a)) without first obtaining a written Justification and Approval (J&A) approved by an appropriate official and making public the J&A and related information. Section 811 does not institute any requirement for J&As for sole-source 8(a) contracts less than or equal to $20 million. Nine respondents submitted comments on the interim rule.

II. Discussion and Analysis

The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) reviewed the public comments in the development of the final rule. A discussion of the comments is provided as follows:

A. Summary of Significant Changes

There were no changes made to the FAR as a result of the public comments received.

B. Analysis of Public Comments

1. General Support for the Rule as Written

Comment: A majority of the respondents were supportive of the rule as written and recommended there be no substantial changes to the interim rule.

Response: The Councils acknowledge receipt of these comments in support of the rule.

2. Statutory Basis for the Rule

Comment: A number of respondents commented that there is no statutory basis for the new language at FAR 19.808–1(a), which states that the Small Business Administration (SBA) may not accept a sole-source 8(a) contract in excess of $20 million for negotiation, unless the requesting agency has completed a J&A in accordance with FAR 6.303. The respondents recommended amending this language in the final rule to clarify that the J&A is only required to be developed and executed prior to award and after coordinating and negotiating with the SBA (or the 8(a) participant where SBA has delegated its authority to the procuring agency).

Response: The law stipulates that the head of the agency may not award a sole-source contract that exceeds $20 million under the 8(a) program unless the contracting officer justifies the use of a sole-source contract in writing and the justification is approved by the appropriate official. However, the law does not specify the precise stage in the contract award process when the J&A must be executed. The language that was added to FAR 19.808–1 ensures that the J&A is executed prior to contract negotiation, a critical juncture in the contract award continuum. Contract negotiation, with rare exception, occurs before the contract is awarded; therefore there is no conflict with the law.

Execution of the J&A prior to the SBA's initiation of contract negotiations adheres to the established procedures in the FAR that require (1) at FAR 6.303–1, the contracting officer to justify the use of a sole-source contract in writing prior to negotiations; and (2) at FAR 19.804–2, the agency, if appropriate, to request in its offering letter to the SBA, that a requirement with a contract value over the applicable competitive threshold be awarded as a sole-source contract under the 8(a) program. The language that was added at FAR 19.808–1 does not pre-empt the obligation of agencies to cooperate with the SBA in determining the extent to which a requirement should be offered in support of the 8(a) program, nor does it impact SBA's acceptance of the requirement into the 8(a) program. t does not affect the timing of SBA's eligibility determination.

3. ncluding the Value of ptions in Contract Value

Comment: Several respondents recommended that the $20 million threshold be applicable to the base year only, rather than including options in the total contract value.

Response: The standard contract action valuation practice is outlined in FAR 1.108(c), which provides that the final anticipated dollar value of an action include the dollar value of all options. Section 811 does not provide a basis to diverge from this standard.

4. Cross Reference at FAR 6.204(b)

Comment: ne respondent recommended striking the parenthetical text at FAR 6.204(b), which references the requirements for a separate justification to support the use of 8(a) sole-source awards in FAR subpart 6.3, because it was unnecessary and potentially confusing.

Response: The Councils considered the comment, but find that the cross reference adds clarity to the FAR text.

5. Content of Justification

Comment: A number of respondents recommended that the language at FAR 6.303–2(d)(5) be amended in the final rule to clarify the other matters the head of the agency should consider when justifying and approving the award of a sole-source 8(a) contract in excess of $20 million. These considerations should include Native American economic development and meeting agency small business goals.

Response: FAR 6.303–2(d)(5), as currently written, requires agency heads to address Such other matters as the head of the agency concerned shall specify for purposes of this section." This gives agency heads the discretion to consider Native American economic development and meeting agency small business goals, as well as other relevant

matters when justifying and approving the award of a sole-source 8(a) contract.

6. Potential Impact on Native American-Owned Firms

Comment: Several respondents expressed concern regarding the possible impact facing Native American-owned enterprises. The respondents pointed out that the 8(a) program has undergone considerable reform over the last two years and has experienced overwhelming success in achieving its goals. The respondents also emphasized that the vast majority of Native American-owned enterprises have consistently provided high value support to their Government customers. In view of these considerations, the respondents requested that each executive agency send a policy directive to their contracting officers to outline the benefits of the SBA 8(a) program and the positive impact this program has had for Native participants.

Response: The benefits of SBA's 8(a) program and the positive impact this program has had for Native participants are promoted by SBA and the Office of Small and Disadvantaged Business Utilization (OSDBU) on a consistent basis throughout the Government. Each Federal agency with contracting authority has established an OSDBU. The OSDBU advocates for small, small disadvantaged (including the 8(a) program), veteran, service-disabled veteran-owned, HUBZone, and women-owned businesses. The OSDBU is charged with promoting increased access for small businesses to procurement opportunities, conducting outreach efforts, and providing liaison support for small and disadvantaged businesses. In addition, the OSDBU works closely with program officers and contracting officers to assist in the accomplishment of the annual Governmentwide 5 percent procurement goals for small disadvantaged businesses.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action and, therefore, was subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

The Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration certify that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule does not impose any additional requirements on the majority of small businesses. The rule implements the statutory requirements mandated by section 811, Justification and Approval of Sole-Source Contracts, of the National Defense Authorization Act for Fiscal Year 2010. It is recognized that a very small number of businesses that have been awarded 8(a) contracts over the $20 million threshold may be impacted. However, the rule does not limit the number of contracts or dollars awarded to these businesses. The rule may also indirectly benefit the 8,833 currently certified section 8(a) firms by improving their likelihood of a contract award through increased competition, but this impact is similarly considered not significant.

V. Paperwork Reduction Act

The final rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 6, 15, and 19

Government procurement.

Dated: April 11, 2012.

Laura Auletta,

Director, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

Interim Rule Adopted as Final Without Change

■ Accordingly, the interim rule amending 48 CFR parts 6, 15, and 19, which was published in the **Federal Register** at 76 FR 14559 on March 16, 2011, is adopted as a final rule without change.

[FR Doc. 2012–9204 Filed 4–17–12; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1 and 52

[FAC 2005–58; Item IV; Docket 2012–0079; Sequence 2]

Federal Acquisition Regulation; Technical Amendments

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This document makes amendments to the Federal Acquisition Regulation (FAR) in order to make editorial changes.

DATES: *Effective Date:* April 18, 2012.

FOR FURTHER INFORMATION CONTACT: The Regulatory Secretariat, 1275 First Street NE., 7th Floor, Washington, DC 20417, 202–501–4755, for information pertaining to status or publication schedules. Please cite FAC 2005–58, Technical Amendments.

SUPPLEMENTARY INFORMATION: In order to update certain elements in 48 CFR parts 1 and 52, this document makes editorial changes to the FAR.

List of Subjects in 48 CFR Parts 1 and 52

Government procurement.

Dated: April 11, 2012.

Laura Auletta,

Director, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

Therefore, DoD, GSA, and NASA amend 48 CFR parts 1 and 52 as set forth below:

■ 1. The authority citation for 48 CFR parts 1 and 52 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

PART 1—FEDERAL ACQUISITION REGULATIONS SYSTEM

■ 2. Amend section 1.201–1 by revising paragraph (c) to read as follows:

1.201–1 The two councils.

* * * * *

(c) The Director of the DAR Council shall be the representative of the Secretary of Defense. The operation of the DAR Council will be as prescribed by the Secretary of Defense.

[The nomination reference of Mr. Peter K. Levine follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 4, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Peter K. Levine, of Maryland, to be Deputy Chief Management Officer of the Department of Defense, vice Elizabeth A. McGrath.

[The biographical sketch of Mr. Peter K. Levine, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF PETER LEVINE

Education:

Harvard Law School
- September 1980 to June 1983
- J.D., *magna cum laude*

Harvard College
- September 1975 to June 1979
- A.B., *summa cum laude*

Employment Record:

Senate Armed Services Committee
- Staff Director
  - March 2013 to January 2015
- General Counsel
  - January 2006 to March 2013 and May 2001 to January 2002
- Minority Counsel
  - January 2002 to January 2006 and August 1996 to May 2001

Office of Senator Carl Levin
- Counsel
  - January 1995 to August 1996

Subcommittee on Oversight of Government Management, Senate Governmental Affairs Committee
- Counsel
  - January 1987 to January 1985

Crowell & Moring
- Associate
  - September 1983 to January 1987
- Summer Associate
  - June 1982 to August 1982

Brobeck, Phleger & Harrison
- Summer Associate
  - June 1981 to August 1981

Honors and Awards:
- Editor, Harvard Law Review, 1982 to 1983
- Phi Beta Kappa, 1979

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee.

The form executed by Mr. Peter K. Levine in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Peter Levine.

2. **Position to which nominated:**
Deputy Chief Management Officer, Department of Defense.

3. **Date of nomination:**
March 4, 2015.

4. **Address:** (List current place of residence and office addresses.)
[The nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
July 29, 1957; Santa Monica, California.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Mary Ellen Myers (Levine).

7. **Names and ages of children:**
[The nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
Harvard Law School, 1980 to 1983, J.D., 1983.
Harvard College, 1975 to 1979, B.A., 1979.
University High School, Los Angeles, CA, 1972 to 1975, graduated 1975.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
Staff Director, Senate Armed Services Committee, 2013–2015.
General Counsel, Senate Armed Services Committee, 2001–2002, 2007–2012.
Minority Counsel, Senate Armed Services Committee, 1996–2001, 2003–2006.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
Counsel, Office of Senator Carl Levin 1995–1996.
Counsel, Subcommittee on Oversight of Government Management, 1987–1994.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

American Bar Association (member).

District of Columbia Bar (member).

Montgomery Sycamore Island Club (member).

Mohican Hills Pool Association (member).

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

February 20, 2014: $100 to Daniella Levine Cava for Dade County Commissioner.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

None.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

PETER K. LEVINE.

This 13th day of March, 2015

[The nomination of Mr. Peter K. Levine was reported to the Senate by Chairman McCain on April 30, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 23, 2015.]

NOMINATION OF GENERAL JOSEPH F. DUNFORD, JR., USMC, TO BE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

THURSDAY, JULY 9, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:33 a.m. in room SH–216, Hart Senate Office Building, Senator John McCain (chairman) presiding.

Committee members present: Senators McCain, Inhofe, Sessions, Wicker, Ayotte, Fischer, Cotton, Ernst, Tillis, Sullivan, Lee, Graham, Cruz, Reed, Nelson, McCaskill, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, and Heinrich.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. Well, good morning.

The Senate Armed Services Committee meets today to consider the nomination of General Joseph Dunford to be the Chairman of the Joint Chiefs of Staff.

General Dunford is certainly no stranger to the members of this committee. We have known him as Commandant of the Marine Corps and our commander in Afghanistan and many posts before that. He is a warrior and a leader of the highest quality, and we are grateful for his 38 years of distinguished service.

We are also thankful for the sacrifices General Dunford's family has made over the years and their willingness to lend him to the Nation in service once again. As is our tradition, at the beginning of your testimony, we welcome you, General Dunford, to introduce the members of your family joining you this morning. I would, however, like to take this moment to express our special thanks to your wife, Ellyn. We know how much of your husband's service and his future absence will rest on you and we honor the sacrifices you are making through your continued support to our Nation, not to mention the downgrade in your residence that will be part of this.

[Laughter.]

The next Chairman will have to prepare our military to confront the most diverse and complex array of global crises since the end of World War II.

In Iraq and Syria, the Islamic State in Iraq and the Levant (ISIL's) terrorist army has continued to succeed on the battlefield, including taking Ramadi and other key terrain in Iraq, capturing over half the territory in Syria, and controlling every border post

between Iraq and Syria. The lack of a coherent strategy has resulted in the spread of ISIL around the world to Libya, Egypt, Nigeria, and even to Afghanistan where I visited last weekend.

There, our troops are supporting our Afghan partners in sustaining a stable and democratic future. But even as ISIL and the Taliban threaten this future, the President remains committed to a drastic reduction in U.S. presence at the end of 2016 before the Afghan government and security forces are fully capable of operating effectively without our support. This would create a security vacuum, and we have seen what fills similar kinds of vacuums in Syria and Iraq. Given your experience in Afghanistan, General Dunford, we will be interested to hear your thoughts about the appropriate U.S. and coalition presence going forward.

Meanwhile, Iran continues to threaten peace and stability across the Middle East through its support of terrorist proxies, pursuit of nuclear weapons, and development of missiles needed to deliver them to targets far beyond its shores.

In Europe, Vladimir Putin's Russia continues its onslaught in Ukraine. But even as Russian troops and equipment execute this neo-imperial campaign to undermine Ukraine's government and independence, the United States has refused Ukraine the weapons it needs and deserves for its defense.

In the Asia-Pacific, China is continuing a pattern of destabilizing behavior, its reclamation and militarization of vast land features in the South China Sea, its continued military buildup designed to counter U.S. military strengths, and its blatant and undeterred cyber attacks against the United States. While our rebalance to the Asia-Pacific has shown some successes, especially in deepening of our alliances, this policy has not deterred China from its increasingly assertive course.

Yet, while worldwide challenges like these grow, the Defense Department has grown larger but less capable, more complex but less innovative, more proficient at defeating low-tech adversaries but more vulnerable to high-tech ones. Worse, the self-inflicted wounds of the Budget Control Act and sequestration-level defense spending have made all of these problems worse.

Army and Marine Corps end strength is dropping dangerously low. The Air Force is the oldest and the smallest that it has ever been. The Navy's fleet is shrinking to pre-World War I levels. With the present operational tempo and drastic reductions to defense spending, we will continue the downward spiral of military capacity and readiness that will compromise each service's ability to execute our Defense Strategic Guidance at a time of accumulating danger to our national security.

Budget cuts have also slowed critical modernization priorities, imperiling our Nation's ability to preserve its military technological advantage. This is not just about the weapons systems we hear the most about; fighter aircraft, submarines, or armored vehicles. These are important, but budget cuts also threaten our ability to seize the future and make vital investments in cyber, space, and breakthrough technologies such as directed energy, autonomous vehicles, and data analytics.

The current Chairman of the Joint Chiefs of Staff has stated that even if the Defense Department receives the additional $38 billion

above the budget caps that the President's Defense Budget requests, our military would still, quote, "remain at the lower ragged edge of manageable risk in our ability to execute the defense strategy." More worrisome, every one of our military service chiefs, yourself included, has testified that continued sequestration-level defense spending puts American lives at greater risk. Unless we change course, eliminate sequestration, and return to strategy-driven defense budgets, I fear our military will confront depleted readiness, chronic modernization problems, and deteriorating morale.

No matter how many dollars we spend, we will not be able to provide our military the equipment they need with a broken defense acquisition system that takes too long and costs too much. With this year's National Defense Authorization Act, this committee has embarked on a major effort to reform this system, including ways to empower our service leaders to manage their own programs in exchange for greater accountability. General Dunford, we are very interested in hearing your views about improving the defense acquisition system based on your years of service.

Finally, the Chairman of the Joint Chiefs of Staff is the principal military advisor to the President. More than ever, we need an honest and forthright leader that offers his best and unvarnished military advice. The President will not always take your advice, but it is my hope that he will always have an appreciation of the military dimensions of the difficult problems our Nation confronts with you at his side.

Thank you for your willingness to serve once more. We look forward to your testimony.

Senator Reed?

STATEMENT OF SENATOR JACK REED

Senator REED. Well, thank you very much, Mr. Chairman. Let me join you in welcoming General Dunford and to take this opportunity to thank him for his extraordinary service to the Nation. During his 38 years of military service, General Dunford has served with courage and distinction, and I am confident he will continue to do so as the next Chairman of the Joint Chiefs of Staff.

Finally, let me also recognize and thank his family. Ellyn, thank you. Patrick, thank you for being here today. I know Joe and Kathleen wanted to be here, but they are serving elsewhere. But thank you very much for what you have done to serve the Nation and the Marine Corps.

Last week, the current Chairman of the Joint Chiefs of Staff, General Dempsey, released the 2015 National Military Strategy. In his forward, General Dempsey stated that the current "global security environment is the most unpredictable" he has seen during his military service and that "global disorder has significantly increased while some of our comparative military advantage has begun to erode."

Without question, the United States faces a wide range of challenges around the world. If confirmed as the Chairman of the Joint Chiefs of Staff, you will be advising the President and the Secretary of Defense on these complex international issues facing our national interests.

Possibly the gravest and most complex issue for the next Chairman will be countering the security threat from ISIL in Iraq and Syria and its spread beyond the Middle East region. As the President said earlier this week, our counter-ISIL campaign will be long-term and employ all elements of American power, including military, intelligence, diplomatic, and economic.

If confirmed, General Dunford, you will be responsible for advising on the U.S. military's role in supporting our broader counter-ISIL campaign, including denying ISIL safe havens and building the capacity of local forces to counter ISIL, with training, assistance, and air support from the international coalition. The success of these efforts will ultimately depend on a broader, complementary effort to address the conditions that gave rise to ISIL and allowed it to thrive. I look forward to hearing your views on the situation in Iraq and Syria and your thinking on the most effective role the military can play in supporting efforts on the diplomatic front.

Regarding Iran, while there remains no clear outcome to the P5 Plus 1 negotiations over Iran's nuclear program, no matter what happens, the Department of Defense will play a key role in reaffirming our shared priorities with our partners in the region, confronting common threats, and working to de-escalate or, where possible, resolve these threats.

General Dunford, if confirmed, you will also bring invaluable experience to oversight of the Department's missions in Afghanistan where you have led the U.S. and coalition forces with distinction. While the Afghan Security Forces have fought courageously against Taliban attacks, more needs to be done to build the Afghan forces? capabilities and deny any safe haven for extremists. The next Chairman will play a critical role in the President's review later this year of the size and footprint of U.S. forces in Afghanistan for 2016 and beyond.

Another security challenge going forward will be deterring additional Russian aggression toward Ukraine and its European neighbors and reinforcing the Minsk ceasefire accords. Congress has made clear its support of military assistance to Ukraine, including defensive weapons, to help the Ukrainian people defend their sovereignty and territorial integrity. We will be interested in your views of the security situation in Ukraine and what additional steps you would recommend for assisting Russia's neighbors in protecting themselves from the kinds of hybrid warfare tactics employed in Crimea and eastern Ukraine.

Our men and women in uniform remain the committee's top concern, and I know they are your top concern also. Our Armed Forces are nothing without its people, and the Department continues to juggle the twin goals of providing a high quality of life through fair pay and compensation and exceptional service through adequate levels of training and equipping. In my view, it is incumbent on Congress and the Nation to provide a sufficiently sized, trained, and equipped military of the necessary quality of character and talent to meet national defense requirements. Sometimes that means making hard choices, especially in the budget constrained environment we find ourselves.

To that end, as you well know from your time as Commandant, the Department and Congress have for several years considered

various proposals for changes in compensation and health care to slow the growth of personnel costs so that those savings can be redirected to buy back readiness and modernization benefits. I would be particularly interested in your views on such proposals and the impact if such changes are not enacted.

Now, during consideration of the fiscal year 2016 National Defense Authorization Act, this committee had a robust debate on how best to fund defense programs. I have repeatedly stated that sequestration is not the approach that we need to address our Nation's fiscal challenges, and more pointedly, it undermines our national military readiness. Defense budgets should be based on our long-term military strategy—that is the point the chairman made very eloquently—not sequestration-level budget caps. Even a 1-year increase in OCO spending does not provide DOD with the certainty and stability it needs when building its 5-year budget. As a consequence, this instability undermines the morale of our troops and their families who want to know that their futures are planned for more than 1 year at a time and the confidence of our defense industry partners we rely on to provide the best technologies available to our troops. I hope you will share your thoughts on this topic with the committee today.

General Dunford, thank you again for your willingness to serve our Nation. I look forward to discussing these issues.

Chairman MCCAIN. General, before your statement, there are standard questions that the committee always asks of military nominees. So we have always done that, and so I would like to proceed with that before your testimony.

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information. Have you adhered to applicable laws and regulations governing conflicts of interest?

General DUNFORD. I have, Chairman.

Chairman MCCAIN. Do you agree, when asked, to give your personal views, even if these views differ from the administration in power?

General DUNFORD. I do, Chairman.

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

General DUNFORD. I have not.

Chairman MCCAIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

General DUNFORD. I will, Chairman.

Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

General DUNFORD. I will, Chairman.

Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?

General DUNFORD. They will.

Chairman MCCAIN. Do you agree, if confirmed, to appear and testify, upon request, before this committee?

General DUNFORD. I do, Chairman.

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communications, in a timely manner when requested by a duly constituted committee or consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

General DUNFORD. Yes, Chairman.

Chairman MCCAIN. Thank you very much for complying with that formality. Thank you. Please proceed with your testimony.

STATEMENT OF GENERAL JOSEPH F. DUNFORD, JR., USMC, TO BE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

General DUNFORD. Chairman McCain, Ranking Member Reed, distinguished members of the committee, good morning and thank you for the opportunity to appear before you today. I am truly honored to be nominated as the Chairman of the Joint Chiefs of Staff. I want to thank the President and the Secretary of Defense for their confidence me, and I want to recognize General Dempsey and his wife Deanie for their extraordinary to our Nation, our men and women in uniform and our military families.

Joining me today is my wife Ellyn and our son Patrick. Our son Joe and Kathleen were not able to be here. Ellyn has been a great mother to our children and has served as a tireless advocate for military families. I refer to her as the MVP in the family. Her sense of humor, flexibility, and endurance have been tested in over 30 years as a military spouse, and I would not be here today without her love and support.

I would like to begin by thanking the committee for your commitment to our soldiers, sailors, airmen, and marines. Due to your support, they comprise the most well trained, well equipped, and capable military force in the world.

As I appear before you this morning, I am mindful of the complexity and volatility of the current security environment. Chairman, you mentioned that. This committee is also well aware of the pressing challenges we face in Europe, the Pacific, the Middle East, Africa, space, and cyberspace. While dealing with these and other issues, we also face the need to restore readiness and modernize the joint force in the context of fiscal challenges and budget uncertainty.

If confirmed, I will provide the Secretary of Defense and the President with my best military advice in a full range of military options for addressing the current and future challenges to our national security.

When asked, I will provide the Congress with my best military advice. When delivering best military advice, I will do so with candor.

I will also work with the Joint Chiefs, our civilian leaders, and members of the committee to maintain a joint force that is capable of securing our national interest today and tomorrow.

Most importantly, if confirmed, I will dedicate myself to properly leading, representing, and keeping faith with the men and women in uniform and our civilian workforce who volunteer to serve our Nation.

Thank you again for allowing me to appear this morning, and I am prepared for your questions.

Chairman MCCAIN. Thank you very much, General.

The day before yesterday, we received testimony that so far with $500 million committed, there have been 60 individuals who have been trained to go into Syria and fight against the Islamic State in Iraq and Syria (ISIS). What do you know about that particular situation?

General DUNFORD. Chairman, what I know is that we have got Major General Mike Nagata who has been working that for some months. Those numbers are certainly much less than what he estimated. The feedback I have received is those numbers are largely attributable to the vetting process, that they think they have learned some things during the process of these first 60. They have made some other contacts. But, frankly, Chairman, until I have an opportunity to get on the ground and speak to the commanders, what I really know about that now is secondhand.

Chairman MCCAIN. Do you believe that we should be getting a pledge from these recruits that they will only fight against ISIS and not Bashar Assad?

General DUNFORD. Chairman, what I understand right now is that we do not have the authority to take action against Assad's forces. So unless that policy would change, then that pledge would be required.

Chairman MCCAIN. Given your experience in the military, do you think it is a good idea to train people and send them into a conflict to be attacked and barrel-bombed by another entity and not defending them?

General DUNFORD. Chairman, I do not. If we train those individuals and they go back into Syria to fight, then I think we need to—if we expect them to be successful, we need to provide them with enabling capability that will allow them to be successful.

Chairman MCCAIN. In other words, prevent them from being barrel-bombed by Bashar Assad, which is routine now?

General DUNFORD. I think, Chairman, we need to provide them with a full range of capability for them to be successful.

Chairman MCCAIN. I recently was over in Afghanistan over the Fourth of July, and there is great concern both amongst our military and with Ashraf Ghani and Abdullah and other Afghans about the present proposal to have our force in Afghanistan down to a, quote, embassy-centric force by 2017, meaning that we would be giving up or turning over our bases in Bagram, Kandahar, and a force that is only based in the U.S. embassy. A great concern was voiced concerning this plan or articulated, announced plan by the President of the United States.

As you know, the Taliban did not respect the non-fighting season. As you know, the Afghan casualties are extremely high, higher than they have ever been. We now have ISIS getting a hold, and we also have the Iranians providing Taliban with weapons.

Is this a wise decision on your part to have a calendar-day withdrawal of American troops rather than a conditions-based withdrawal? Given your background and experience there, I think you are probably pretty well qualified to make that judgment.

General DUNFORD. Chairman, I am aware of the consequences of our mission, the importance of our mission in Afghanistan, and clearly I also have a degree of personal commitment, having spent

time there. I can assure you, if I am confirmed, I will provide advice to the President that will allow us to meet our desired end state, and I think that that will be based on the conditions on the ground, as you have articulated.

Chairman MCCAIN. Rather than a calendar-based decision.

General DUNFORD. Chairman, my experience has been that sometimes the assumptions that you make do not obtain particularly with regard to time, and that is certainly the case in Afghanistan.

Chairman MCCAIN. Thank you.

In Ukraine, it is obvious that the Russians continue their military buildup. I was in eastern Ukraine and watched the surveillance video that was made by the Ukrainians showing the gradual buildup of Russian forces inside Ukraine.

Do you believe that we should give the Ukrainians with the counter-battery systems with which to defend themselves from mass Russian artillery and rocket strikes, and should we provide them with Javelin or tube-launched, optically-tracked, wireless-guided (TOW) anti-tank missile systems to defeat the Russian T–90 tank parades?

General DUNFORD. Chairman, from a military perspective, I think it is reasonable that we provide that support to the Ukrainians. Frankly, without that kind of support, they are not going to be able to protect themselves against Russian aggression.

Chairman MCCAIN. General Dunford, I just would like to repeat again my appreciation for your service, and I am confident that you will serve with distinction. You are the principal military advisor to the President of the United States, and that is a unique role as designed in the 1947 act I believe. So I hope that you will keep in mind your obligation to the President but also to the men and women who are serving who we may have to send into harm's way and make sure they are provided with the best capabilities.

Finally, I hope in answer to some of these questions, because I have run over time, you will talk about the devastating effects of sequestration on our ability to defend the Nation. Maybe you will just make a brief comment on that now.

General DUNFORD. Chairman, I have dealt with the issue of sequestration as a service chief, and quite frankly, if we go into sequestration, we will be unable to support the current strategy that we have to protect our Nation. Quite honestly, the readiness of the joint force and modernization of the joint force will suffer, what I will describe and without exaggeration, catastrophic consequences.

Chairman MCCAIN. I thank you, General Dunford.

Senator Reed?

Senator REED. Well, thank you very much, Mr. Chairman.

Once again, thank you, General, for your service and your sacrifice.

Following a bit on Senator McCain's final question about sequestration, the administration—and Secretary Carter made this clear—has adopted an anti-ISIL campaign with nine lines of effort, two principally controlled by the Department of Defense. Are you comfortable with that overall approach at this point?

General DUNFORD. Senator Reed, I am comfortable with that overall approach.

Senator REED. The other lines of effort are controlled by other elements of the Government, State Department, Homeland Security, et cetera. Apropos of Senator McCain's question about effects of sequestration on the Department of Defense, are you concerned that these partners in this effort could be hamstrung just as much as you would be if the Budget Control Act (BCA) went into effect for them?

General DUNFORD. Senator, very much so. I would say that not only do we just represent two of the nine lines of effort, but we cannot be successful in either Iraq or Syria or, frankly, in any of our other endeavors with out a whole-of-government approach.

Senator REED. Let me just ask you since you are the expert. You were in Afghanistan. We had a significant military effort, but we also had a significant civilian agency effort, the State Department, Federal Bureau of Investigation (FBI), Drug Enforcement Administration, all of these agencies. I would assume you considered them to be integral and essential parts of your effort, and without them or without their ability to provide resources, you could not have accomplished what you did. Is that fair?

General DUNFORD. Sir, I think it is absolutely fair. Although we have challenges remaining, I think we have accomplished quite a bit over the last few years, and from my perspective, that is because we have been able to integrate the capabilities of those organizations that you mentioned. In particular, I think the relationship that we have with the State Department in Afghanistan was absolutely critical to our success.

Senator REED. One of the most difficult issues you face is building the capacity of the Iraqi Security Forces, and this has been an endeavor frankly that we have tried for a long time. Do you have any sort of sense at this juncture of what we can or should be doing differently of how do we do this? We have heard colleagues come before the committee—your colleagues—and suggest that there are gaps of leadership at the upper levels. Just your perspectives on a length of time and the efforts we have to undertake to get a credible Iraqi force in the field, which will secure the country.

General DUNFORD. Sir, with the caveat that I have been away 11 months, but certainly, if confirmed, will go back almost immediately, the areas of most concern were intelligence, logistics, special operations capability, and the aviation capability, and then more broadly the ministerial capacity. Frankly, our estimates always were that that was a long-term endeavor. It would take years to grow the kind of capacity that we have in this country, and frankly, what we are not trying to do is develop the capability that we have in this country, something far less than that, but the ability at the ministerial level, at the minister of defense and the minister of the interior to support tactical-level organizations. So I think continue to stay the course in the plan that General Campbell has and recognizing that is going to require continued resources and patience is the way for us to be successful.

Senator REED. Now, I focus for a moment—I know your practical experience is Afghanistan and other places, but in Iraq there are the same capability problems. Does your analysis apply there also in terms of the long-term need to build up the Iraqi Security Forces and ministries?

General DUNFORD. Senator, it does. In some ways the situation is the same. There are also some vast differences. I think one of the biggest challenges in Iraq has been when Prime Minister Maliki was there, he eliminated many of the capable quality leaders that were in the Iraqi Security Forces. So I think at the tactical level, it is fair to say today the Afghan forces actually have some pretty solid leaders. We have seen them. We have developed them. They have gone to our schools. I feel pretty good about where we are with the Afghan leaders. I think we have some work to do to rebuild the Iraqi Security Forces, frankly to get them back to perhaps where they were a few years ago.

Senator REED. There is one other aspect—in fact, there are many aspects of the situation in Iraq, but one is this tension, sectarian and geographic tensions in the country. But our policy is to support a unified government in Baghdad and work with them so that they are able to integrate their ethnic communities. Is that the approach that you think makes much sense?

General DUNFORD. Senator, that is going to be very difficult to do, but at this point I believe that is the best prospects for long-term success is a unified, multi-sectarian government in Iraq. Frankly, if confirmed, if at any point I no longer believe that is possible, then my advice to the President will be adjusted accordingly.

Senator REED. Thank you very much, sir, and again, thank you for your service.

Chairman MCCAIN. Senator Inhofe?

Senator INHOFE. Thank you, Mr. Chairman.

In responding to one of the chairman's questions, you were talking about you did not have the authority to go after Assad. Is that not what you said that you do not have the authority to go after Assad?

General DUNFORD. Senator, my understanding is that we do not have the legal authority at this time to go after the Assad regime, and it is also the policy of the administration not to go after the Assad regime militarily.

Senator INHOFE. Okay. Well, I think for the record I would like to have you expand a little bit on that as to whether or not it would be desirable for you to have that authority.

[The information follows:]

President Assad's policies contributed to the rise of ISIL and motivate some members of ISIL today. However, the current military campaign in Syria is designed to degrade and ultimately defeat ISIL, not the Assad regime. If our policy changes, I will be prepared to provide a range of military options in support of broader political efforts to resolve the conflict.

Senator INHOFE. We have been talking for a long time and with you also at these hearings about the amount of risk that we are at right now. You were quoted as saying our combatant commanders face increasing risk. So we are talking about the risk that is out there. You know, risk equals lives. We talk about this in all these areas.

But how do you define too much risk? Are we there yet?

General DUNFORD. Senator, I believe today we are capable of providing adequate security to protect our national interests. I also believe that we are at the razor's edge, and that has certainly been a subject of testimony several times before this committee is that

our readiness level is at the point right now where were we to go below this level, we would have to adjust the ends of our strategy. We would no longer be able to support our strategy.

Senator INHOFE. That is similar to the responses we get, whether it is General Odierno or any of the rest of them. They are very much concerned about the level of risk that we are accepting now that we never had to accept in the past.

In the Ukraine—I am particularly sensitive to that. I happened to be there when they had the election that resulted in, for the first time in 96 years, no communists serving in their parliament.

We talked about what they really should be having there. Are there obstacles, if you were to make that determination, as to giving them more to defend themselves, the things that we agree that they should have? Is there an obstacle that we could help with, or do you think you have that authority now?

General DUNFORD. Senator, from a military perspective, additional capability to the Ukrainians would clearly help them to deal with both the separatist and the Russian threat in the Ukraine. There are some policy issues associated with that that do not fall into the Department of Defense (DOD) and military—

Senator INHOFE. Yes, I understand that and I appreciate that answer.

Kind of the same thing with the Kurds. Now, they have a need for, I guess, anti-armor, mine-resistant ambush protected (MRAP) vehicles, and a lot of these things. I get two conflicting stories, one from some of the top people in charge saying that by sending through Baghdad, you have a problem in getting it up to the fight. Yet, I heard just yesterday from someone who is charge that that problem has been resolved now. Is that really resolved? Do we have a problem getting the equipment that they need up there and those fighters to effectively fight?

General DUNFORD. Senator, I watched carefully the hearing on Tuesday and the exchange that took place on this particular issue. You know, I have been briefed that in fact the issues have been resolved and the support is getting to the Kurds right away. But this would be one of those issues that, if confirmed, again Iraq, Afghanistan, and places where our young men and women are in harm's way would be the first places I would go to visit. This issue, because it is so important, would be one issue that I would look into personally.

Senator INHOFE. Good. I appreciate that.

In this morning's "The Hill," General Petraeus had a couple quotes in there, and I will just read these. He said we can schedule an end to our role in that—talking about Afghanistan—in that nation's conflict, but we cannot schedule an end to the war there or an end to the threat from Al Qaeda, the Islamic State, or other extremist elements of the global jihad. Going to a zero option next year would be playing roulette with Afghanistan's future.

Is Petraeus right?

General DUNFORD. Sir, I think he is absolutely right with regard to the war would continue whether or not we are there or not, and I think you can assume that the war would get worse were our presence not to be there. Again, my assessment is that our presence ought to be based on the conditions on the ground, and I will

certainly go over there and check those as soon as—and if confirmed.

Senator INHOFE. Very good. Thank you very much.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Nelson?

Senator NELSON. Thank you, Mr. Chairman.

General, ISIS with regard to Iraq and Syria. Would you generally ascribe to the fact that in Iraq it is going to require the Iraqis to have the will to fight to meet ISIS in Iraq and be successful?

General DUNFORD. Senator, our current campaign is dependent on the capabilities of the Iraqi Security Forces to deal with ISIL.

Senator NELSON. Go over to Syria. Now, that is a hodgepodge. How much do you think that the Assad regime staying in power would complicate the issue of us being able to take down ISIS in Syria?

General DUNFORD. Senator, my assessment is it plays a significant role. I think Assad's brutality to his people was certainly the primary factor giving rise to ISIS is at least one of the assessments, and I ascribe to that particular assessment. I think his remaining in power has certainly continued to inflame people and gives ISIS the recruits and the support that they need to operate inside of Syria.

Senator NELSON. I agree with that.

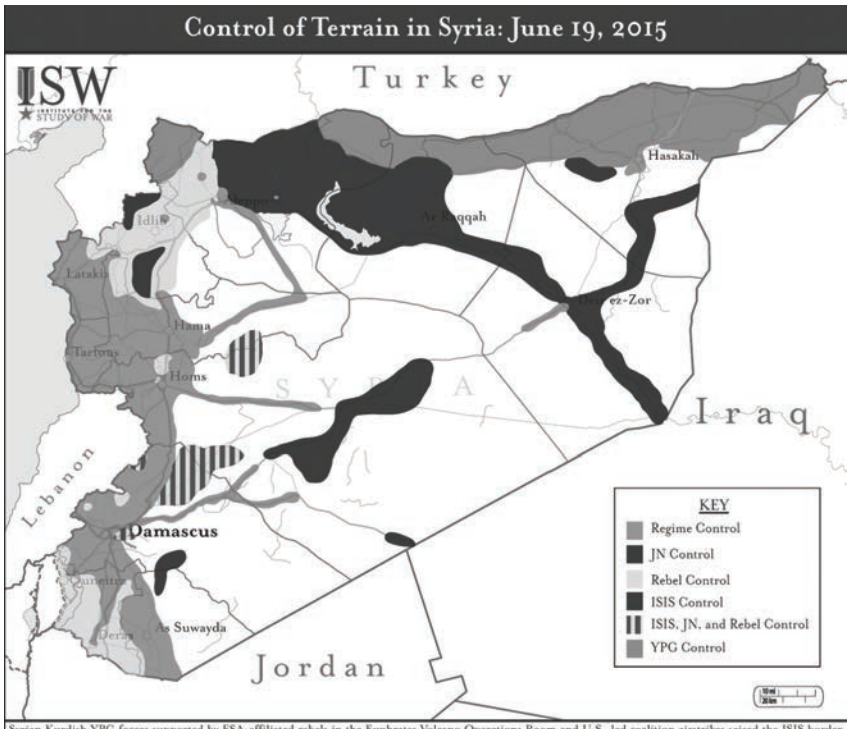
Then the question is, when do we really press to have some kind of political settlement for Assad to exit? Do you have any thoughts on that?

General DUNFORD. Senator, I do not. I am not involved in the dialogue today in that regard. The political resolution is one of the lines of effort that is part of our overall strategy. While I do not know, I would assume that today that issue is being addressed, and certainly if confirmed, I expect to be part of those conversations and know a bit more than I do today.

Senator NELSON. General, someone of your stature is going to be very comforting to us to have the confidence to know that those very tough decisions that will be made with regard to limiting the effectiveness and ultimately defeating ISIS will be made with you sitting there at the table giving counsel.

If you just look at a map of who is in control of Syria in the different geographical areas of Syria, it is a mess. How you bring order—thank you. Senator McCaskill has shown this is Syria and the different colors representing the different entities that in fact are in control in that geographic area. So it is comforting to know that you are going to be there giving your wise counsel.

[The information referred to follows:]



Syrian Kurdish YPG forces supported by FSA-affiliated rebels in the Euphrates Volcano Operations Room and U.S.-led coalition airstrikes seized the ISIS border crossing at Tel Abyad in northern ar-Raqqa Province on June 15, 2015. The fall of Tel Abyad severs a key line of ISIS reinforcement and resupply sourced from the Turkish border and positions joint YPG-FSA forces for a potential offensive south towards the ISIS stronghold of ar-Raqqa City. The YPG seizure of Tel Abyad also directly connects the Kurdish cantons of Kobane (Ayn al-Arab) and Cizire (Hasakah) for the first time in a major enabling step towards the eventual formation of a contiguous Kurdish autonomous region in northern Syria. Meanwhile, Jabhat al-Nusra (JN), Ahrar al-Sham, and other rebel factions participating in the Jaysh al-Fatah Operations Room seized the town of Mahambel and a number of surrounding regime-held villages east of Jisr al-Shughour on June 6, 2015, largely eliminating the remaining regime-held salient in Idlib Province. ISIS also continued to expand its gains southwest of Palmyra, seizing the Busairi Junction on May 24, 2015, and advancing into the Eastern Qalamoun Mountains. Finally, rebel factions in the FSA-affiliated Southern Front successfully overran the Brigade 52 military base in eastern Dera'a Province on June 9, 2015, eliminating the largest regime military position in southern Syria and bringing rebel forces in direct proximity with the Druze-majority city of Suwayda as well as the nearby Tha'lah Airbase.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Sessions?

Senator SESSIONS. Thank you very much, Mr. Chairman.

General Dunford, with regard to the Budget Control Act, which includes the sequester, the Budget Committee, the Armed Services Committee, with a bipartisan strong vote, has voted out legislation that will add, I believe, $23 billion above last year's spending for the Defense Department. I believe the Appropriations Committee has already voted out that same spending level, and it is on the floor.

The problem is that the commander in chief, the President of the United States, is insisting on blocking that bill, encouraging Democrats to filibuster it until there is an agreement to spend an equal amount on non-defense. I just believe that the fact that we have a crisis internationally and we need to spend more on defense does not require that this Nation spend more on non-defense. So that is the difficulty we face. You will be seeing more of that, I guess, as time goes by.

General Dunford, with regard to Iraq and this ISIS situation, is it not true that the threat in Iraq is not just a threat to Iraq but

it implicates the national security interests of the United States and that we have a national security interest in blocking a takeover of Iraq by this extremist group ISIS that chops off heads and does other extreme things?

General DUNFORD. Senator, I would agree that the issue of ISIS has both regional issues—it is creating regional instability, but absolutely we have U.S. national interests in a stable Iraq that is not a sanctuary for extremists.

Senator SESSIONS. So I think it is a mistake sometimes to just sit back and say, well, we are going to wait on the Iraqi army to get its act together. We have trained the Iraqi army for over a decade. They have battalions and companies and organizations. They are not well led, and their morale is not good. But they have an army. The question is can we help encourage them to be more effective in fighting back against ISIS. Would you not agree?

General DUNFORD. I do agree with that, Senator. I would just say, despite the challenges, we have had, as you know, some thousands of men and women from the United States Central Command that have been in Iraq and conducting strikes into Syria over the last year. Despite the challenges in pretty difficult conditions, I think they have had some accomplishments over the past year that we can be proud of. Clearly we are going to do more. I think Secretary Carter made that clear on Tuesday. Clearly we need to do more to assist the Iraqis in moving forward, and I think that is the plan.

Senator SESSIONS. Well, the President's press conference 2 days ago did not encourage me and did not clarify in my mind that we have a good strategy for Iraq. Frankly, I think General Dempsey and Secretary Carter following up on that were not very persuasive either in convincing me or the American people that we have a good plan.

Now, based on your experience, is it not a fact that if we had a limited number, just five, special forces embedded with an Iraqi battalion of 600, that that can give confidence to that battalion, help improve their morale, and help them be more effective on the battlefield?

Senator SESSIONS. Senator, it has been my experience that when U.S. forces have accompanied Iraqis—or for that matter, my experience in Afghanistan—that those units are more effective.

Senator SESSIONS. Well, General Dempsey said he has not yet recommended that we embed a limited number, a very small number, of such forces in the Iraqi army, but he would do so if he thought it was appropriate. Do you not think it is time for us to maybe move from being in Baghdad in headquarters and actually move out to help provide this kind of confidence, the air cover, the direction of munitions, giving confidence of resupply and American commitment? Is it not time for us to move forward in that direction?

General DUNFORD. Senator, without appearing to be evasive, what I really would like to do, if confirmed, is have the opportunity to get on the ground, speak to the commanders, and frankly provide a more comprehensive recommendation to how we can move the campaign forward in Iraq without focusing on one or another of the factors.

Senator SESSIONS. Well, I hope you will do that quickly.

Just one more thing. Senator McCain warned yesterday that we could be facing the same situation that he warned about Iraq in 2011 when we pulled out prematurely. Now we are going to be facing this decision in Afghanistan. I hope that you will be clear and firm in your recommendation to the President if you believe this plan we have today, date-specific withdrawal, is in error, and I hope you will do that. Will you do so if you think it is in error?

General DUNFORD. I will do that, Senator.

Senator SESSIONS. Thank you.

Chairman MCCAIN. Senator McCaskill?

Senator MCCASKILL. Thank you.

My good friend and colleague, Senator Sessions, and I have worked together on matters of fiscal accountability and trying to spend less money, but I have a different take than he does on where we are in terms of the military budget.

I cannot figure out any reason why we would be putting the $40 billion increase into the war fund instead of into the base budget. I cannot think of any reason to do that other than one of misleading the American people about whether or not we are balancing something because that is the only place they can put the money and not have to pay for it. So they put it there so it did not have to be paid for and completely short-changed national security for our country in the form of cybersecurity, port security, airport security, Federal Bureau of Investigation (FBI), Central Intelligence Agency (CIA), all of which I know you would acknowledge, General Dunford, is a very important part of the role of keeping America safe. Would you agree with that?

General DUNFORD. Senator, I would absolutely agree that all those organizations play an inextricable role in keeping us safe.

Senator MCCASKILL. Let us make very clear, if in fact we go down this path of pretending we are balancing something by putting it in a fund that we do not have to pay for, will in fact the Overseas Contingency Operation (OCO) funds, or the war fund as I like to call them—will they do anything to avoid the force structure cuts that are looming across our Nation if we do not get off of this path of misleading the American people about what we are balancing?

General DUNFORD. Senator, I think all of the service chiefs that have to balance a budget and certainly me included where I sit right now would much prefer that money to be in the base budget because that provides a degree of predictability that we can get after the two main issues that we have to deal with. One is modernization of force, and the other is to get the readiness back to a level that we are comfortable with.

Senator MCCASKILL. So the cuts that we have seen this week that General Odierno announced—they are a drop in the bucket as to what is coming if we continue on this bizarre idea of putting all of this money in the war fund as opposed to in the base budget where force strength belongs. Correct?

General DUNFORD. If the budget level goes below what has been requested in the President's Budget 2016, there will be significant additional cuts made.

Senator MCCASKILL. Thank you.

You know how hard we have all worked on the problem of sexual assault in the military. I am pleased that the incidents are down. I am pleased that reporting is up. I am pleased that the efforts that are being made to measure victim satisfaction with command look good. I think it is too early to declare success, obviously. We have a lot more work to do.

But the thorny problem that remains, General, and one that I really want to make sure you have at the top of your list is retaliation. I know that there have been some initiatives begun, but I would like to see a written plan from you as Chairman of the Joint Chiefs with all of the chiefs signing off on what is your path to getting at this culture. The problem is not, based on the survey, the command. The problem is primarily lower level command, unit command, and peer-to-peer, not that there may not be some outliers there, but that is the bulk of the problem. That is a culture issue, and that means from the top.

I am disappointed that we have not had more prosecutions. Retaliation is a crime. I know it is new. I know people might be very reluctant to bring somebody up on those charges because of what that might mean within their unit. But that is where you guys come in. I would like a commitment from you today that you would be willing to put a plan in writing that we could follow.

General DUNFORD. Senator, I would make that commitment. I think you have correctly identified peer retaliation as the real issue that we are trying to grapple with in the wake of the Research and Development (RAND) report. I can assure you that the leadership across the Department has been carefully looking at that issue in an effort to set the right command climate where retaliation is unacceptable.

Senator MCCASKILL. I will put a question for the record about the unused building report that Special Inspector General for Afghanistan Reconstruction (SIGAR) pointed out in Afghanistan. I know there was an investigation. You, of course, were not found to be a problem in this, but it is a problem the investigation found no problem and in reality there was a huge problem, that somebody signed off on a building for $36 million that is never going to be used and is sitting empty. We have got to make sure we avoid that.

My final question is—if you do not have time to do it now—I am just about out of time. I want to make sure that we get your take on ISIS in Afghanistan. I know they are trying to move everywhere. Obviously, this is a Shia-Sunni issue and that is something that is prevalent throughout the region. With your experience in Afghanistan, are you comfortable that we have a handle on what ISIS is trying to do in Afghanistan?

General DUNFORD. Senator, what I know from General Campbell's reports and intelligence is that we have seen a number of Taliban rebrand themselves as ISIS. But beyond that, I do not have a good feel at this time for the depth of the problem, but certainly it would be one of the issues I would look into if confirmed.

Senator MCCASKILL. Thank you very much.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Wicker?

Senator WICKER. General Dunford, I think you are just the man for the job, but let me tell you you have got a lot of crises to preside over. I would simply ask you, during the course of your term in office, tell us what you need. Come back to us and be honest and tell us what our men and women in uniform need to succeed and get the job done because I do not think we are quite there.

I was privileged to lead a bipartisan delegation of House and Senate Members over the past week to Ukraine. We met with President Poroshenko in Kiev, and he is grateful for the $300 million that this Government provided in military assistance during the past year. He also mentioned the need for Javelin anti-tank missiles. I think your testimony earlier today is that that is a reasonable request on the part of the president of Ukraine, and it will be necessary for him to get those in order for him to defend his country. Was that your testimony?

General DUNFORD. Senator, it was. From a military perspective, those kinds of capabilities in my judgment would be necessary for him to deal with both Russian aggression and the separatism issue that he is dealing with in Ukraine.

Senator WICKER. Separatists that are backed by the Russian hierarchy.

Would you also agree that it is unacceptable that this month's transfer of 100 armored Humvees to Ukraine took over a year to process due to bureaucratic delays at DOD and State?

General DUNFORD. Senator, if it took a year to do that, it would be unacceptable. I am not personally aware of that issue.

Senator WICKER. Okay. Well, look into that for us.

I also led the delegation to Helsinki for the The Organization for Security and Co-operation in Europe (OSCE) parliamentary assembly. Before the delegation left—before the Russian delegation left en masse because of a dispute over five delegates being on the European Union (EU) sanctions list—the head of the delegation, Nikolay Kovalev, said that Russia's neighbors have no reason to be threatened by Russia. Now, of course, Russia has—under Mr. Putin's leadership, Russia has twice invaded neighbors, Georgia in 2008, Ukraine last year. We see now that there is a Russian official investigating the legality of Mr. Kruschev's transfer of Crimea back in the day saying that this perhaps was not an invasion because Crimea was never legally transferred to Ukraine by the Russian Federation.

It concerns me that this same official is now investigating whether the transfer of the Baltic States, whether the giving of independence to the Baltic States, Latvia, Lithuania, and Estonia, was also legal. Perhaps that was not legal at all, this Russian official suggests.

We can get to the issue this way. I just want to ask you this about our North Atlantic Treaty Organization (NATO) commitment. I can envision a situation where there are small jurisdictions within Latvia that have a majority of Russian speakers, small jurisdictions within Estonia that have a majority of Russian speakers. A pretext of a plebiscite is created at that point. I realize I am posing something to you that is hypothetical, but in light of pronouncements from officials in the Russian Federation, I think it is something to be concerned about.

Zbigniew Brzezinski spoke to this committee earlier this year and said we need to create a trip wire in the Baltics and that this trip wire should communicate clearly to Russia that NATO will not tolerate violations of the territorial integrity of our allies.

What do you think of this idea and can you highlight to this committee the steps DOD needs to take under leadership to send a credible message that this sort of pretext by the Russian Federation would absolutely not be tolerated by the United States and our NATO allies?

General DUNFORD. Senator, I think our experience in Ukraine and in the other examples that you used highlights the fact that we need to update our deterrence and response model to deal with the kind of threat that we have today, which has been described as a hybrid threat from Russia, which combines political instruments, unconventional warfare, as well as support for separatists in these countries. Quite frankly, that needs to be a priority. You are asking what should the Department do. We frankly need an effective deterrent model for the 21st century to deal with the kind of threats that we are now seeing in Russia because, quite frankly, I think that kind of asymmetric threat is one we will continue to see in the future and certainly we are going to continue to see that in the European context.

Senator WICKER. Would an incursion of Russian troops or Russian-back separatist troops in small jurisdictions of Russian-speaking majorities within Latvia and Estonia—would that be completely unacceptable to this Government?

General DUNFORD. From a policy perspective, Senator, I cannot answer that. From a personal perspective, it certainly looks like a violation of sovereignty to me.

Senator WICKER. Under article 4 of NATO, in my view it would be absolutely unacceptable. We need to make it clear. This administration needs to make it clear. This Congress needs to make that we will do what is necessary to prevent this sort of idea from ever being considered in the first place.

General DUNFORD. Senator, I agree with that, and I think this also applies to the cyber threat as well, again, the idea of deterrence in response to a changing threat in the 21st century, and I think we need to update our models for both.

Senator WICKER. Thank you, sir.

Chairman MCCAIN. Senator Manchin?

Senator MANCHIN. Thank you, Mr. Chairman.

Thank you, General, for your service to our great country, your family's dedication and sacrifice they have made with you I know over the years.

Sir, I am sure you have had the opportunity to form opinions on what our threats have been and what our threats are today. What would you consider the greatest threat to our national security?

General DUNFORD. My assessment today, Senator, is that Russia presents the greatest threat to our national security.

Senator MANCHIN. Would you want to elaborate on that to a certain extent?

General DUNFORD. Well, Senator, in Russia we have a nuclear power. We have one that not only has the capability to violate the sovereignty of our allies and to do things that are inconsistent with

our national interests, but they are in the process of doing so. So if you want to talk about a nation that could pose an existential threat to the United States, I would have to point to Russia. If you look at their behavior, it is nothing short of alarming.

Senator MANCHIN. I have been very much concerned about the same issue. I think we have talked about it briefly before when you visited my office. But I have been told by major scholars that the Cold War is colder today than it was when it was declared because of the lack of communications, the lack of inter-party affiliations. Do you find it to be true, and can you change that course in your new position?

General DUNFORD. Senator, certainly the relationship of Russia a few years ago, if you recall—we actually were including them in NATO meetings and so forth, and those kinds of exchanges have stopped. From my perspective, my role would be even as the relationship is challenged and even with the difficulties that we face right now, I think it is important that we attempt to maintain a military-to-military relationship, an effective military-to-military relationship, with our Russian counterparts to the extent possible to mitigate the risk of miscalculation and begin to turn the trend in the other direction in terms of trust.

Senator MANCHIN. Thank you, General.

Also, going back to Iraq—it has been spoken previously, but could you find yourself at some time recommending to the President for a three-state solution in Iraq versus staying the course of a united Iraqi government?

General DUNFORD. Well, Senator, from my perspective, I can imagine two states in Iraq. I have difficulty imagining a third separate state given the lack of resources that would be available to the Sunni. Frankly, I think if it was in thirds without a Federal Government, I think we would have some difficulty, the same difficulty that we have today exacerbated by the fact that there is not a central government.

Senator MANCHIN. Basically you are acknowledging that the Kurds are strong, prepared, ready to go if they were given that opportunity?

General DUNFORD. Senator, you know, again it is probably out of my lane to talk about what the organization of Iraq might be in the future. But I think from just a pure economic resources and governance perspective, the Shia and the Kurds are certainly much more equipped to set up a separate state than the Sunni would be at this time.

Senator MANCHIN. I know it has been spoken about also, the mistake of us leaving Iraq, pulling our troops out when we did. Did we have an option to stay?

General DUNFORD. Senator, I was not involved in the discussion at that time. The assessment of the administration at that time was we did not have an option to stay.

Senator MANCHIN. So basically those of us who believe that maybe there could have been some forces left there or basically the evaluation Maliki was not doing his job, once we went down the path of democracy democratizing that country, we did not have the option to go back and stay there.

General DUNFORD. Given what we were demanding of the Iraqis, they were not meeting our demands. I am not sure I would say that meant we had no option to stay.

Senator MANCHIN. I have spoken many times about the lack of an audit. The only agency in the Federal Government that we do not audit is the Pentagon. Defense. The Marines have made an effort. I will say they have made more of an effort than any other branch of the military to do an audit, but it has not been fulfilled.

What would your commitment be, sir, for us to have an audit, especially for us to know about our contractors, how much money we spend on contractors, how many contract forces that we have doing the job that I believe maybe our military and definitely our National Guard could be supporting in that effort that we are not doing today?

General DUNFORD. Senator, we cannot be effective as a warfighting organization and we certainly cannot be efficient with the taxpayers? dollars if we do not have an effective audit. As you alluded to, we worked that pretty hard in the Marine Corps. I worked it both as an assistant Commandant and then over the last year as the Commandant. We did make a significant amount of progress. We were able to get to the point where we could internally audit all of the resources that were directly under the cognizance of the Marine Corps with some database challenges outside. But I can assure you that, if confirmed, you will have my commitment to continue to press hard in that direction and to support the efforts across the Department to make sure that we can come to you with a clean audit.

Senator MANCHIN. General, I again want to thank you. You do have my support and I think the confidence of the American people, definitely the West Virginians. Thank you, sir.

Chairman MCCAIN. Senator Ayotte?

Senator AYOTTE. General, I just want to thank you for all that you have done for the country, and I think that you will do a tremendous job as Chairman of the Joint Chiefs of Staff. I want to thank Ellyn and your family for what they have done for the country and continue to do. We appreciate it.

I wanted to also add my support to what Senator McCaskill said about the issue of retaliation. I think this is a very important issue as we focus on the work that we have done in this committee to eliminate and to work to prevent sexual assault in the military and to support victims and to hold the perpetrators accountable. So I think that is excellent. I look forward to seeing that proposal from you.

I wanted to ask about the situation, as we look at Iran and their support for regional terrorism. How would you assess Iran's current activities and where are they engaging in support either directly or through proxies for efforts that are undermining security in the region?

General DUNFORD. Senator, Iran is clearly a malign influence in the most destabilizing element in the Middle East today. They are providing support to the Huthis down in Yemen. They obviously provide support. Hezbollah is a clear malign influence in Lebanon. There are indications they are involved in Syria, and certainly they are involved and trying to expand their influence into Iraq. They

are creating I think—they are exacerbating at least the Sunni-Shia sectarianism across the region.

Senator AYOTTE. I want to follow up more on that, but I also want to ask you. I saw reports that they were also engaged in supporting the Taliban in Afghanistan more now. Is there anything you can share with us on that?

General DUNFORD. Senator, I have seen those same reports, and from my perspective, what I have seen in the reports is that they have provided some support to the Taliban in an effort to counter ISIL.

Senator AYOTTE. Do you believe, as we think about your experience—I know you commanded troops in Iraq. But certainly Iran has the blood of American soldiers on its hands for the explosive materials that they provided to the Shia militias in Iraq that killed many of our men and women in uniform. So do you think, as we look at the situation in Iraq and what is happening with the Shia militias you referred to, how could they be a malign influence in the longer-term solution in Iraq?

General DUNFORD. Senator, they clearly could be a malign influence, which is why I believe we should not provide any support to those forces unless they are directly under the Iraqi Government and not provided support by the Iranians.

Senator AYOTTE. Thank you.

I wanted to also ask you about the situation on cyber because the FBI Director—we have received briefings on the Office of Personnel Management (OPM) breach, but the FBI Director has said that he believes this is an enormous breach. Millions and millions of individuals who provided background information have been breached. Director Clapper has said that they believe it is the Chinese who have done this breach.

When we look at the threats facing our Nation, how grave do you think the cyber threat is? Also, how would you assess our current posture with the Chinese and how we should be addressing the situation?

General DUNFORD. Senator, I would agree with you. The cyber threat is clearly very significant. Frankly, every week we learn a bit more about the OPM breach. My number one concern, obviously, as a service chief is for the data and the wellbeing of the men and women whose data that is having been compromised.

One of the challenges is, of course, attribution. But from my perspective, if confirmed, my role will be to provide the President with a full range of options to deal with these cyber attacks, which is what the OPM breach was.

Senator AYOTTE. So I know that Senator Manchin had asked you what you believe our gravest national security threat was, and you identified Russia. Certainly we have seen this aggression by Putin in Russia certainly invading other countries essentially.

But what is it—as you look at the National security situation, you think about immediate threats to the country, what keeps you up at night the most?

General DUNFORD. Senator, what keeps me up at night the most is our ability to respond to the uncertain. I am very confident—very confident—in the joint force today and our capabilities and capacities to deal with the challenges that we have today, albeit we

need improvement in cyber, other capabilities, but on balance, the force that we have today is able to deal with the challenges that we know. There is very little residual capacity. This is the issue that has been discussed many times before this committee and that you have had some personal engagement on. It is the readiness to respond to the uncertain, frankly, that keeps me up at night as a service chief and certainly one that would keep me up at night were I to be confirmed as the Chairman.

Senator AYOTTE. Thank you.

Chairman MCCAIN. Senator Gillibrand?

Senator GILLIBRAND. Thank you, Mr. Chairman and Ranking Member. I appreciate this hearing.

Thank you, General Dunford, for your service. I am grateful for your wife and children being here with you. We all know you serve together.

I want to continue along the line that Senator Ayotte started with with Iran. We are expecting a potential nuclear agreement between P5 Plus 1 as early as today. Are you concerned that lifting sanctions on Iran might allow that country to invest more money in terrorist activities in the Middle East, and what can we do to address those concerns?

General DUNFORD. Senator, there is no question that signing an agreement will change the dynamic in the Middle East. The first thing I guess I would say is that, if confirmed, I know I would have the responsibility to develop options for the President to deal with the changing dynamic.

With regard to increased resources for malign activity, I think it is reasonable to assume that if sanctions are lifted, the Iranians would have more money available for malign activities. But I would probably say that regardless of whether there is an agreement or not, my expectation is that Iran will continue the malign activity across the Middle East that we have seen over the past several years.

Senator GILLIBRAND. I also want to continue the line started by Senator McCaskill about retaliation. Senator McCaskill was correct when she said this is something we are all very concerned about, and she said it is not just peer-to-peer. She mentioned unit commanders. I want to be specific about this issue so you know the problem you are dealing with.

So 53 percent was peer-to-peer retaliation, but 35 percent was adverse administrative action. 32 percent was professional retaliation, and 11 percent was punishment for an infraction. So you have to recognize some of this retaliation is being perceived by survivors to be done by unit commanders or someone within the chain of command because administrative retaliation or perceived administrative retaliation or professional retaliation is serious. So there is still a climate issue that the chain of command is responsible for, particularly unit commanders and lower level commanders, that is not getting the right message.

In fact, the recent RAND survey said that 60 percent of women who said they experienced sexual discrimination or some kind of negative behavior came from their commanders, their unit commanders. So you have to recognize there is a climate issue that is

not being adequately addressed. So when you do your report for this committee, I would like you to look at that issue as well.

You also have the challenge that in the reported cases, 1 in 7 of the perpetrators who were alleged have committed rape, sexual assault, or unwanted sexual contact was also in the chain of command. So you have a challenge with lower level commanders that is not yet being addressed that I would like your report to cover as well.

Somewhat related, I want to talk about combat integration. I strongly believe that we should have standards that meet the needs of each position and then allow anyone in who meets those standards to compete. You have not been very vocal on this issue, but if confirmed, you will be one of those individuals who are advising the Secretary of Defense about whether the services should receive any exceptions to policy.

Do you expect the services, especially the Marines, who I assume you have been tracking most closely, to ask for exceptions?

General DUNFORD. Senator, I am not able to answer that question right now, and I can just explain the process in the Marine Corps. We have looked at this issue pretty hard. As you know, we put together a task force that is just completing. In fact, they will stand down this week. I expect the data that we have collected over the past 18 months in a very deliberate, responsible way to be available to me in the August-September time frame. We will meet the timeline established by Secretary Panetta and General Dempsey in a letter from 2012.

Senator GILLIBRAND. Okay.

Will you be looking across the services to see if one asks for exception in a position whose equivalent another service does not request an exception for? Will you be doing a comparison between services?

General DUNFORD. Senator, my understanding of the way it will work now, again, if I am confirmed, sitting as the Chairman, is that I will have a responsibility to look at each one of the requests on its own merits and make a recommendation to the Secretary of Defense.

Senator GILLIBRAND. Okay.

Then with my remaining 30 seconds, I want to address cyber. We are constantly being confronted by our need for a capable cyber force. Cyber Command (CYBERCOM) and the services have been building out those capabilities, but there is still work to be done. How do you envision the force, and what do you see the role as the Reserve component?

General DUNFORD. Senator, I envision the force, as you mentioned—it is certainly going to grow, and I would support the plans that Admiral Rodgers—and I think he has testified here before the committee. I think he is setting the right path in terms of growing the capacity of the cyber force.

The Reserve component is going to be very important. In fact, in many cases and certainly as a service chief who looked at this, some of the skill sets that are unique to cyber are available to us in the Reserve Force. We need to figure out a way to maximize and leverage those capabilities.

Senator GILLIBRAND. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Fischer?

Senator FISCHER. Thank you, Mr. Chairman.

Thank you, General Dunford, for your many years of service to this country and to the men and women under your command. I would like to also thank your family, your wife, your son who is present today, and your niece who is here as well. So thank you, sir.

I was pleased to see that you listed modernizing the nuclear enterprise among the top challenges that you do expect to face in your response to the committee's advance questions. You also described our nuclear deterrent as the Nation's top military priority.

Do you believe it is critical that we maintain the full triad of our delivery vehicles?

General DUNFORD. Senator, given the nature of the threat today, I do believe that.

Senator FISCHER. Do you support a bomber leg of the triad that is armed with both the gravity bombs and the cruise missiles?

General DUNFORD. I do, Senator.

Senator FISCHER. The gravity bombs, as you know, and the cruise missiles—they are entirely different capabilities. So one does not make the other redundant. Is that correct?

General DUNFORD. It is, Senator, and my understanding of the issue is it adds a degree of complexity for the threat and gives us a greater assurance of being able to deliver, should that be required.

Senator FISCHER. Great. Thank you.

As you know, modernization has been delayed and deferred for some time, and we are now at a point where the life of the delivery systems cannot be extended any further. As Deputy Secretary Work put it recently, the choice right now is modernizing a losing deterrent capability in the 2020's and the 2030's .

Some have argued that these bills are simply too large and we cannot afford to retain our nuclear deterrent. But, according to the Department's calculation, at its peak the nuclear mission would be about 7 percent of the nuclear budget. I think it is a little confusing when we hear about our deterrent described as unaffordable, and to me the alternative, letting that deterrent age out—that has the unaffordable cost to us.

Do you have any thoughts on that?

General DUNFORD. Senator, I would say I would pose the question—you know, some people would ask whether we can afford it. I would probably flip that around and say I think we need to think about how we will fund it. It is a capability that is required. Again, we have identified that as the number one capability that we need to have to protect the Nation, and nuclear weapons certainly create an existential threat. So for me, it is a question more of how do we work together moving forward to fund this as opposed to whether or not we can afford to do it.

Senator FISCHER. That is 7 percent of the budget at its peak, though, and being the number one priority, should that not be what we fund first?

General DUNFORD. Senator, frankly, it is more complicated to me than that, and I have some experience with that inside the Depart-

ment of the Navy. When I looked at the Ohio class replacement, as an example, and what that would do to pressurize the shipbuilding account, we would have to make some very difficult decisions inside the Department from a capability perspective. So while it is clear that that is the priority, it is not an issue of exclusivity. So balanced capabilities is what the joint force needs, and so I think we need to approach it from that perspective.

Senator FISCHER. Fair enough.

I also appreciate the connection that you made between the modernization and the reductions to the hedge of our non-deployed weapons. I think that this linkage is often overlooked, and I think it is based on simple logic. If you have a modern stockpile and you have a responsive infrastructure, you do not keep as many spares. I think you are more insulated as well from what is happening in the world. You are more insulated from those surprises and also from technical failure.

But to be clear, do you believe that it would be premature to make any significant changes to the hedge before we have a modern stockpile and before we have a responsive infrastructure?

General DUNFORD. Senator, my understanding at this time from the briefings I received is that would be the most prudent course for us to take.

Senator FISCHER. Thank you, sir.

With respect to further nuclear arms reductions, do you believe that any reductions below the New Strategic Arms Reduction Treaty (START) force levels must be achieved through a negotiated treaty and also be verifiable?

General DUNFORD. Senator, I do. I do not believe we ought to take unilateral action in that regard.

Senator FISCHER. Should non-strategic nuclear weapons be included as well?

General DUNFORD. Senator, I would like to take that particular question for the record.

[The information follows:]

New START does not include any limitations on nonstrategic nuclear weapons. Any change to our nuclear deterrence posture, including both strategic and nonstrategic forces, must maintain strategic stability and sustain effective deterrence with the current strategic environment, and must also protect our ability to hedge against future technical and geopolitical changes. I agree that any future negotiated treaty must be verifiable. Given the current environment, we must also ensure existing arms control obligations are being met before concluding additional arms control agreements.

Senator FISCHER. Thank you.

Do you agree that any arms control negotiations must take into account Russia's current behavior, especially its compliant record. You mentioned at the beginning that you feel that Russia is our greatest threat.

General DUNFORD. I do, Senator.

Senator FISCHER. Thank you, sir.

Chairman MCCAIN. Senator Donnelly?

Senator DONNELLY. Thank you, Mr. Chairman.

I want to also thank General Dempsey and his family for everything they have done for the country.

General Dunford, you and your family—thank you very, very much for stepping up to the plate. We are really in your debt.

As you know and we have discussed in the past, I believe one of the greatest threats to our troops is when they find themselves in a personal place where they start to think about something like suicide. We lost over 400 young men and women in the past year. I know you have worked very hard in this area. You have done a lot of rigorous screening in the Marine Corps.

Will you have that same screening used across the branches when you look at recruits and early on in their careers?

General DUNFORD. Senator, one of the thoughts I had as a service chief was to ensure that once we identified a better way to screen, as you said, and identified people at risk and take appropriate action, that we would share that as best practices across the services. I would certainly look to facilitate that if confirmed.

Senator DONNELLY. Then the other question I wanted to ask you in this area is a lot of times, in talking to the parents, there has been a stigma for the young men and women to seek help. I know that you are committed to removing that stigma. Are we going to make sure that everybody knows, look, it is a sign of strength to try to get some help, to talk to somebody, as opposed to any weakness?

General DUNFORD. Senator, absolutely. You know, this is one of those areas where you are never complacent, you are never satisfied with where you are. But I would tell you this. I really believe this: Over the past probably 5 or 7 years, the issue of stigma as it associates with suicide has changed dramatically. Even the way we deal with families in the wake of suicide, if you think about where we were a decade ago, is completely different. I do think the command climate is much more receptive to somebody today seeking help than it was in the past and making sure that help is accessible and, where appropriate, anonymous. But, again, I am not suggesting that we are satisfied with where we are, but I do believe we have made a lot of progress in that particular regard.

Senator DONNELLY. Thank you.

Last week, I was on a trip led by Senator Kaine. We went to Iraq and met with a number of our forces there, some of the leadership. One of the greatest concerns was the Iraqi troops, and when you look at the number of ISIS fighters in Ramadi compared to the Iraqi troops, it was a very sparse number of ISIS fighters, but they won the day anyhow because the Iraqi troops turned and left.

I know that that has to be a focus of the leadership of the Iraqi forces. Are we going to send the message that the only way through Ramadi is through Ramadi; that there is no back door anymore in these kind of efforts?

General DUNFORD. Senator, again, you have been on the ground more recently than me now, and I know you have talked to the commanders there. I did have an opportunity to listen to General Austin the other day, and I have seen General Terry's plan, and I think they have made it very clear to the Iraqi Security Forces how important Ramadi is. In fact, they have been working hard over the last couple months to set the conditions for the Iraqis to be successful in Ramadi. It probably is one of those issues where it is a tactical action to go back in Ramadi, but there is no question in my mind that from an information operations perspective and

frankly from a perception of the campaign, it is a strategic action. I think the Iraqis understand that.

Senator DONNELLY. One of the other groups we met with—and I know the marines have shed so much blood and treasure in Anbar Province over the past years. We met with a lot of the Sunni tribal leaders, and they said, look, we are still united with you but we need to know that you are in this, that you care, that you will be there. I mentioned this the other day to Secretary Carter and General Dempsey. One of the council members from Haditha said, we have got people eating grass in our town now. These are people who worked with the United States. They are now eating grass. There is no milk for our children. We need you to help in this humanitarian crisis.

So I think we not only have to win the battles, we have to reacquire the hearts and minds of the people there. They said, if you do, we will move these folks out. I just wanted to get your views on that.

General DUNFORD. Senator, I agree, and I think with regard to Anbar, I have got both a personal and a professional stake, having lived in the province for a year and developed relationships with some of the people in the Anbar Province. I could not agree with you more that their confidence in our commitment, their trust in our commitment will absolutely have an impact on the success of our campaign not only from the military perspective, but from the perspective of the people's willingness to support us.

Senator DONNELLY. The last thing I wanted to mention is Syria. It appears that the plan we have right now is really no plan. You know, we have talked about buffer zones when we were in Saudi Arabia—Chairman McCain with a group of us. We talked about creating no-fly zones there. So we seem to be in search of a plan. My fear is that Assad is going to fall, and we are hearing that from a lot of folks in the area that he is on very shaky ground right now. Do we then look up the next day and see a race between ISIS and al-Nusra to take over the rest of the country, which is a nightmare scenario at that point? So you are stepping into a real challenging position, but I think one of the very, very front on the lens is Syria is going to change. It is going to change quickly, and we had best be prepared for that change and be ahead of it or else we are going to look up and an entire country is going to be gone.

Thank you.

General DUNFORD. Thanks, Senator.

Chairman MCCAIN. Senator Cotton?

Senator COTTON. General Dunford, thank you for being here today. Thank you for your years of service. Mrs. Dunford, thank you for your years of service.

General Dunford, you said earlier that you believe Russia is the gravest threat that the United States faces. I take it that is because, in large part, Russia is the only country with a nuclear capability to destroy the United States and our way of life?

General DUNFORD. That is one of the reasons, Senator, and of course, that is combined with their recent behavior.

Senator COTTON. Given that Russia, according to the administration, is currently in ongoing violation of the Intermediate Nuclear

Forces Treaty, do you believe the United States should consider withdrawing from that treaty?

General DUNFORD. Senator, I would like to take that for the record.

[The information follows:]

We view Russian violation of the Intermediate-range Nuclear Forces Treaty with great concern. But it is not yet time to consider withdrawal. Our goal remains to return Russia to compliance and preserve the viability of the Treaty. At the same time, we must not allow the Russian Federation to gain a significant military advantage through their violation of an arms control treaty. It is my understanding, the Department is developing and analyzing potential response options for the President, and will consult with our Allies.

Senator COTTON. Okay. We would like to hear a response to that for the record because as it currently stands, Russia and the United States are the only parties to the treaty, and Russia is violating it. It means that the United States is the only country in the world prohibited from developing missiles with a range of 500 to 5,000 kilometers.

The President currently has a proposal to preposition some equipment in our eastern NATO allies? countries as a response not just to the capability that Russia has but also the intention they have displayed to put stresses on our alliance. I find that proposal somewhat underwhelming, although a step in the right direction. Are there barriers to stationing troops in those countries up to the battalion or even brigade level?

General DUNFORD. Senator, I think that proposal is part of a wide range of activities. One is to have infrastructure that we can support deployments. The other is to preposition equipment so we can rapidly move forces into Europe. Then the other piece of it is actually rotational forces, as you are suggesting. So I think rotational forces are envisioned as part of the whole package that Secretary Carter announced at the defense ministerial in NATO a month ago.

Senator COTTON. Thank you.

I would like to move now to Iran. As far as I know, there has still not been an announced nuclear agreement with Iran. But under any such agreement, Iran will probably get a signing bonus of billions and billions of dollars. How do you expect Iran will use that signing bonus?

General DUNFORD. Senator, again, from the outside looking in, there are two challenges they have. One is their economy internally and the disaffection of the Iranian people as a result of that economy, and the other is that they use resources that they have available to support their malign activity across the region.

Senator COTTON. So you believe that at least part of that money can go to terrorist organizations they support like Hezbollah, as well as to destabilize governments in the Middle East like support for the Huthis in Yemen or Shiite militias in Iraq.

General DUNFORD. Senator, I think it is reasonable to assume that.

Senator COTTON. Does the United States have the military capability to destroy Iran's nuclear program?

General DUNFORD. My understanding is that we do, Senator.

Senator COTTON. You have served in Iraq and Afghanistan. Do you know how many soldiers, marines underneath your command were killed by Iranian activities?

General DUNFORD. Senator, I know the total number of soldiers, sailors, airmen, and marines that were killed by Iranian activities, and the number has been recently reported as about 500. We were not always able to attribute the casualties that we had to Iranian activity, although many times we suspected it was Iranian activity, even though we did not necessarily have the forensics to support that.

Senator COTTON. So about 500 confirmed, but many more suspected killed in action and even more wounded in action.

You have a reputation for being particularly thoughtful when you deal with the families of fallen servicemembers. What would you say to family members of a soldier, sailor, airman, or marine that was killed by Iranian activity if we make a nuclear agreement with Iran before they change their behavior in the region?

General DUNFORD. Well, Senator, what I would say is that my expectation is that regardless of there being an agreement or not, Iran will continue to be a malign force and influence across the region. Then if confirmed as the Chairman, I will make sure that our leadership has a full range of military options to deal with Iranian activity.

Senator COTTON. It has been reported that your nickname is "Fighting Joe." Is that correct?

General DUNFORD. Senator, actually it is not one I use.

Senator COTTON. But it is one that has been given to you. Correct?

General DUNFORD. Senator, perhaps by my wife.

[Laughter.]

Senator COTTON. Do you care to tell us the origin of that nickname given to you that you choose not to use?

General DUNFORD. Senator, I would prefer to talk about that in private, if you do not mind.

Senator COTTON. So I have heard it reported that it was because of your activities as a commander in the early days of the Iraq war as an infantry officer.

Given whatever budget agreement we reach, it will probably be inadequate to meet the forces that we face and the long-term modernization needs that we have, whether it is the long-range strike bomber or the F–35, the Ohio class replacement submarine. Are you worried about the next generation of infantrymen in the Marine Corps and the Army, that we are going to be taking money from our ground troops to put in major capital investments, which are clearly needed?

General DUNFORD. Senator, I am concerned, and I think it is broader than just the infantry piece. I mean, I think experience tells us we need a balanced inventory of capabilities and capacities in the joint force to be successful.

When I answered the question of Senator Ayotte earlier when she asked me what kept me up at night, I talked about the need to respond to the uncertain. What concerns me are people who actually think they know what the future is going to look like because our experience tells us we do not. So having a full range of

capabilities that includes effective marines and soldiers from my perspective is the prudent thing to do.

Senator COTTON. Thank you.

In your long and distinguished career, I think we put ground forces at a minimum into Grenada, Panama, Iraq, Somalia, the Balkans, Afghanistan, Iraq again, and there is no doubt that we may be called upon again in the future. So I hope in your tenure that even if you do not want to be called "Fighting Joe," that you will be on the lookout for all the Fighting Joes in the Marine Corps and the Army so the country will have them ready to serve once again.

General DUNFORD. I will do that, Senator. Thank you.

Chairman MCCAIN. The committee will not review how the Senator from Arkansas got his nicknames here in the Senate.

[Laughter.]

Senator Kaine?

Senator KAINE. Thank you, Mr. Chairman.

Thank you, General Dunford, to you and your family.

General Dunford, with the President's recent announcement about 500 more advisors going into the anti-ISIL mission in Iraq and Syria and in the region, we are now up to 3,500 troops that are serving abroad in that battle serving as advisors, as trainers, special forces coordinating air campaigns, conducting ground strikes. The war passed its 11-month anniversary yesterday. 2 days ago, General Dempsey was here and testified that he believed in a mission of this complexity, it was likely to be a multiyear effort that would require a sustained commitment by the United States to defeat ISIL.

Do you think it would be received positively by the troops who we are asking to deploy far from home and risk their lives if Congress were to have a debate and authorize and affirm the U.S. mission against ISIL?

General DUNFORD. Senator, I do think it would be positive from a couple perspectives. One, the reason you mentioned is—I think what our young men and women need—and it is really all they need to do what we ask them to do—is a sense that what they are doing has purpose, has meaning, and has the support of the American people. So that is the first reason.

But I also think that there is a second benefit from such a debate, and that is to send a clear and unmistakable message to our adversaries and to our allies that we are committed to this endeavor.

Senator KAINE. Thank you, General.

With respect to the anti-ISIL effort, I want to pick up on something Senator Reed was talking about earlier. The whole-of-government approach, as you referred to it, has sort of nine lines of effort, and just for the record—I think we know these, but for everybody there—supporting effective governance in Iraq, denying ISIL safe haven, building partner capacity, enhancing intelligence collection on ISIL, disrupting ISIL finances, exposing ISIL's true nature, disrupting the flow of foreign fighters, protecting the homeland, and humanitarian support. Those nine lines—two are purely DOD, denying ISIL safe haven and building partner capacity. The DOD has

a piece of some of the others, but the others are generally non-DOD.

You have testified that you think the effect of sequester on the DOD mission could be catastrophic. But given the fact that seven of these line items are non-DOD, would you agree that the allowance of sequester cuts to come back full force October 1 would also significantly hurt the other seven lines of effort, which are critical to defeating ISIL?

General DUNFORD. Senator, I do. If you just do not mind, I would just like to talk about the relationship between the two lines of effort in the DOD and the other seven because I think it highlights the issue.

Senator KAINE. Please.

General DUNFORD. From my perspective, the two lines of effort that we have right now—one, deny sanctuary and to build partnership capacity in both Iraq and Syria—really are buying time and space for those other seven lines of effort to work. But to be quite honest, you know, I do not see how we can have an enduring success unless those other seven lines of effort are addressed, and they are, in the final analysis, more important.

I think the military lines of effort will set the conditions for those other seven lines of effort to be put into effect, but I certainly cannot see us being successful without all of them being properly resourced. When you talk about threat finance, when you talk about moving foreign fighters, and as importantly, when you talk about the State Department's efforts to negotiate to develop effective governance in both Iraq and Syria, those are going to be very important actions to be taken for us, again, to have enduring stability in the region so we can actually deal with this issue once and for all.

Senator KAINE. I think there has been some suggestion that if we fix sequester for defense, that is all that we need to do. But even for important defense priorities like defeating ISIL, the testimony you have just given about the connection between non-defense investments and defense investments in defeating ISIL is really important. I will just note, by my count, 95 of 100 Senators are now on record either by voting in the budget or voting in the National Defense Authorization Act (NDAA) or in their public statements for supporting the notion that sequester should be fixed both for defense and non-defense accounts. It is my hope that we will do that.

With respect to training and equipping opposition in the anti-ISIL battle, just two items. Senator McCain first raised in September in a hearing—I think it was in this room—the question of if we train folks to fight ISIL in Syria and they get attacked by the Assad regime, will we protect them? He still has not gotten an answer to it. He asked it again yesterday. So by my count, September to now, that is 9 months without a clear answer.

We were told in theater last week that the current rules of engagement still would prohibit U.S. effort to support U.S.-trained anti-ISIL fighters in Syria if they come under attack by the Assad regime. I have asked questions for the record to get that clarified, and I would like to know if that is in fact the policy, if DOD intends to change the policy, when they will change the policy, and if not, what do we need to do to change the policy because I do not

believe we should be sending U.S.-trained folks into a theater of war without giving them a guarantee that they will be protected. Those questions will be record questions from the hearing 2 days ago, but I just want to let you know that those are coming and we view that as a very important matter.

General DUNFORD. Thank you, Senator.

Senator KAINE. Thank you, Mr. Chair.

Chairman MCCAIN. Senator Sullivan?

Senator SULLIVAN. Thank you, Mr. Chairman.

General and Ms. Dunford, I want to thank you for your service to the country taking on this new responsibility. I certainly know that marines all over the country, whether on active duty or retired, take great pride in the fact that you are only the second marine ever nominated for this post. I know your career has exemplified the values of honor, courage, and commitment that are the values of the Marine Corps. I certainly plan on voting for you with enthusiasm and encourage my colleagues to do so as well. So we look forward to seeing you tomorrow night at the parade.

I wanted to ask a few questions about the military relationship with the Congress, even though your role is going to be principal advisor to the President.

First, in the area of force posture, this committee occasionally weighs in through the NDAA and other means on key force posture issues, number of ships, basing of troops, aircraft like the Fairchild Republic A–10 Thunderbolt (A–10). When this happens, how important is it that the military follow the defense guidance of the Senate or the Congress?

General DUNFORD. Senator, I think it is very important, given how explicit it is in the Constitution what the responsibilities of the Congress are in that regard.

Senator SULLIVAN. So let me provide a couple examples. So let us say there was an amendment from the chairman and it was about the number of aircraft carriers, passed unanimously through the committee, votes on the Senate floor. Do you think the CNO should say, well, the chairman does not know that much about the Navy anymore, we are going to blow that advice in the NDAA off? Is that an appropriate role for the military?

General DUNFORD. If Congress passes a law, Senator, it would not be appropriate to ignore it.

Senator SULLIVAN. So how about an NDAA amendment that says it is the sense of Congress, in support of the President's rebalance in the Asia-Pacific strategy, to increase forces in the Pacific Command Area of Repsonsibility (PACOM AOR)? Is it appropriate to ignore that or even significantly decrease forces? What do you think our response to that should be if that is happening?

General DUNFORD. Senator, first, obviously, the sense of Congress ought to inform all the actions—

Senator SULLIVAN. There is a recent amendment that says exactly that.

General DUNFORD. Right.

Senator SULLIVAN. Let me provide a second area that we have talked about a little bit in terms of emerging threats. You know, sometimes the Department of Defense civilian and military officials, because there are so many threats out there, miss certain

threats. Let me provide an example of one that everybody seems to be focused on with the exception of the Department of Defense.

You may have seen ?Newsweek? this week had a cover story on the Arctic and what they called ?In the Race to Control the Arctic, the U.S. Lags Behind.? It is a very long article. It talks about how this is the world's newest great game, Kipling's term for the struggle between major powers to dominate the earth's remote but very strategic places. It talks about how the Russians are very, very aggressively moving military forces into the Arctic, serious military exercises, and how, whether it is the Coast Guard or the Secretary of Defense saying this new kind of geopolitical cold war the U.S. is in danger of losing. We are not even in the same league as the Russians. We are not even playing this game at all. So I think it is safe to say the Department of Defense has been asleep at the switch on this.

Congress has been more attuned to this issue. In this year's NDAA, there is a section that requires the Department of Defense to provide Congress with a military strategy, given the new threat levels, and an Operation Plan (OPLAN) for the Arctic based on the increased interests and threats.

Does it make sense to cut any of America's limited number of cold weather-trained warriors in the Arctic before this congressionally mandated strategy is completed?

General DUNFORD. Senator, I guess I am not sure which forces you are alluding to be cut.

Senator SULLIVAN. Well, there are only certain forces in the Arctic right now. They are all in Alaska.

General DUNFORD. Senator, I would like to take that for the record. I am not aware of the full range of decisions that are being made right now and what the implications are.

[The information follows:]

The Department's 2013 Arctic Strategy is aligned with the 2013 National Strategy for the Arctic Region. Our current capabilities and posture protect U.S. interests, and we are evaluating requirements against the evolving security environment to ensure we continue to meet our global defense responsibilities. Further development of cooperative strategic military partnerships with, for example, Norway and Canada, will underpin the Department's balanced approach to a region that is receiving increased attention.

The reduction of cold weather trained personnel is a result of the ongoing need to balance the growing importance of Arctic security with current operational priorities and resource constraints. DOD has a wide range of capabilities that can be deployed with proper preparation in a variety of operating environments, including the Arctic. As we continue to review requirements, we will review DOD's recent Arctic Strategy as well. If confirmed as Chairman, I will meet the NDAA mandate to provide Congress with a military strategy for the Arctic.

We are and will continue to train and operate regularly in the Arctic to meet our primary objectives of ensuring security, supporting safety, and promoting defense cooperation while preparing for a wide range of challenges and contingencies.

Senator SULLIVAN. General, I mean, I think it is important to recognize, you know, it is hard to figure out appropriate force levels and capabilities in the Arctic without having a plan. We have mandated the desire and need for a plan, and I think we are getting a little bit of the cart before the horse, cutting forces before we even know what our plan is. But we certainly recognize that there is an increased threat. Congress has, and we hope the DOD will recognize it is as well.

General DUNFORD. Senator, if confirmed—I know I have had some conversations with both the current Chief of Naval Operations and Commandant of the Coast Guard about the implications for the Arctic. The commitment I would make to you is that we will, in fact, develop an appropriate role for the military in support of our economic and political interests in the Arctic.

Senator SULLIVAN. Thank you.

Chairman MCCAIN. Senator Hirono?

Senator HIRONO. Thank you, Mr. Chairman and General Dunford and Mrs. Dunford and your family, for your service.

I just wanted to pick up very briefly on the issue of sexual trauma in the military and the concerns about retaliation. I think that you had noted that you would determine the root causes and continue to work to ensure that the culture does not support retaliation.

I would ask you to have a sense of urgency as you respond to this committee on how you are going to address and resolve the issue of retaliation because even as we downsize our military, it is even more important that our troops? morale remain strong and that there is cohesion, and there could not be strong morale or cohesion if some of your troops are encountering sexual assault and harassment and retaliation. I just wanted to make that point.

Could you share very briefly your views on the rebalance to the Asia-Pacific?

General DUNFORD. Senator, I can. It is absolutely critical that we do that, given both the demographics in Asia but also our economic future. So there is no question about it. That is going to require us to modernize our alliances, and I think you have seen some progress in that regard, our relationship with South Korea, our relationship with Japan, our relationship with the Philippines, Vietnam, India, Australia have all been adjusted here in recent months. I think we have an unprecedented level of exercises and engagement right now in the Pacific again to assert our influence and to provide a stabilizing presence.

The most important thing I think the rebalance to the Pacific does is it provides a security infrastructure within which we could advance our National interests. That is what has existed for the past 7 years, and I think the rebalance to the Pacific, as we know it today, is designed to modernize that security infrastructure and make sure it is in place so that just as we protect our National interests over the past 7 years, we can do that in the indefinite future as well.

Senator HIRONO. I just got information on the cuts that will happen to Pacific Command (PACOM) as a result of the budget necessities. I am glad to know that General Odierno did say that the cuts were with regard to the importance of a rebalance, and therefore, we want to make sure—and this is something that I know that Senator Sullivan shares with me—that the rebalance to the Asia-Pacific remains a very strong commitment on our part.

You mentioned that Russia is the greatest threat to our National security. Where would ISIL, China, and North Korea fall with regard to our National security dangers?

General DUNFORD. Senator, if I had to rack and stack them today, I would have Russia down as number one. I would have China down as number two.

Senator HIRONO. Could you explain why briefly?

General DUNFORD. Sure. Russia, of course, because of nuclear capability and their aggression.

China because of their military capability, their growing military capability, and their presence in the Pacific and our interests in the Pacific. So it is a relationship between their capabilities and our interests. It does not necessarily mean they are a current threat. It does not mean they view China as an enemy. But, again, as someone in uniform, I get paid to look at both somebody's intent and their capabilities. So when I look at Chinese capabilities relative to our interests in the Pacific, I would have to consider China as an area of concern for security, again as distinct from a threat.

Clearly, North Korea with ballistic missile capability and the potential to reach the United States and attack the homeland is high on that list.

Then ISIL.

But, you know, Senator, I just want to make it clear. As I go down that list and prioritize, I do not view that meaning that we can attack those issues in sequence or that a prioritization of one at the expense of the other is necessarily something we would have to do at this particular time. All four of those security issues are ones that require the Department to look at. They all create a challenge that needs to be addressed.

Senator HIRONO. That is why we live in very complicated times.

I would like to focus on our distributed laydown in the Pacific. Specific to Japan, I am aware of the concerns of the Okinawan population and of their leadership's desire to halt construction of the Futenma replacement facility. Can you characterize our relationship and the challenges for relocating our forces from and within Japan? Because that is very much a part of the rebalance that we are committed to.

General DUNFORD. Senator, thanks. I recently did visit Japan. I was encouraged by my visit. I met with a number of their senior leaders, to include the minister of defense. I received nothing but their full commitment to continue with the Futenma replacement plan. So my sense is that the Japanese Government is committed to that. They recognize that that is important for us to continue with the preferred laydown that you alluded to. So my sense right now is that our relationship with the Japanese and their stated commitment—we are in a pretty good place with regard to the Futenma replacement facility.

Senator HIRONO. Do you view the Okinawa situation as mainly a concern that should be dealt with within Japan and their government?

General DUNFORD. Senator, we—and I specifically now talk about the marines in Okinawa. We need to be good neighbors and set the conditions for a positive relationship with the Okinawan people. So I think we can make a contribution. But at the end of the day, the issue of the Futenma replacement facility from my perspective is in fact an internal Japanese political issue that has to be worked by the Japanese Government.

Senator HIRONO. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Heinrich?

Senator HEINRICH. General Dunford, welcome to you and your family. In your written testimony, you state, as Senator Fischer pointed out, that our nuclear deterrent is the Nation's top military priority. That leads me to a specific question related to how we plan for that priority over time.

The health of our Nation's whole nuclear weapons complex is critical to our nuclear deterrent. One of the things you wrote in your written testimony is that we must recruit and train our next generation workforce capable of certifying stockpile requirements and to modernize the nuclear weapons infrastructure.

Can you share with me your thoughts specifically on LDRD, or laboratory-directed research and development, and the life extension programs that are going on at our National labs and their role in achieving recruitment and retention of that next generation nuclear workforce?

General DUNFORD. Senator, that is an issue that in my current capacity I frankly have not developed any level of expertise, and I would like to take that one for the record.

[The information follows:]

While I am not familiar with these programs in my current capacity, I understand the warhead Life Extension Programs and LDRD represent the broad nature of the workload at the Department of Energy's national security laboratories. These programs are necessary to deliver near-term warhead commitments while advancing science and technology for future national security needs. Furthermore, they contribute towards maintaining a steady, sustainable, and meaningful workload for the laboratories and are critical for attracting and retaining the highly technical workforce required to sustain our Nation's nuclear deterrent.

Senator HEINRICH. That would be fine. I look forward to engaging you on that in the future. I think it is going to be really important for us to view some of the particulars of how we manage the labs and particularly the things that bring people into the pipeline at the front end with the greatest amount of expertise and then they stay in those positions, rise up through the labs, and provide the continuity that it is going to take to make sure that we have the kind of modern deterrent that we need.

I want to focus my next question on some of the challenges here at home. In my view, defense innovation is moving too slowly, oftentimes in cycles that last years, while commercial innovation can be measured in cycles of months.

This committee included a section in this year's NDAA to authorize funding, about half of which would be dedicated for directed energy to accelerate the fielding of a variety of important offset technologies including, in addition to directed energy, things like low-cost, high-speed munitions, cyber capabilities, autonomous systems, undersea warfare, and intelligence data analytics.

What role do you think the development of these new technologies like directed energy and robotics will play in our National security posture? What steps should we take to develop and deliver operationally useful systems more quickly?

General DUNFORD. Senator, in my capacity as the Chairman, if I am confirmed, I view the future of the joint force as being one of my critical responsibilities. A key piece of that is making sure

we keep apace of innovation so that we not only get better at doing what we are doing today, but we find fundamentally different ways to do things in the future that are more effective and they maintain our competitive advantage. So I think what you are outlining is certainly an area of concern for me. Even as a service chief, I would tell you that over the past decade our efforts at innovation probably were at a lower priority than they ought to be, and we have, over the past year, tried to energize that. I would certainly bring that same focus and attention if I was confirmed as the Chairman.

Senator HEINRICH. I appreciate that.

One other challenge at home here is that the Air Force's remotely piloted aircraft career field is under really severe strain, largely through increased combatant commander requirements, insufficient personnel policy actions to improve manning levels, and just the basic reality that the Air Force is losing more remotely piloted aircraft pilots than it is training. We have heard from Secretary James and General Welch. They have assured this committee that they are dedicated to resolving the shortfall, but I also want to get your commitment to helping resolve this issue. So if confirmed, I would just ask that you make that a priority.

General DUNFORD. Senator, I would maybe just comment quickly that those men and women that are in that field represent a core capability in the joint force, and their effectiveness, their morale, their willingness to continue to serve is absolutely important. I have spoken to General Welch about this particular issue, but I will certainly reinforce the efforts of the Chief of Staff of the Air Force and the Secretary of the Air Force to make sure that those individuals are appreciated and that they have a climate within which they want to remain airmen.

Senator HEINRICH. I appreciate that deeply. I think it is an area where we are seeing some severe strains and where folks really need our support. So thank you.

Chairman MCCAIN. Senator Tillis?

Senator TILLIS. Good morning, General Dunford. Thank you for your service and for your family's longtime serving our Nation.

I leaned over to Senator Sullivan during some of your comments, and I also thoroughly appreciate your precise answer to questions. It is refreshing to get that in the committee.

I would like to go back to a question or build on a question that Senator Sessions asked of you, and it had to do with the plus-up of spending and the use of OCO as a way. But we all know that that is not the best way to do what you need to do, primarily for the purposes that you pointed out, the certainty. It still does not give you long-term certainty.

But my question to you is have you given thought to how you could potentially use this funding, although it is not a long-term commitment, to take the edge off of sequestration and any ideas on precisely how you would?

General DUNFORD. Senator, we started to look at that, and it would really require a change in the rules for using OCO for us to be able to do that. Right now, if you gave us OCO, given the current rules, we would not be able to use it in the places where we most need it. Much of the money that we requested, in addition to

the BCA level in the President's Budget for 2016, was really focused on modernization. That is the thing that has suffered the most over the last 2 years, in addition to readiness. So we have looked at it, but there are some very practical limitations in our ability to apply OCO to some of the areas that we need it applied to.

Senator TILLIS. Will you be making specific recommendations for things that we need to look at to make sure you get the most productivity you can out of it?

General DUNFORD. Senator, I will certainly do that through the Secretary of Defense as he works this issue.

Senator TILLIS. Thank you.

I wanted to go back to also questions that were asked about Afghanistan and Iraq. I visited both countries and spoke with a number of people while we were there. It seems like in Afghanistan we have got the right mix. We have got them in the right roles and the Afghanis have proven that they can fight successfully.

In Iraq, I understand what you said about some of the political decisions of the past administration have caused a problem. Those structural issues have to be addressed.

But have you given any thought to, assuming that you get to the point to where you have the right command infrastructure among the Iraqis, what we may need to actually create a credible, trained, effective fighting force for the Iraqis beyond the 3,000 currently present troops?

General DUNFORD. Senator, you know, I can address that conceptually in terms of their ability to develop combined arms and in terms of their ability to develop institutional training and in terms of their ability to develop the capacity at the ministerial level to support tactical-level forces. But frankly, it has been a few years since I have been on the ground in Iraq, and what I would like to do is take the opportunity, if I am confirmed, to visit Iraq, talk to the commanders on the ground and again develop a comprehensive recommendation that would help us to move the campaign forward.

Senator TILLIS. On the flip side, I know the Afghanis have made a lot of progress, but I think they still rely on us heavily for our train, advise, and assist role and our Intelligence, Surveillance, and Reconnaissance (ISR) capabilities in the region. I know that I have heard you say we cannot have a calendar-based approach towards reduction in forces. But the sense that I got when I was in Kabul was that those who are very much in touch with the situation on the ground now think that it would be a very bad idea to substantially reduce our current presence over the near term. Now, I assume that that is because they are looking ahead to 12 months, 18 months from now and saying we are still not going to at a place where the Afghanis can be completely independent. Do you share that view?

General DUNFORD. Senator, what I can tell you is the assumptions that we made in the recommendation that was delivered in December of 2013. So it is now some 19 months ago. Some of the assumptions affected the timeline. We certainly did not expect there to be as much of a delay in the elections process of 2014, and there was. That was a great distracter in our efforts to develop ministerial capacity. When I was on the ground, it was very dif-

ficult to get my counterparts to focus on some of the practical side of growing ministerial capacity when they were involved in a very real challenge of providing security for the election. So it delayed our efforts in growing ministerial capacity.

There have been other areas where we made some assumptions about things that could be done within a certain period of time that we actually did not in the event get done during that window of time.

So from a distance now—and again, another area where I would go over and talk to General Campbell and General Austin down at Central Command, if confirmed, immediately. From a distance, it certainly makes sense to me that the timeline that we originally identified in 2013 as being possible has probably been affected by the political events inside of Afghanistan and other events associated with the enemy.

Senator TILLIS. Thank you, General Dunford. I look forward to supporting your confirmation.

Thank you, Mr. Chair.

Chairman MCCAIN. Senator Blumenthal?

Senator BLUMENTHAL. Thanks, Mr. Chairman.

Thank you for your service, General, and thank you to your family who are here today for their service as well.

I want to begin with what you assessed as the primary threats from Russia and China and talk about a weapons platform or system that has not been raised today, our submarine force. I recognize that is not immediately part of your background, but obviously a grave responsibility, if you are confirmed. I certainly am going to strongly support your confirmation as the next Chairman of the Joint Chiefs of Staff.

The Ohio replacement program is critical to our nuclear deterrence, and the cost of that program has been estimated in the range of $100 billion. The Navy has said that it cannot pay for it out of its Navy budget. I am wondering whether you will consider and whether you will support looking at the Defense Department budget as a whole to fund the Ohio replacement program, which I am assuming you agree is critical to our nuclear deterrence.

General DUNFORD. Senator, thanks.

First, I do agree it is critical. It is the most survivable part of the triad and a critical capability for us to modernize.

I am very familiar with the budgetary implications of the Ohio class replacement on the Department of the Navy's long-range shipbuilding plan. What I can tell you with a degree of surety is that were we to fund the Ohio class replacement out of the Department of the Navy, it would have a pretty adverse effect on the rest of the shipbuilding plan, and the estimates are somewhere between two and a half and three ships a year. Again, we are not anywhere near where we need to be right now. So the 30-year shipbuilding plan was intended to get us where we need to be.

So I do think a broader mechanism for the Ohio class replacement makes sense. Otherwise, we are going to have some pretty adverse effects on the Navy. As I mentioned a couple times in testimony today, one of my perspectives coming into this role would be, if confirmed, is that we need to have some balance, and that includes a balanced Navy. So as important as the Ohio class replace-

ment is, the United States Navy, in terms of the forward presence they provide, in terms of their warfighting capability, has many other capabilities that are critical to our Nation as well. It would be difficult to balance those were the Ohio class replacement to be paid for within the current Department of the Navy's projected resources.

Senator BLUMENTHAL. Thank you for that answer, General. I am hoping that you would agree with equal surety that the continuing program to build two subs a year, two Virginia class subs a year, should continue as planned right now.

General DUNFORD. Senator, here is where I defer to my partner, the Chief of Naval Operations. But that is certainly his plan, and I trust his judgment in that regard.

Senator BLUMENTHAL. Thank you.

Going to another area that I do not think has been raised yet, I know of your very passionate and admirable commitment to the men and women who are our greatest asset in the United States Armed Forces, their wellbeing and their welfare. I hope that you can commit that you will continue the effort to coordinate better with the Veterans Administration for men and women who are leaving active duty on everything from transfer of medical records to drug formularies to a range of issues. I do not need to expound on them for you, but I hope that you will focus and continue those efforts.

General DUNFORD. Senator, absolutely. Just so you know, I view keeping faith with our men and women in uniform as one of the primary responsibilities of leadership, and that is both when they are in uniform and when they are out of uniform. We have an expression, you know, certainly in the Marine Corps that once a marine, always a marine. From my perspective, once you have served our country, the service and support that you should get in return as part of that bargain that we make with young men and women who enlist is something that is pretty sacred. I absolutely will continue to support the efforts to make sure that the health care transition that our young men and women make when they are in uniform to the Veterans Administration is as seamless as possible. I think we owe them that.

Senator BLUMENTHAL. One last question, General. Your predecessor, General Dempsey, has stated repeatedly—and I am quoting—we have the capability to use a military option if the Iranians choose to stray off the diplomatic path. End quote.

My question to you is are you satisfied that our Nation has done enough to prepare militarily for the option—and the President has said that all options should be on the table—if necessary, to use a military option there, as much as we all may wish that the negotiations should succeed?

General DUNFORD. Senator, my understanding today is that we have both the plans in place and the capability in place to deal with a wide range of eventualities in Iran.

Senator BLUMENTHAL. Thank you. Thanks very much.

Chairman MCCAIN. Senator Cruz?

Senator CRUZ. Thank you, Mr. Chairman.

General Dunford, congratulations on your nomination and thank you for your 38 years of distinguished service and your leadership

as Commandant of the Marine Corps. Our Nation is fortunate to have a military leader such as you serving at a time of great peril.

I want to ask a question of you that is the same question I asked your predecessor, General Dempsey. If the objective were to destroy ISIS, not to weaken them, not to degrade them, but to utterly destroy them within 90 days, what would be required militarily to accomplish that objective?

General DUNFORD. Senator, my assessment is that it would not be possible to destroy ISIL within 90 days, and I also do not believe that we can develop an enduring solution simply with military force against ISIL although I do think the military aspect of the campaign is critical.

Senator CRUZ. Well, if the time frame I have suggested is not feasible, let me ask you a follow-up question which is what would be required to destroy ISIS and what time frame is necessary. Specifically if that were the objective, what would be required to accomplish it militarily?

General DUNFORD. Senator, if I am confirmed, I will continue to look at this issue, but my perspective today is that this is a long-term endeavor. This is on the order of years not months in order to defeat, destroy in your words, ISIL.

Senator CRUZ. What would be required to do that in whatever time period is necessary?

General DUNFORD. From a military perspective, the two things that we are doing I think we would need to continue to do, and that is, to take action to deny ISIL sanctuary wherever it may take root both in Iraq and Syria and elsewhere. That would require us to build local forces, build partnership capacity, if you will, of the local forces that would be the real defeat mechanism for ISIL in the respective countries, given the way that it is spread right now. You would have to have effective governance so that you had the conditions set for long-term stability where ISIS could not then get traction again in the future. It would have to address the foreign financing of ISIS, where they get their money, as well as their economic assets within each one of those countries. You would have to address the movement of foreign fighters back and forth. Probably as importantly, the one thing we need to do, Senator, is we need to undermine the narrative of ISIL and discredit the narrative of ISIL.

Senator CRUZ. In your personal judgment, are you concerned about the rules of engagement for our current use of airpower, that it is overly constraining the effectiveness?

General DUNFORD. Senator, I am not. One of the reasons is when we go to war, we go to war with our values, and we conduct proportionality in the planning and discrimination in execution. The thing that we are doing now is ensuring that we do not have civilian casualties. I think that, frankly, supports our narrative and gives us the credibility we need to be successful long term in this campaign.

Senator CRUZ. In recent days, the administration has informed Congress that we are arming the Kurds. This is something I have called for for a long time. I spoke this week with a senior Kurdish leader who reported that the commanders on the ground of the Peshmerga are not confirming that. What can you tell this committee about the extent to which we are providing serious arms to

the Kurds and it is actually getting to them rather than being bogged down in Baghdad?

General DUNFORD. Senator, first, I would agree with you. The most effective ground forces both in Syria and Iraq today are in fact the Kurds.

My understanding is that the issues associated with supporting the Kurds have been addressed, and they are now getting the material support that they need, as well as the training that they need. If I am confirmed, I will certainly, as a matter of priority, go over there, visit, and make sure that I am able to make my own personal assessment based on the facts on the ground.

Senator CRUZ. Will you commit to providing this committee with specific details in terms of what is being done to arm the Kurds?

General DUNFORD. I will do that, Senator.

Senator CRUZ. Let me ask concerning Iran. If Iran were to acquire nuclear weapons, what is the National security risk in your judgment to the United States of that occurrence?

General DUNFORD. Senator, I think it is significant, particularly if accompanying that is intercontinental ballistic missile technology. It is a significant threat to our Nation. It is also a destabilizing action in the Middle East. I think we can expect a proliferation of nuclear arms as a result of Iranian possession of nuclear weapons.

Senator CRUZ. So, General, my final question. I am concerned about morale in the military. We have discussed in this hearing how the world is getting more and more dangerous, and yet at the same time, I think we are dramatically undermining our readiness, our ability to defend this Nation. The ?Military Times? did a survey where in 2009 they asked soldiers whether overall the quality of life is good or excellent. 91 percent said yes. In 2014, that number had dropped from 91 percent to 56 percent. Likewise, they asked whether the senior military leadership has my best interest at heart. In 2009, 53 percent agreed. In 2014, that had dropped in half to roughly 27 percent.

Do you share the concerns about declining morale in the military, and if so, what do you see as the causes of it and the proper approach to fix it?

General DUNFORD. Senator, thanks for the question.

First of all, with regard to the morale of our force, it is clearly one of the things that distinguishes us. I was able to say in my opening statement that we have the most capable military force in the world today, and that clearly is rooted in the men and women that we have in uniform and their willingness to do what we have asked them to do in the last decade. It is not something I would be complacent about.

I do have concerns as a service chief about how hard we have been running our men and women over the last few years. As an example, Senator, we had had a plan where we wanted to have a 1-to-3 deployment-to-dwell ratio. That means our forces would be deployed about 7 months, home for 21 months. That allowed us to get adequate training. It allowed us to take care of families, allowed the marines to kind of be what I describe as a sustained rate of fire. Many of our units now inside the Marine Corps are at or below a 1-to-2 deployment-to-dwell rate. So they are home for less

than twice as much time. So they will be deployed for 7 months, home less than 14 months, and back out again, and that continues on and certainly has an effect on the families and, again, our ability to train across the range of military operations.

If I am confirmed, Senator, this is absolutely going to be one of the areas that I focus on. I think I have a responsibility to lead the young men and women in uniform. I think I have a responsibility to represent them, and when I say represent them, that means to articulate to our leadership, both here on the Hill, as well as the executive branch, what material support, what leadership, what resources they need to remain the finest fighting force in the United States.

It bothers me greatly if our young men and women do not have confidence in their senior leadership, and I can tell you that every day when I wake up, if I am confirmed, that will be an issue of priority for me, that that will be exactly what I seek to do is gain the trust and confidence of our young men and women and let them know that they are in fact properly represented back here Washington, D.C., and that we as leaders recognize that we are asking them to do a lot. They do not ask much more in return than to have the wherewithal to accomplish the mission with minimal loss of life or equipment. I will commit to you that is exactly what I will do.

Senator CRUZ. Thank you, General.

Thank you, Mr. Chairman.

Chairman MCCAIN. Has sequestration not bred uncertainty which has contributed to this drop in morale?

General DUNFORD. Chairman, thanks. I should have mentioned that when I talked about how busy the forces are. There is a tremendous amount of angst across the force, and a large part of that is driven by the uncertainty about how big the force will be, what will happen to their particular careers, and will we have the equipment necessary to accomplish the mission. So I do think, Chairman, that sequestration is a factor.

Chairman MCCAIN. Senator Sullivan had one follow-up question, and then we will turn to Senator Shaheen.

Senator SULLIVAN. Thank you, Mr. Chairman.

General, I just wanted to get back to the issue of the military's role in relationship with Congress. Do you think it is an important role that we have to make sure that our services do not replicate missions and core competencies, particularly in an austere budget environment like we have right now?

General DUNFORD. I do, Senator.

Senator SULLIVAN. Let me just provide a quick example. I believe one of the core competencies that the Army has is large-scale airborne units that can deploy in a moment's notice anywhere in the world. Do you think that is one of their core competencies?

General DUNFORD. I do, Senator.

Senator SULLIVAN. A few months ago, a military general testified in front of one of the subcommittees here about putting troops and helicopters on naval shipping for, quote, expeditionary maneuver throughout the Pacific. What service's core competency would you associate that mission with?

General DUNFORD. I would associate that with the United States Marine Corps, Senator.

Senator SULLIVAN. So if I told you that was an Army general describing the Army's new Pacific Pathways strategy, would that surprise you?

General DUNFORD. It would not, Senator. I have seen that description in the open source.

Senator SULLIVAN. Do you think that costly new Army mission is a redundant mission to the United States Marine Corps? mission, and is that a good use of America's taxpayer and military spending?

General DUNFORD. Senator, given the shortfall of the amphibious lift—I am speaking now as a service chief—I think the priority ought to go to the United States Marine Corps.

Senator SULLIVAN. Would be it an appropriate role of this Congress to try to limit such redundancies by making sure military funding goes to core competencies like much-needed Army airborne brigades in the Asia-Pacific and the Arctic as opposed to redundant activities like troops and Army helicopters on naval shipping?

General DUNFORD. Senator, I do agree that the Congress has a critical role in ensuring that we have a proper division of labor within the Department of Defense and that the joint capabilities and capacities that we have are right-sized.

Senator SULLIVAN. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Thank you for that single follow-up question.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman. I apologize for getting back so late. I was in an Appropriations markup.

But, General Dunford, thank you very much to you and your family for your service in the past and for your willingness to continue to serve. I have to say after watching you before the crowd of New Hampshire business folks and hearing from them, how impressed they were. I look forward to the impression that you are going to make as the new Chairman of the Joint Chiefs.

I wanted to follow up on Senator Wicker's questions about Europe and the concerns in Europe because I recently returned from a visit to Poland and to Latvia where I saw the NATO exercises in Latvia at Adazi Base and heard extreme concern about the potential for Putin to engage, as you pointed out, in an asymmetric instigation in the Baltics and in other eastern European countries. I am concerned about the failure to date of Europe to commit to the 2 percent of their Gross Domestic Product (GDP) for defense spending and wonder if you have thoughts about what more we might be able to do to encourage them to ante up.

General DUNFORD. Senator, I do think it is important that our NATO partners bear their share of the burden. That is an issue that I know Secretary Carter and his predecessors all addressed. They came out of the Wales conference with a commitment for all those nations to meet that 2 percent.

From my perspective, given the shortfall of capabilities and capacities in Europe in areas like intelligence, surveillance, reconnaissance, defensive cyber capabilities, strategic lift, and so forth,

I think it is going to be absolutely critical for our partners to develop those capabilities and capacities.

I would also add that I have seen firsthand in my previous assignment in Afghanistan when our NATO partners are properly resourced, they do have capabilities and capacities that can be integrated to great effect. So I do think the alliance, were it to be properly resourced, can be a very effective force for stability in Europe, as well as for out-of-Europe operations.

Senator SHAHEEN. I agree and hopefully we will see that commitment followed through on because clearly the threat from Putin and from Russia continues, and our eastern European allies are very concerned about that.

I want to ask you about—you talked about the deployment pressures on our military. I wonder if you could give me your perspective on the appropriate active-to-Reserve ratio and the importance of the National Guard and Reserve and continuing the military mission that we have in this country.

General DUNFORD. Senator, I can. Of course, one of the things we have to do when we talk about using the Reserve and the Guard is balance the concerns of employers, concerns of families with the willingness and the desire frankly for the Guard and Reserve to continue to serve in what is more of an operational or strategic sense. What I mean by that is there was in the past the sense that the Guard and Reserve would be something—in the case of a major war, we would mobilize the Guard and Reserve. I think we found today, particularly with the size of our U.S. military force and our commitments to the Guard and Reserve, is much more operational in that they are useful and necessary on a day-to-day basis.

My sense is as a service chief—and I will certainly look at the implications across the other services if I am confirmed—is about once every 4 years is a reasonable time for a major deployment, although in many cases, depending on what their employment is and so forth, individuals can be available on a much more routine basis. But for whole units, probably about 1 to 4 years, 1 year deployment and mobilization and then 4 years back focused on their families and employers, seems to be sustainable. But, again, if I am confirmed, I will certainly consult with the appropriate leadership in the Guard and Reserve to make sure that I have a full appreciation for their challenges, as well as the other service chiefs.

Senator SHAHEEN. Well, thank you. We have seen in New Hampshire the significant contribution of the Guard and the integration, particularly with the air refueling, of active duty and Guard in providing that mission. So I think it is very important.

Let me ask you if you would commit to two things. One is in 2013, the Department announced the elimination of the direct combat exclusion policy and announced plans to fully integrate more women into all occupational fields. I hope that you will continue that effort and see it through. As we know, women are making up a greater percentage of our military these days, and making sure that they have the ability to compete in all areas I think is significant.

The other question. I noticed this week that the Navy announced that they have tripled the maternity leave policy for women serving in the Navy, and I would urge you to consider that across all

branches of the military. Again, as women are making up more of our troops, I think it is important to address the family issues that they have, and certainly maternity leave is a big part of that. So I hope you will do that.

General DUNFORD. Thank you, Senator. I will look at both of those issues.

Senator SHAHEEN. Thank you.

Senator REED [presiding]. Senator Graham?

Senator GRAHAM. Thank you.

General, I think you are an outstanding choice. The President could not have chosen a better person to be Chairman of the Joint Chiefs of Staff. So congratulations to you and your family for a lot of great service. The best is yet to come.

When it comes to stopping ISIL—that is the stated goal is to degrade and destroy—what if we fail in that goal? What can America expect?

General DUNFORD. Senator, if we were to fail in stopping ISIL, I think you will see an expansion of ISIL not only across the Middle East but outside the Middle East. We have, obviously, seen now elements of ISIL in the Maghreb all the way over to Afghanistan.

Senator GRAHAM. So they are an expanding power, as we speak?

General DUNFORD. Well, Senator, I think they are expanded in terms of geographic location. I have not yet concluded that they are expanded in terms of capability.

Senator GRAHAM. Got you. But I remember when we were talking in the office, you said if we do not stop these guys, we can expect a tsunami of ISIL and their sympathizers. Is that fair?

General DUNFORD. Senator, I think it is fair. That is exactly what I said, and I stand by that comment.

Senator GRAHAM. So at the end of the day, I do not want the tsunami to come, so we are going to have to stop these guys.

Is it fair to say that Iraq and Syria need to be viewed as one battle space when it comes to ISIL or to stop them in Iraq if you do not address their presence in Syria?

General DUNFORD. Absolutely, Senator. The enemy does not respect the boundaries that we see on the map.

Senator GRAHAM. Can you envision a scenario where you have a regional army made up of Arabs and maybe Turkey that would go into Syria and fight ISIL alone, leaving Assad off the table? Would they join up for such a fight?

General DUNFORD. Senator, it is hard for me, watching the politics from the outside right now, to see that degree of integration, given the divergent interests that those countries have. But I can certainly see where that would be an effective way to deal with this is to have a regional army that would be willing to deal with ISIL.

Senator GRAHAM. Right. But my question is if you did not put Assad's removal on the table, it would be hard to get them to join up just to fight ISIL because they are worried about Syria becoming a puppet of Iran.

General DUNFORD. That is right, Senator. Most of the countries that you spoke about all have a shared goal of removing Assad from power.

Senator GRAHAM. Would you agree with me that Assad's presence is sort of a magnet for Sunni extremists?

General DUNFORD. I think if not the proximate cause of the ISIL movement, certainly one of the primary drivers of the ISIL movement was the abuses of the Assad regime.

Senator GRAHAM. If we go down to a thousand Kabul-centric U.S. forces in 2017 in Afghanistan, do we substantially lose our counterterrorism mission?

General DUNFORD. My assessment is we would have a significant degradation of our counterterrorism mission in Afghanistan, were we to do that.

Senator GRAHAM. Would we lose our eyes and ears along the Afghan-Pakistan border that we enjoy today?

General DUNFORD. We would, Senator.

Senator GRAHAM. Would in your view that create a lot of risk to the gains we have achieved over the last decade if we did not have those eyes and ears and counterterrorism forces?

General DUNFORD. Senator, there is no question it would create risk.

Senator GRAHAM. When it comes to 60 Free Syrian Army troops being trained under the current regime, would you agree with me it is going to be very hard to recruit people to go into Syria if you do not promise them protection from Assad because if they get any capability at all in fighting ISIL, Assad would assume that capability would be turned on him one day and he is not going to sit on the sidelines and watch a force mature and develop without hitting them? Does that make sense to you?

General DUNFORD. I agree with that assessment, Senator.

Senator GRAHAM. So the most logical consequence of training a force to go into Syria to fight ISIL alone is that Assad will see them as a threat to his regime and most likely attack.

General DUNFORD. I agree with that, Senator.

Senator GRAHAM. It would be very, I think, immoral to put someone in that position knowing that is coming their way with some capability to defend themselves. Does that make sense to you?

General DUNFORD. Senator, my assessment is that if we train moderate Syrian forces, the new Syrian army, then we ought to also provide them with the wherewithal to be successful.

Senator GRAHAM. If this war in Syria continues the way it is going for another year, do you worry about stability in Jordan?

General DUNFORD. I do, Senator.

Senator GRAHAM. Do you worry about stability in Lebanon?

General DUNFORD. I do, Senator.

Senator GRAHAM. So the consequences of going into Syria with a regional force and all of the problems associated with it have to be balanced against the consequences of ISIL surviving and thriving.

General DUNFORD. I agree with that, Senator.

Senator GRAHAM. In your view, over the long haul, is it in America's national security interest to do things necessary to degrade and destroy ISIL?

General DUNFORD. I do believe that is absolutely in our National interest to do that, Senator.

Senator GRAHAM. Do you agree with me that whatever regional army we may form, there are certain American capabilities that would be outcome determinative in any fight against ISIL, and it

would be in our National security interest to provide those capabilities?

General DUNFORD. I agree with that, Senator, particularly in the case of aviation, intelligence, surveillance, reconnaissance, and probably special operations capabilities.

Senator GRAHAM. Finally, if a soldier or a member of our military falls in Iraq or Syria trying to destroy ISIL, would you agree with me that they died protecting their homeland?

General DUNFORD. I would, Senator.

Senator GRAHAM. That is the reason some of them may have to go back.

General DUNFORD. Senator, there is no question in my mind that the young men and women that we have deployed right now, the 3,500 that are inside of Iraq and those that are in the surrounds working through CENTCOM in this campaign, are protecting our Nation.

Senator GRAHAM. God bless them. God bless you. Best of luck.

General DUNFORD. Thank you, Senator.

Senator REED. General, on behalf of Chairman McCain, let me thank you for your testimony, thank you for your service and the service of your family.

Also on behalf of the chairman, I will now adjourn the hearing.

[Whereupon, at 11:53 a.m., the committee adjourned.]

[Prepared questions submitted to General Joseph F. Dunford, Jr., USMC by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. On previous occasions you have answered the Committee's policy questions on the reforms brought about by the Goldwater-Nichols Act, the last time being in connection with your recent nomination to be Commandant of the Marine Corps. You indicated that you did not see a need for modifications to Goldwater-Nichols Act provisions.

Has your view of the importance, implementation, and practice of these reforms changed since you testified before the Committee at your last confirmation hearing?

Answer. No.

Question. In light of your experience as Commandant of the Marine Corps, do you see any need for modifications to Goldwater-Nichols? If so, what modifications do you believe would be appropriate?

Answer. I do not currently anticipate the need to modify the Goldwater-Nichols Act.

DUTIES

Question. Based on your experience as Commandant of the Marine Corps, as Commander of United States Forces and the International Security Assistance Force in Afghanistan, and as Vice Director of Operations for the Joint Staff, what recommendations, if any, do you have for changes in the duties and functions set forth in section 152 through 155 of title 10, United States Code, and in regulations of the Department of Defense (DOD), that pertain to the Chairman and the Vice Chairman of the Joint Chiefs of Staff and the organization and operation of the Joint Staff in general?

Answer. I do not presently have recommendations to change the law or regulations.

RELATIONSHIPS

Question. Other sections of law and traditional practice establish important relationships between the Chairman and other officials. Please describe your under-

standing of the relationship of the Chairman of the Joint Chiefs of Staff to the following officials:

The Secretary of Defense.

Answer. The Chairman of the Joint Chiefs of Staff must have a close working relationship with the Secretary of Defense. Under Title 10, the Chairman is assigned several duties that guide this relationship to include serving as the principal military advisor to the President, the National Security Council, and the Secretary of Defense. The Chairman also performs other duties assigned by the Secretary of Defense.

Question. The National Security Advisor.

Answer. If confirmed, I will work closely with the National Security Advisor to ensure that our military efforts and options are synchronized with civilian efforts across the government. Since the Chairman is also the principal military advisor to the National Security Council and Homeland Security Council, I also will work with the National Security Advisor to inform and implement Presidential decisions.

Question. The Deputy Secretary of Defense.

Answer. Existing directives grant the Deputy Secretary of Defense full power and authority to act for the Secretary of Defense on any matters upon which the Secretary is authorized to act. As a result, I expect the relationship of the Chairman with the Deputy Secretary will be similar to that of relationship with the Secretary.

Question. The Under Secretaries of Defense.

Answer. Current DOD directives and Title 10, U.S. Code establish the Under Secretaries of Defense as the principal staff assistants and advisers to the Secretary regarding matters related to their functional areas. Under Secretaries exercise policy and oversight functions within their respective areas. In carrying out their duties, they may issue instructions and directive memoranda to implement policies approved by the Secretary. These instructions and directives are applicable to all DOD components. When directed by the President and Secretary of Defense or when carrying out their responsibilities, Under Secretaries typically transmit communications to commanders of the unified and specified commands through the Chairman of the Joint Chiefs of Staff.

Question. The General Counsel of the Department of Defense.

Answer. The DOD General Counsel serves as the chief legal officer of the Department of Defense consistent with Title 10, U.S. Code, Section 140. The DOD General Counsel generally is responsible to oversee legal services, establish policy, and administer the DOD Standards of Conduct Program. The DOD General Counsel also establishes policy and positions on specific legal issues and provides advice on significant international law issues raised in relation to major military operations, the DOD Law of War Program, or the legality of weapons reviews. Communications between the combatant commanders and the DOD General Counsel are normally transmitted through the Chairman of the Joint Chiefs of Staff. The office of the DOD General Counsel works closely with the Office of Legal Counsel to the Chairman of the Joint Chiefs of Staff.

Question. The Department of Defense Inspector General.

Answer. If confirmed, I will continue to cooperate with and provide support to the Department of Defense Inspector General as required. The Department of Defense Inspector General performs the duties, has the responsibilities, and exercises the powers specified in the Inspector General Act of 1978.

Question. The Vice Chairman of the Joint Chiefs of Staff.

The Vice Chairman of the Joint Chiefs of Staff performs the duties prescribed for him as a member of the Joint Chiefs of Staff and other such duties as may be prescribed by the Chairman, with the approval of the Secretary of Defense. When there is a vacancy in the Office of the Chairman or in the absence or disability of the Chairman, the Vice Chairman acts as Chairman and performs the duties of the Chairman until a successor is appointed or the absence or disability ceases. If confirmed, I intend to discuss potential duties with the Vice Chairman as part of our close working relationship. I have not yet determined any additional duty assignments that I would to assign the Vice Chairman beyond those prescribed in law.

Question. The Secretaries of the Military Departments.

Answer. The Secretaries are the heads of their respective military Departments and are responsible for, and have the authority necessary to conduct, all affairs of their respective Departments. Title 10, U.S. Code, Section 165 provides that, subject to the authority, direction and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Secretaries of Military Departments are responsible for administration and support of forces that are assigned to unified and specified commands. The Chairman advises the Secretary of Defense on the extent to which program recommendations and budget proposals of the Military Departments conform to priorities in strategic plans and with the priorities estab-

lished for requirements of the Combatant Commands. The Secretaries of the Military Departments also are responsible for such other activities as may be prescribed by law or by the President or Secretary of Defense.

Question. The Chiefs of Staff of the Services.

Answer. The Service Chiefs are no longer involved in the operational chain of command as a result of the reforms of the Goldwater-Nichols Act, but this change does not diminish their importance with respect to Title 10 responsibilities. The Chiefs of Staff of the Services serve two significant roles. First, they are responsible for the organization, training, and equipping of their respective Services. Without the full support and cooperation of the Service Chiefs, no Combatant Commander can assure the preparedness of his assigned forces for missions directed by the Secretary of Defense and the President. Second, as members of the Joint Chiefs of Staff, the Chiefs are advisers to the President, National Security Council, and the Secretary of Defense as the senior uniformed leaders of their respective Services. In this function, they play a critically important role in shaping military advice and developing our joint capabilities. If confirmed, I will continue to work closely with the Service Chiefs to fulfill warfighting and operational requirements.

Question. The Combatant Commanders.

Answer. The combatant commanders are responsible to fight our wars and conduct joint military operations around the world. By law, and to the extent directed by the Secretary of Defense, the Chairman serves as spokesman for the combatant commanders and is charged with overseeing their activities. He provides a vital link between the combatant commanders and other elements of the Department of Defense, and as directed by the President, may serve as the means of communication between the combatant commanders and the President or Secretary of Defense. If confirmed, I will continue to work closely with the combatant commanders to enable their warfighting capability and to provide support. If confirmed, I also will ensure that I consider and work to de-conflict any issues or decisions than span multiple combatant commands.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard heads a joint activity of the Department of Defense and is the senior uniformed National Guard officer responsible for formulating, developing and coordinating all policies, programs and plans affecting more than half a million Army and Air National Guard personnel. Appointed by the President, he serves as principal adviser to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on National Guard matters. He is also the principal adviser to the Secretary and Chief of Staff of the Army and the Secretary and Chief of Staff of the Air Force on all National Guard issues. As National Guard Bureau Chief, he serves as the department's official channel of communication with the Governors and Adjutants General. As a member of the Joint Chiefs of Staff, the Chief of the National Guard Bureau has the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of homeland defense and civil support missions.

Question. The Commander, U.S. Forces—Afghanistan.

Answer. Although the Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the Secretary of Defense, and the National Security Council, he is not in the chain of command of the Commander, U.S. Forces—Afghanistan (USFOR–A). The Commander, USFOR–A reports to the Commander, USCENTCOM, who, in turn, reports directly to the Secretary of Defense. This reporting relationship is prescribed in 10 USC Section 164(d)(1). The Commander, USFOR–A does not have a formal command relationship with the Chairman of the Joint Chiefs of Staff, but he coordinates with him through the Commander, USCENTCOM on a regular basis. The Commander, USFOR–A sends his advice and opinions related to Operation Resolute Support to the Commander, USCENTCOM, who, in turn, presents them to the Chairman.

MAJOR CHALLENGES

Question. What do you consider to be the most significant challenges you expect to face if you are confirmed?

Answer. The current security environment is extraordinarily complex and volatile. We face challenges from state actors including Russia, China, Iran, and North Korea. We are also engaged in a long-term fight against violent extremist organizations. We are in the midst of a critical transition in Afghanistan. While dealing with these issues, we face the need to modernize the Joint Force in the context of fiscal challenges and budget uncertainty. Particular areas of concern are our cyber capabilities, space capabilities, modernizing the nuclear enterprise, and assuring all do-

main access for the Joint Force. We must navigate this environment while maintain our flexibility to deal with the unexpected.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. First, I will energize our efforts to develop a framework for deterrence that will address the full range of threats that we face in the 21st Century. I will also work closely with the services and combatant commanders to ensure we strike the right balance between dealing with current operations, being prepared for the uncertain, and developing the Joint Force of the future. Given the nature of the challenges we confront, it will also be critical that we enhance our integration with other elements of the Interagency in partnership with Congress.

PRIORITIES

Question. Recognizing that challenges, anticipated and unforeseen, will drive your priorities to a substantial degree, if confirmed, what other priorities, beyond those associated with the major challenges you identified in the section above, would you set for your term as Chairman?

Answer. If confirmed, I would focus on contributing to the development of a comprehensive and sustainable Interagency strategy to address the challenges associated with violent extremism. I would also be decisively engaged in restoring the readiness of the Joint Force. Finally, I would focus on shaping the capabilities and capacities of the future Joint Force with a particular focus on leader development.

CHAIN OF COMMAND

Question. Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Section 163(a) of title 10 further provides that the President may direct communications to combatant commanders be transmitted through the Chairman of the Joint Chiefs of Staff and may assign duties to the Chairman to assist the President and the Secretary of Defense in performing their command function.

Do you believe that these provisions facilitate a clear and effective chain of command?

Answer. Yes. The chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the commanders of the combatant commands. If confirmed, I will continue to inform decisions as appropriate and transmit directions as directed. However, there will be no ambiguity about the chain of command: the combatant commanders receive their orders from the Secretary of Defense.

Question. Are there circumstances in which you believe it is appropriate for U.S. military forces to be under the operational command or control of an authority outside the chain of command established under title 10, United States Code?

Answer. The Armed Forces should ordinarily operate under the chain of command established in Title 10. In the case of certain sensitive military operations, it may be appropriate for the President to establish other temporary command relationships. However, in all cases U.S. Armed Forces supporting such operations are still governed by the law of armed conflict, remain accountable to the Title 10 chain of command, and are subject to the Uniform Code of Military Justice for disciplinary matters. If confirmed, I would provide the President with my best military advice regarding any operation in which an exception to the established chain of command may be warranted.

Question. What is your understanding and assessment of the authorities and agreements which are in place to allow U.S. military personnel to carry out missions under the authorities contained in title 50, United States Code? Do you believe any modifications to these authorities are necessary?

Answer. Title 50 of the U.S. Code tasks the Secretary of Defense to ensure that the military departments maintain sufficient capabilities to collect and produce intelligence to meet requirements of the DNI, Secretary of Defense, CJCS, and COCOMs. Title 50 of the U.S. Code also authorizes the Secretary to use such elements of the DOD as may be appropriate for the execution of the national intelligence program functions described in section 3038 of title 50. While I believe that our military forces are generally most effective when they operate under a military chain of command, there are circumstances in which exceptions to this general rule are appropriate; authorities and agreements exist to facilitate the granting of such exceptions. In some cases, the Secretary of Defense may approve this exception and in other cases only the President has approval authority. I believe the current authorities strike the appropriate balance between enabling DOD to operate within its

independent Title 50 authorities, providing necessary and appropriate support to other agencies of the U.S. government under Title 50, and ensuring critical oversight of sensitive operations.

Advice of the Service Chiefs, Combatant Commanders, and Chief of the National Guard Bureau

Question. Section 163 of title 10, United States Code, provides that the Chairman of the Joint Chiefs of Staff serves as the spokesman for the combatant commanders, especially on the operational requirements of their commands. Section 151 of title 10 provides for the other members of the Joint Chiefs of Staff to submit their advice or opinion, in disagreement with or in addition to the advice or opinion of the Chairman, and requires the Chairman to provide that advice at the same time that he presents his own advice to the President, National Security Council, or Secretary of Defense.

What changes to section 151 or 163, if any, do you think may be necessary to ensure that the views of the individual Service Chiefs, combatant commanders, and the Chief of the National Guard Bureau are presented and considered?

Answer. I do not see a need to change section 151 or 163.

OFFICER MANAGEMENT ISSUES

Question. As the Chairman of the Joint Chiefs of Staff you would have significant responsibilities with regard to joint officer management policies.

Answer. If confirmed, what modifications would you make to provide the Department of Defense and the military services the force management tools necessary to meet the needs of the 21st century joint, all-volunteer force?

The Department, the Joint Staff, and the Services already possess a wide range of force management tools which provide ample flexibility in meeting the needs of the 21st century joint, all-volunteer force. However, if confirmed, I will continue to examine the joint operational and strategic environment to determine if there are opportunities for, or capability gaps that require, reform to make the Joint Force even more capable of meeting both today and tomorrow's needs.

Question. Do you believe the current DOD and service procedures and practices for reviewing the records of officers pending nomination by the President are sufficient to ensure the Secretaries of the military departments, the Secretary of Defense, and the President can make informed decisions?

Answer. In conjunction with existing statutes, the current Department and Service policies provide a sound framework for the Services' evaluation of the qualifications, previous performance, and potential of their officers. I believe these frameworks provide the necessary information to allow the Services to make sound decisions regarding the promotion and utilization of each Service's officers.

Question. In your view, are these procedures and practices fair and reasonable for the officers involved?

Answer. Yes. I believe these procedures and practices are fair and reasonable for the officers involved.

Question. What modifications, if any, to the requirements for joint officer qualifications are necessary to ensure that military officers are able to attain meaningful joint and service-specific leadership experience and professional development?

Answer. I feel the current combination of Joint Professional Military Education and requisite experience gained through joint assignments, training, and exercises adequately prepares officers to operate effectively at both the strategic and operational level in steady-state and wartime conditions. Therefore, I do not currently recommend any modifications to the requirements for joint officer qualification.

Question. In your view, what is the impact of joint qualification requirements on the ability of the services to select the best qualified officers for promotion and to enable officer assignments that will satisfy service-specific officer professional development requirements?

Answer. It is certainly challenging for Services to ensure that officers are adequately prepared to operate effectively as senior leaders in both the Service and joint environment. Although satisfying qualification requirements may curtail the time available for the Services to develop their officers' Service-specific skill sets, current requirements produce a cadre of well-rounded and competitive officers, who are capable of integrating Service functions with national directives in both strategic and operational environments. In my opinion, officers with these capabilities possess the greatest potential for success in positions of senior leadership. As such, they are the most qualified, and hence most competitive, for promotion.

Question. In 2008, Congress created the requirement that the Legal Counsel to the Chairman of the Joint Chiefs of Staff be selected by a board of officers convened by the Secretary of Defense. This process remains the only joint duty officer position

specifically selected by a selection board from among qualified officers of the Armed Forces.

Do you consider the selection process required by section 156 of title 10, United States Code, to be an efficient and effective process for selecting officers from among the services to serve in this joint position?

Answer. Based on available information, I believe the selection process for the position of the Legal Counsel to the Chairman of the Joint Chiefs of Staff is an efficient, equitable, and effective means to select an officer for this position from a pool of talented judge advocate leaders across the Services.

Question. What lessons, if any, have been captured from this joint officer selection board process that could improve the processes for selection of officers in the military services?

Answer. I'm not aware of any lessons that could improve the processes for selection of officers in the military service. The process to select the legal counsel to the CJCS was informed by service processes.

Question. Would you support expanding the process used to select the Legal Counsel to the Chairman of the Joint Chiefs of Staff to other joint billets? Why or why not?

Answer. I do not see a need to expand our selection process to other joint billets as currently established processes used to select general/flag officers to joint positions are sound. First, our process for identifying officers gives the Combatant Commander and the Chairman flexibility. We can select from across the Services (to include the Coast Guard) and the Active, Guard, and Reserve Components to ensure we get the right individual with the appropriate skills and experience. Second, the current process is efficient in that it gives the commander and other senior leaders an opportunity to quickly review a slate of nominated officers, and conduct interviews as necessary. Finally, our process is extremely responsive to emerging or unexpected requirements. We can quickly alert the Services to identify eligible personnel, select candidates, nominate them, and have them in position in as little as 90 days, if necessary.

HEADQUARTERS STREAMLINING

Question. The Senate reported Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the military departments.

If confirmed, and if the provisions in the bill become law, what would be your role in identifying and implementing streamlining and reductions in the Joint Staff?

Answer. The current Chairman directed an enterprise-wide functional review with a detailed evaluation of tasks and activities associated with primary Joint Staff directorates. This review identified a range of potential areas for reduction, realignment, or elimination within the staff, and some of the recommendations have already been implemented. I would continue to use this functional review as a roadmap to quantify the efficiency of past actions and spur organizational streamlining by reducing, realigning or eliminating redundant or conflicting requirements.

Question. What Joint Staff areas, specifically and if any, do you consider to be the priorities for possible consolidation or reductions?

Answer. There are a number of potential areas for consolidation or reduction. For example, the Joint Staff J6 is currently working with the U.S. Army Information Technology Agency (ITA), the Washington Headquarters Services (WHS), and the Defense Information Systems Agency (DISA) to determine which IT functions can be consolidated within the Pentagon to improve our IT capabilities while reducing costs and unnecessary redundancies. Further areas for efficiencies include consolidating support functions common to the Joint Staff directorates and eliminating duplicative functions accomplished by the OSD, Joint Staff and Defense Activities.

Question. To the extent that the Joint Staff has functions that overlap with the Department of Defense and the military departments, what would be your approach to consolidating and reducing redundancy?

Answer. The first, and most important step, would be to determine whether those functions are currently codified in statute. Some duplicative efforts may be due to the responsibilities being laid out in law with some respective pieces executed by the Department, some by the Joint Staff, and some by the military departments. Consolidation and reduction of redundancy may require legislative changes. Second, I would recommend a combined review by the OSD, the Services, and the Joint Staff to determine the most appropriate ways to reduce, realign, or eliminate duplicative functions.

TRAINING AND ASSIGNMENT OF GENERAL AND FLAG OFFICERS

Question. In your view, do a sufficient number of general and flag officers have advanced training and degrees in scientific and technical disciplines?

Answer. Yes. Rigorous and deliberate Service accession, training, and development processes generate the technical and scientific capability needed in sufficient numbers to meet DOD needs. I will work closely with and support the Service Chiefs and other leaders to continue to ensure we maintain an appropriate pipeline of specialized, technical officer talent.

Question. Are the career paths for officers with technical skills appropriate to ensure that the Department and the services can execute complex acquisition programs, adapt to a rapidly changing technological threat environment, and make informed investment decisions? If not, what will you do to address this deficiency?

Answer. I believe the Department has grown, and continues to grow, world-class, technically-astute officers who are ready to take on the challenges inherent in a rapidly changing and technical acquisition environment. While the Services vary with respect to their use of officers in acquisition, each Service tailors officer career paths to meet their particular mission priorities, to include successfully executing critical major acquisition programs. Each Service has career path models that are appropriately aligned with their force management process.

Question. In your view do current general and flag officer assignment policies provide and incentivize qualified officers to serve in acquisition programs? Do tour lengths for those assignments enable and empower such officers to effectively manage acquisition programs? If not, what changes do you believe are necessary to improve the effectiveness of senior officers assigned those duties?

Answer. Yes. Senior officers are assigned with adequate tenure and are empowered to effectively manage their programs. The Services demonstrate flexibility in adjusting tour lengths to match logical progression points in acquisition programs. That said, I will support the Service Chiefs, Service acquisition executives, and OSD leaders in their efforts to ensure we continuously improve the development and assignment of highly-motivated and qualified officers in acquisition positions.

Question. Are you satisfied that the Department of Defense, the Joint Staff, and the military services have in place sufficient training and resources to provide general and flag officers, and Senior Executive Service employees the training they need to make informed, ethical decisions? If not, what actions would you take, if confirmed, to address your concerns?

Answer. Yes. I judge that sufficient training and resources are in place to achieve the desired outcome. The ability to make ethical decisions based on the shared values of the profession of arms is identified as a specific Desired Leader Attribute for leaders throughout the military and is foundational to all Joint and Service developmental efforts. The ethical foundation is laid at the outset of an officer's career and is further developed and reinforced in formal education and training settings throughout their progression through the ranks.

Question. It has been observed that despite numerous changes in the law, the requirements and the process for attaining joint officer qualifications is still beset by systemic challenges. Some of these challenges appear to force the services to make officer assignments to "check the box" for joint qualifications at the cost of depriving the services of flexibility to assign officers to other career enhancing and professional development opportunities. Officers not assigned to a designated joint billet on an operational staff receive joint credit while other officers supporting the same joint commander do not receive joint credit unless they submit a package to have their assignments qualify for joint service. As operational tempo remains high and as end strength continues to decline to historically low levels, some exceptionally qualified officers will be unable to serve in qualifying assignments to earn joint credit because the Nation demands they perform other critical duties. As a result those officers may be disadvantaged professionally as compared to their peers for promotion eligibility. Given the substantial resources invested in the developing officers to serve successfully in, and to support or lead joint forces, more must be done to improve the joint qualification system or to replace it with a system that is more effective.

If confirmed, I will work to identify inequities or inefficiencies in the current system and implement change where appropriate.

Question. If confirmed, what steps would you take to review the joint qualification requirements to ensure that the qualification process is matched to the increasingly joint service environment in which many officers serve throughout their careers?

Answer. If confirmed, I will ensure that we have a process in place to continuously review our qualification process and drive appropriate revisions.

Question. Should the formal requirement for joint qualifications be eliminated as a consideration for promotions and assignments?

Answer. No. I believe we need to continue to ensure that our future senior leaders are well prepared to operate within both the Services and the joint environment in steady-state and wartime conditions. This is best accomplished through a continued mixture of mandatory formal professional military education and hands-on experience in positions dealing with both joint and Service matters.

SECURITY STRATEGIES AND GUIDANCE

Question. How would you characterize current trends in the range and diversity of threats to national security we face today?

Answer. The range and diversity of potential threats is increasing. We face both state and non-state adversaries who are more capable in terms of military capabilities, and more empowered by the diffusion of technology. Both types of adversaries are developing new ways to counter our traditional military advantages.

Question. The Defense Strategic Guidance issued January 2012 took into account a $487 billion dollar reduction in defense resources.

With the additional $500 billion in cuts to the Department of Defense as a result of sequestration, is the Defense Strategic Guidance still valid?

Answer. The 2014 Quadrennial Defense Review superseded the 2012 Defense Strategic Guidance, and provided new DOD guidance for capabilities, capacity, and readiness. We cannot execute the 2014 Quadrennial Defense Review with an additional $500 billion in cuts as the result of the Budget Control Act further exacerbated by Sequestration.

Question. In your view, as Russian aggression and the emergence of ISIL have occurred since the Defense Strategic Guidance was issued in January 2012, is that strategic guidance still appropriate for the threats we face today or do you think an update is warranted?

Answer. The 2014 Quadrennial Defense Review superseded the 2012 Defense Strategic Guidance. This QDR did not fully anticipate growing Russian aggression, the emergence of the ISIL threat, and the increase in cyber intrusions.

Question. In your view, are our defense strategy and current establishment optimally structured, with the roles and missions of the military departments appropriately distributed, and U.S. forces properly armed, trained, and equipped to meet security challenges the Nation faces today and into the next decade?

Answer. I believe our defense strategy is sound but we must continually adapt it to address emerging threats and a dynamic strategic landscape. I also believe that the current defense establishment is effective with an appropriate distribution of roles and missions. I am concerned with the readiness of the force today and I believe we need to review the capabilities and capacities that will be needed to meet future security challenges.

Question. If confirmed, what changes, if any, would you propose to the capabilities, structure, roles, and missions of the defense establishment?

Answer. The defense establishment is extremely complex. If confirmed, I will work with the Service Chiefs, combatant commanders, and Joint Staff to identify needed change to the capabilities, structure, roles, and missions of the defense establishment. Our cyber, space, and nuclear capabilities will be areas of particular emphasis.

STRATEGIC RISK

Question. How and over what periods of time, if at all, will reductions to Army and Marine Corps end strength increase strategic risk?

Answer. Reductions to Army and Marine Corps end strength must be considered in the context of the current security environment and our military objectives. If confirmed, I will be decisively engaged in ensuring that we have a clear understanding of risk as we make changes to the capabilities and capacities of the Joint Force.

Question. What is your understanding and assessment of the Army and Marine Corps' decision to reduce active end strength to 450,000 and 182,000 soldiers respectively by the end of 2017?

Answer. I am confident that the Marine Corps can meet its requirements at 182,000. If confirmed, I will work to better understand the requirement for Army end strength.

Question. If confirmed, what additional actions would you take, if any, to reduce or mitigate this strategic risk?

Answer. If confirmed, I will provide my best military advice to the Secretary of Defense and the President to include an assessment of risk and proposed actions to mitigate risk.

Question. Upon issuance of the 2014 Quadrennial Defense Review, the fiscal year 2015 budget reduced projected defense budgets by $113 billion over five years. What was the incurred strategic risk of this reduction relative to the 2012 Defense Strategic Guidance?

Answer. Overall, the strategic and military risk to our ability to accomplish the objectives laid out in the QDR and DSG have increased. I would be happy to discuss the details of this increased risk in a classified venue.

CHAIRMAN'S RISK ASSESSMENT

Question. In his 2013 risk assessment, Chairman Dempsey identified for the first time six National Security Interests that were derived from four enduring interests contained in the 2010 National Security Strategy. The April 2013 assessment identified several areas of broad and significant risk to national security as a result of current budget issues.

How would you characterize the trends of risk in these areas (whether they are increasing or decreasing)?

Answer. Overall, both strategic risk and military risk are increasing. I would be happy to discuss risk further in a classified venue.

Question. What is your current assessment of the risk to combatant commanders in their ability to successfully execute their operational plans?

Answer. In an unclassified response I cannot go into much detail. Generally, however, our combatant commanders face increasing risk.

TRANSFORMATION

Question. Military "transformation" has been a broad objective of the Armed Forces since the end of the Cold War.

In your view, what does military "transformation" mean?

Answer. Military transformation involves leveraging new concepts, organizational constructs, or technologies to fundamentally change the way we fight. In the end, transformation is about innovating to maintain a competitive advantage.

Question. What is your understanding and assessment of the progress made by the Department, including the Joint Chiefs of Staff and the Joint Staff, toward transforming the Armed Forces?

Answer. Transformation is more of a journey than a destination. We can never be satisfied with our progress. I believe we need to energize our Joint exercise and experimentation efforts.

Question. If confirmed, what goals, if any, would you establish during your term as Chairman regarding military transformation in the future?

Answer. If confirmed, I would develop a detailed concept for Joint exercises and experimentation. My initial assessment, from the perspective of a service chief, is that our operational tempo over the past decade has adversely impacted us in this area.

Question. Do you believe the Joint Staff should play a larger role in transformation? If so, in what ways?

Answer. I believe, consistent within the statutory responsibilities of the Chairman, that the Joint Staff has a leading role in the transformation of the Joint Force.

MILITARY CAPABILITIES IN SUPPORT OF DEFENSE STRATEGY

Question. In your opinion, do current military plans include the necessary capabilities to meet the defense strategy stated in the 2014 QDR? Where are areas of higher risk?

Answer. If confirmed, I will work with the Secretary of Defense to ensure that the committee continues to receive a quarterly report in response to this question. I will personally engage in this area.

Question. Does the 2014 QDR specify the correct set of capabilities to decisively win in future high-end engagements?

Answer. I believe so from the perspective of my current assignment. I believe this is an area that requires continuous review.

Question. According to the force sizing construct in the 2014 QDR, American forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region."

In your opinion, does the Department's force sizing construct provide adequate capability to address the country's current threat environment?

Answer. Yes, the force sizing construct, with its emphasis on a range of military options, provides adequate capability to address the country's current threat environment should deterrence fail.

Question. Are the services adequately sized to meet this construct?

The Services are currently able to provide forces to support the construct to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region." Resource constraints, however, have eroded readiness and extended the timeline by which forces can be made available to fulfill combatant commanders' requests and respond to emerging requirements.

Question. What will you advise if the Department cannot meet the demands placed on it?

Answer. I would advise we carefully prioritize the most important missions necessary to meet our military objectives and protect our national security interests. I will also provide the Secretary of Defense and the President with a clear articulation of risk.

FUTURE ARMY

Question. The Defense Strategic Guidance (DSG) of January 2012 articulated the need to shift strategic emphasis toward the Asia-Pacific region while continuing to engage in the Middle East.

Do you agree that future high-end military operations, as envisioned by the DSG, will primarily be naval and air engagements such that the Army will have difficulty justifying the size, structure, and cost of the number and equipment its combat formations?

Answer. We cannot predict where or when we will be asked to fight. Hence, we need a full-spectrum, balanced military force capable of responding to various threats to our national security.

Question. In your view, what are the most important considerations or criteria for aligning the Army's size, structure, and cost with strategy and resources?

Answer. In my view, our Nation requires an Army able to conduct full spectrum operations as part of the Joint Force. The Army is realigning and resizing consistent with the 2014 QDR. I believe that is appropriate.

Question. If confirmed, what actions, if any, would you propose to properly align the Army's size and structure with the requirements of security strategies and the likely availability of resources?

Answer. As force structure changes are made within both the active and reserve components, we will continue to assess the impact of these changes and make adjustments as necessary to ensure we maintain the health of the force, retain an effective balance of active and reserve forces, and continue to meet the needs of our strategy.

DEFENSE REDUCTION

Question. In your view, what have been/will be the impacts of the following budget reductions on the military, their capability, capacity, and readiness?

Answer.

Initial Budget Control Act reduction of $487 billion

The abrupt, deep cuts resulting from the Budget Control Act forced our military to make topline-driven decisions, such that we now have a strategy with little to no margin for surprise. Therefore, we are operating at higher levels of risk to our defense strategy. To limit adverse consequences, we need the certainty of a more predictable funding stream, time to balance force structure, modernization, compensation, and readiness, and the flexibility to make trade-offs.

Sequestration in fiscal year 2013

The sequestration cuts in fiscal year 2013 reduced already-strained readiness, which takes resources, principally time and money, to restore. To date, sequestration has resulted in cuts to training, exercises, deployments and maintenance, in civilian furloughs and a hiring freeze, and in disruptions to modernization and force morale. If sequester continues, our military will be forced to make sharp cuts with far reaching consequences, including limiting combat power, further reducing readiness, and rewriting our defense strategy. We are doing what we can to support our all-volunteer force, as well as protect necessary funding for our deployed forces and nuclear enterprise.

Reduction of $115 billion in projected spending in the fiscal year 2015 budget, in line with the 2014 Quadrennial Defense Review

The fiscal year 2015 budget request assumes higher risks in some areas, but this budget helps us to remain the world's finest military—modern and capable even while transitioning to a smaller force and resetting readiness over time. The $115 billion reduction refers to the difference between the PB15 (FYDP) submission and the BCA sequestration levels across fiscal year 2015–19. Funding to the sequester levels removes the flexibility to respond to emergent challenges (i.e., increasingly contested space and cyber domains, a resurgent Russia, the Ebola response, and the rise of ISIL), while also being able to execute our defense strategy.

Sequestered Budget Control Act discretionary caps starting in fiscal year 2016 onward

Question. If sequester level cuts return in fiscal year 2016, then we will see further increased risks and fewer military options to defend our Nation and its interests. The impact of sequestration and other budget constraints will further reduce unit readiness. The effects caused by deferred maintenance will impose significant strain on long-term institutional readiness. Ultimately, reduced readiness (i.e., reduced training cycles, deferred maintenance, and the continuing pace of current operations) will damage the credibility and the morale of our military.

The fiscal year 2016 budget request assumes that the Budget Control Act will be amended in fiscal year 2016. The fiscal year 2016 budget resolution passed by the Senate and House of Representatives do not assume this but instead provides $38 billion of the necessary spending through OCO budget.

Should this funding not be available, what recommendations would you have, if confirmed, for how the Department of Defense should manage the $35 billion in cuts for fiscal year 2016?

Answer. Ongoing cuts will threaten our ability to execute the current defense strategy. Our military remains hopeful that Congress can once again come together in a manner that avoids the abrupt, deep cuts of sequestration. We will continue to reduce costs through efficiencies and reforms, but an fiscal year 2016 budget at BCA cap levels will create risks requiring a new defense strategy. Should we be cut $35 billion in fiscal year 2016, we will be forced to further reduce the size of the force, delay readiness restoral, and reduce modernization and investment programs.

Question. What are your views on the impact that these cuts could have on readiness?

Answer. These cuts would have a dangerous impact on readiness and future force generation capability of the Department, which are critical to our ability to execute the defense strategy. Losing $35 billion from the fiscal year 2016 defense budget would force us to mortgage ongoing readiness recovery efforts, equipment recapitalization and force modernization in favor of supporting currently deployed and next-to-deploy forces, all within a context of expanding global threats. We rely on sufficient and predictable resourcing to ensure our military readiness and ability to meet additional operational demands.

Question. What are your views on the impact that these cuts could have to military capabilities?

Answer. Quite simply, these cuts would make our military smaller and less capable. We would be forced to disproportionately reduce funding for operations and maintenance, procurement, RDT&E, and military construction. Fiscal year 2016 cuts would increase risk, prolong readiness recovery, and delay necessary modernization programs. Funding for hundreds of program line items, large and small, will be significantly reduced. Cuts in funding for research and development will ultimately slow discovery and advancement, erode the technological superiority enjoyed by U.S. forces and translate into less desirable military outcomes in future conflicts.

READINESS FUNDING

Question. Given the reductions in readiness funding, what is your assessment of the current readiness of the Armed Forces to meet national security requirements across the full spectrum of military operations?

Answer. The Joint Force's overall readiness remains at levels posing significant risk to our ability to execute our National Military Strategy. While specific details cannot be addressed in this unclassified forum, it is understood that sequestration exacerbated an already declined state of readiness fueled by sourcing over a decade of exceptional demand. The Bipartisan Budget Act restored some resources, and provided much needed fiscal certainty and stability, thereby preventing further decline in readiness. The Department has since experienced minor Service readiness gains, which show continued promise as long as funding and commitments remain con-

stant. However, this recovery is fragile. Recent gains are dependent on a combination of recovery time paired with sufficient and predictable resourcing allowing the Services to rebuild the necessary capabilities for full spectrum operations.

Question. What is your assessment of the near term trend in the readiness of the Armed Forces?

Answer. If current funding levels prevail, I expect the Department's readiness to remain at significantly-less-than-optimal levels for the foreseeable future. Any additional operational demands and/or a loss of resourcing will introduce a significant amount of risk to ongoing military operations, limit military options the Department can offer to respond to emerging crises, and increase the Department's risk in meeting the requirements of our National Security Strategy.

Question. How critical is it to find a solution to sequestration given the impacts we have already seen to DOD readiness in fiscal year 2013?

Answer. Sufficient and predictable resourcing is absolutely critical to restoring the Joint Force's ability to provide the full range of military capabilities at a sufficient capacity required to meet the challenges posed by today's dynamic international environment. Current funding and OCO allow the Department to conduct operations at their present level of commitment. However, recovering to the readiness posture needed to sustain these operations, meet additional commitments, and restore our comparative advantages through modernization will only come from a robust and predictable funding profile. Without adequate funding, maintaining current operations will come at the expense of long-term development and sustainment efforts, thereby exacerbating our readiness challenges.

Question. What is your understanding and assessment of the methods currently used for estimating the funding needed for the maintenance of military equipment?

Answer. The method for funding equipment maintenance is requirements-driven based on a variety of factors to include: force structure, operations tempo, schedule, nature and usage rate of the equipment, and safety. The Services develop detailed maintenance plans that balance operational availability to the warfighter with maintenance requirements. However, perturbations in the budget process and funding uncertainties will have a negative effect on the workload scheduling at Service depots. These negative effects ripple beyond the current year and can extend for months and even years.

Question. Given the backlog in equipment maintenance over the last several years, do you believe that we need an increased investment to reduce this backlog?

Answer. The Services have relied upon OCO funding to supplement their equipment maintenance backlogs over the past several years. This is because OCO was used for deliberate reset of equipment used to support OIF and OEF combat operations. Also in the past, baseline funding of maintenance accounts has been at levels below the Services' enduring requirements. While some level of backlog is normal in the repair cycle process, shortfalls in baseline funding cause increased maintenance backlog and drive greater future funding needs. We need consistent and predictable base budget funding to reduce the maintenance backlog.

Question. How important is it to reduce the materiel maintenance backlog in order to improve readiness?

Answer. It requires continuous attention. The accumulation of backlog or deferred maintenance beyond what is manageable may not be immediately apparent, but it reduces readiness. These manifest as reduced equipment availability rates, less reliable systems, and shortened service life.

Question. How important is it to receive OCO funding two or three years after the end of combat operations in order to ensure all equipment is reset?

Answer. It remains very important. OCO has been a necessary funding source to conduct ongoing operations and restore equipment readiness for future operations. The Services have done well in prioritizing their equipment for reset and filling shortfalls in deployed and deploying units. However, much work remains to reduce the accumulated backlog of scheduled and deferred maintenance. As our operations tempo remains high, this funding is necessary to fully restore equipment readiness levels to support the National Security Strategy.

Question. In years past, Congress has based additional readiness funding decisions on the Service Chief unfunded priorities lists. However, in recent years those lists have either been nonexistent or have arrived too late in our markup process.

Do you agree to provide unfunded priorities lists to Congress in a timely manner beginning with the fiscal year 2017 budget request?

Answer. I will always strive to be compliant with Congressional direction.

DEFENSE ACQUISITION REFORM

Question. Congress is considering a number of acquisition reform measures designed to reduce the costs and development timelines of major systems, and to streamline access to innovative commercial technologies and systems.

What are your views regarding acquisition reform and the need for improvements in the Defense acquisition process?

Answer. I am a strong proponent of acquisition reform based upon the following key principals:

a. The responsibility and authority for acquisition system outcomes should be clearly identified within the DOD;
b. The requirements' sponsor should be an integral part of delivering needed capability and remains accountable throughout the acquisition process, and;
c. There is a continued effort to reduce overhead and increase efficiencies across defense acquisition.

Question. If confirmed, how would you improve all three aspects of the acquisition process requirements, acquisition, and budgeting?

Answer. I would work with the Department leadership and the Congress to bring about necessary reform.

Question. Do you believe that the current investment budget for major systems is warranted given increasing historic cost growth in major systems, costs of current operations, and asset recapitalization?

Answer. I am concerned that acquisition, procurement, and operations and support costs will continue their historic growth profiles, further exacerbating shortfalls under a sequestered budget. Although recent cost and schedule trends have shown improvement, we will continue to scrub our processes, including our warfighter requirements, to ensure they are aligned with strategy and available resources.

Question. If confirmed, how do you plan to address this issue and guard against the potential impact of weapon systems cost growth?

Answer. I will partner with Secretary Carter to refine our processes, and work closely with our combatant commanders and the Services to mitigate cost growth on our highest priority investments. I will continue to drive the requirements process to consider cost-informed performance tradeoffs to assist in mitigating cost and schedule growth perturbations across our investment accounts and advocate for versatile capabilities that are both affordable and sustainable.

Question. If confirmed, what actions would you propose, if any, to ensure that requirements are realistic, technically achievable, and prioritized?

Answer. As the Department's senior validation authority for joint military requirements, the Joint Requirements Oversight Council (JROC) continues to make improvements to the Joint Capability Integration Development System (JCIDS). These refinements to JCIDS ensure the appropriate rigor in validating realistic, technically achievable, prioritized, and cost-informed requirements. If confirmed, the necessary refinements to the requirements process will continue during my tenure as Chairman.

Question. If confirmed, what actions would you propose, if any, to ensure that resources are programmed for acquisition programs that are consistent with their cost estimates and schedules?

Answer. If confirmed, I will participate in the Department's program and budget process, and advocate for major system resource allocation consistent with the Secretary's cost and schedule position.

Question. What should the role of the combatant commanders, Service Chiefs, Service Acquisition Executives, and Under Secretary for Acquisition, Technology, and Logistics be in the acquisition process?

Answer. The role the combatant commanders and Service Chiefs play today in the requirements generation process is crucial to the success of the acquisition process. Likewise, their proactive engagement with the Service Acquisition Executives (SAE) and the Under Secretary for Acquisition, Technology and Logistics (USD(AT&L)) throughout the acquisition life-cycle ensures that major systems stay relevant, timely and cost-effective. USD(AT&L)'s role in reviewing Service plans at discrete milestones associated with major Department resource commitments ensures programs are affordable and executable, and that they follow sound business and risk management practices. This role should continue in conjunction with the efforts of the Service Acquisition Executives.

Question. Are there specific new roles or responsibilities that should be assigned to the Service Chiefs or Service Secretaries in the acquisition process?

Answer. I am supportive of current efforts that would provide additional authority and accountability to the Services as long as it does not undermine the statutory

responsibilities of the Secretary of Defense. Any potential changes should hold the Services accountable and streamline the bureaucratic processes involved.

TACTICAL FIGHTER PROGRAMS

Question. The F–35 Joint Strike Fighter Program, which is the largest and most expensive acquisition program in the Department's history, and was formally initiated as a program of record in 2002, with a total planned buy of 2,443 aircraft for the U.S. The program has not yet completed the System Development and Demonstration (SDD) phase, and is not due to enter full rate production until 2019, 17 years after its inception. At projected procurement rates, the aircraft will be procured by the Department well into the 2030 decade to reach its total quantity buy.

The requirement for 2,443 aircraft was established nearly 20 years ago; do you believe that requirement is still valid in light of countervailing pressure to reduce force structure to conserve resources and to improve capability to respond to prospective adversary technological advances and increased capabilities with regard to establishing contested combat environments, combined with updated threat assessments and an evolving national defense strategy?

Answer. With projected adversarial threats challenging our current capabilities in coming years, the Joint Strike Fighter is a vital component of our effort to ensure the Joint Force maintains dominance in the air. Given the evolving defense strategy and the latest Defense Planning Guidance, we are presently taking the newest strategic foundation and analyzing whether 2,443 aircraft is the correct number. Until the analysis is complete, we need to pursue the current scheduled quantity buy to preclude creating an overall near-term tactical fighter shortfall.

Question. Do you believe the Nation can afford to procure these aircraft at a cost of $12B to $15B per year for nearly the next 20 years for an aircraft design that will be 30 years old at the completion of the program procurement phase?

Answer. Fifth-generation fighter aircraft, including the F–35, are critical as we contend with the technological advancements of near-peer competitors. We must ensure that we do not allow shortfalls in fighter capability or capacity to develop. The Department has been working diligently to make the overall cost per F–35 more affordable. Additionally, there will continue to be critical updates throughout the life cycle of the F–35 that will ensure the platform maintains a tactical advantage.

Question. Do you believe the Department's current and planned force mix of short-range fighters and long-range strike aircraft, whether land- or maritime-based, is sufficient to meet current and future threats around the globe, and most especially in the Asia-Pacific theater of operations where the "tyranny of distance" is such a major factor?

Answer. The Department continually assesses our ability to meet current and future threats, especially concerning short-range fighters and long-range aircraft. Over the past three years, DOD has made significant progress in developing new alliance initiatives, securing new rotational access for U.S. forces, and enhancing both the quantity and quality of U.S. forces and capabilities in the Pacific region. The rebalance to the Asia-Pacific region is an important component of our effort to ensure we are postured to address the "tyranny of distance" and succeed militarily if required.

Question. The Senate Armed Services Committee report accompanying S. 1376, the National Defense Authorization Act for Fiscal Year 2016, would require the Secretary of Defense to assess the current requirement for the F–35 Joint Strike Fighter total program of record quantity, and then to revalidate that quantity or identify a new requirement for the total number of F–35 aircraft the Department would ultimately procure.

What will be your role in assisting the Secretary to revalidate the F–35 total program quantity?

Answer. If confirmed, I will advise the Secretary as he assesses the delicate balance of the capacity and the capabilities of the future Joint Force. This advice will be informed by the extent to which the F–35 program conforms to the priority requirements identified by combatant commanders and the Department's strategic plans.

Question. The Air Force has proposed several times over the last decades to retire the A–10 close air support aircraft fleet, but each time Congress has rejected the proposals due to lack of a sufficient replacement capability. The Air Force's latest proposals to retire the fleet in fiscal years 2015 and 2016 were again rejected by Congress.

Do you believe a need exists for a dedicated capability to provide close air support for American troops in close quarters battles?

Answer. I believe America's troops in close quarters battles must have effective close air support.

Question. What will be your role in ensuring our land forces receive the air support they'll need to survive and succeed while fighting the nation's land battles?

Answer. If confirmed, I will make recommendations to the Secretary of Defense concerning our ability to deliver effective air support to the Joint Force.

The Secretary of the Navy recently remarked that he believed the F–35 would be the nation's last manned fighter aircraft.

Question. Do you believe this to be true?

Answer. While robotic and autonomous systems technology has advanced greatly over the past decade, I believe it is premature to rule out manned fighter aircraft without a more thorough analysis of the technologies currently available, as well as those likely to be available in the future. Decisions about future platforms should also take into consideration the threats our aircraft will face and their required missions.

Question. If so, what will be your role in leading capabilities and requirements development to increase the role of unmanned aerial combat systems in the Department?

Answer. If confirmed, I will continue to lead the ongoing development of a joint concept for robotics and autonomous systems. This concept will establish a vision to establish capability requirements and to guide the subsequent development, fielding, and employment of robotics and autonomous technology in the Joint Force.

Question. If not, how do you see the future balance developing between manned and unmanned combat aircraft for the Department's future force structure?

Answer. I expect that the rapid growth in robotic and autonomous systems technology we have seen in the past decade will only increase in the coming years for all weapons systems, not only combat aircraft. With this growth will come opportunities for increased capability across the Joint Force through the complimentary use of manned and remotely operated systems. The Joint Staff is currently developing a Joint Concept for Robotic and Autonomous Systems that will help guide the Joint Force as it incorporates these new technologies and determines how to balance manned and remotely operated systems to maximize effectiveness.

SPACE

Question. China's test of an anti-satellite weapon in 2007 was a turning point for the United States in its policies and procedure to ensure access to space. As a Nation heavily dependent on space assets for both military and economic advantage, the United States has to make protection of space assets became a national priority.

Do you agree that space situational awareness and protection of space assets now has the appropriate level of national security priority?

Answer. No. Both are in need of attention in order to securely and effectively project U.S. military power.

Question. In your view, how should China's continued development of space systems inform U.S. space policy and programs?

Answer. China is rapidly developing space capabilities of its own that both mirror U.S. capabilities and could threaten our access and use of space for national security purposes. If confirmed, I will review our efforts to address China's developments in space, and will coordinate closely with the Secretary of Defense.

Question. If confirmed would you propose any changes to National Security space policy and programs?

If confirmed, I will continue to review our policies and programs to ensure U.S. warfighters can continue to depend on having the advantages that space confers.

ACCESS TO RADIO FREQUENCY SPECTRUM

Question. What actions would you take to ensure that the Department continues to have access to radiofrequency spectrum that is necessary to train and to conduct its operations?

Answer. Overall, it is recognized that electromagnetic spectrum superiority is essential to all joint operations, and spectrum has become increasingly important to the Department's missions. Spectrum is also critical to the economy of the nation. If confirmed, I will continue to work diligently with the Interagency and industry on spectrum sharing in order to ensure that the Department maintains assured access to the spectrum necessary to train and conduct operations, while enabling access for commercial broadband.

Additionally, Public Law 106–65 (National Defense Authorization Act for Fiscal Year 2000) requires the Secretaries of Commerce and Defense and the Chairman of the Joint Chiefs of Staff to certify that any alternative band or bands to be sub-

stituted for spectrum currently used by DOD provide "comparable technical characteristics to restore essential military capability that will be lost as a result of the band of frequencies to be so surrendered." Preserving this provision is absolutely necessary to ensure that DOD maintains access to spectrum necessary to operate critical military capabilities.

STRATEGIC SYSTEMS

Question. Over the next 5 years DOD will begin to replace or begin studies to replace all of the strategic delivery systems. For the next 15 plus years, DOD will also have to sustain the current strategic nuclear enterprise. This will be a very expensive undertaking.

Do you have any concerns about the ability of the Department to afford the costs of nuclear systems modernization while meeting the rest of the DOD commitments?

Answer. The strategic, operational and fiscal environments we face pose significant challenges for the Department of Defense. The modernization of strategic delivery systems and the sustainment of the strategic nuclear enterprise are important to maintaining a safe, secure, and effective nuclear deterrent. I support the continued investment in sustainment and modernization as a priority for defense spending. I am, of course, concerned about the impact of future budget resource reductions on our ability to meet these requirements. Therefore, if confirmed, I plan to continue to request budget certainty, stability, and flexibility to ensure we continue to modernize and sustain our nuclear capabilities, while balancing DOD priority commitments.

Question. If confirmed will you review the modernization and replacement programs to ensure that they are cost effective?

Answer. Yes.

MISSILE DEFENSE IN THE BOOST PHASE

Question. The Missile Defense Agency's (MDA) mission is to develop, test, and field an integrated, layered ballistic missile defense system to defend the United States and its allies against all ranges of enemy ballistic missiles in all phases of flight. While MDA is conducting research into next generation laser concepts that could be mounted on high altitude unmanned aerial vehicles, there is no program of record designed to intercept missiles during the boost phase of flight, when they are potentially most vulnerable.

Do you agree with the Commander of Northern Command, when he said on April 7, 2015, referring to missile threats that "we need to be able to start knocking them down in the boost phase ... and not rely on the midcourse phase where we are today?"

Answer. Yes. We should continue to support research and design efforts to defeat threats in the boost phase if operationally, technically and economically practical. Current capabilities are limited to denial in the midcourse and beyond phases; we need to look for solutions across the entire ballistic missile kill chain. The science shows a ballistic missile is comparatively easy to detect and track while boosting. Further, countermeasures on a missile, such as decoys designed to distract defensive systems, are not typically deployed until after the booster burns out. As such, boost-phase intercept is an attractive missile defense alternative.

Question. Would you support an increase in the priority of technology investments to develop and deploy a boost phase airborne laser weapon system for missile defense in the next decade, if technically practicable?

Answer. Yes, but only if operationally, technically and economically practical. The current budget supports pursuit of a laser demonstrator. A laser potentially would be capable of acquiring, tracking, and eventually destroying an enemy missile at a much lower cost than existing systems.

DOD'S COOPERATIVE THREAT REDUCTION PROGRAM

Question. The Cooperative Threat Reduction (CTR) program, which is focused historically on accounting for, securing or eliminating Cold War era weapons of mass destruction (WMD) and materials in the states of the former Soviet Union, has started to expand its focus to other countries. With this expansion the CTR program is widening its focus to biological weapons and capabilities including biological surveillance and early warning; and encouraging development of capabilities to reduce proliferation threats.

Do you think the CTR program is well coordinated among the U.S. government agencies that engage in threat reduction efforts, e.g., the Department of Defense, the Department of Energy, and the State Department?

Answer. I understand that the Departments of State, Energy, and Defense in conjunction with the Defense Threat Reduction Agency and the Combatant Commands, make extensive efforts to conduct both formal and informal coordination across the different WMD threat reduction efforts on a regular basis. These efforts also include placement of DTRA liaison officers at U.S. Embassies where significant activities take place.

Question. About 60 percent of CTR resources are proposed for biological programs.

With the very real threat of chemical weapons use and/or proliferation as we saw in Libya and are seeing in Syria, why is there such a large percentage of resources directed toward biological issues?

Answer. The DOD CTR Program remains postured to eliminate state-based WMD programs, including chemical weapons programs, if opportunities arise. At the same time, current scientific, economic, and demographic trends are magnifying the risks posed by outbreaks of infectious diseases of security concern, whether they are the result of a laboratory accident, a bioterror attack, or natural transmission. Such events are difficult to contain, pose a high threat to the health of U.S. citizens, drain economic resources and can potentially undermine geopolitical stability. As seen with the Ebola Virus Disease outbreak, due to the ease and speed of global travel, a bio-incident anywhere in the world may lead to dangerous regional and global security consequences when states are unable to provide basic services for their citizens, potentially creating environments enabling terrorists to act with impunity and increasing the risk of pathogens of security concern being stolen or diverted due to insecure storage.

PROMPT GLOBAL STRIKE

Question. The 2010 Quadrennial Defense Review concluded that the United States will continue to experiment with prompt global strike prototypes. There has been no decision to field a prompt global strike capability as the effort is early in the technology and testing phase.

In your view, what is the role for a conventional prompt global strike capability in addressing the key threats to U.S. national security in the near future?

Answer. Future circumstances may require the capability to address high value, time sensitive, and well-defended targets from outside the range of current conventional technology. I support the continued exploration of alternatives to existing strike system technologies and operational concepts to address these threats. The joint requirements process will continue to evaluate the alternatives to make informed recommendations for capability development balancing potential operational employment against costs.

Question. What approach (e.g. land-based or sea-based or both) to implementation of this capability would you expect to pursue if confirmed?

Answer. I would expect to continue support of a sea-based approach as articulated in established joint requirements. If confirmed, I will monitor the review of potential alternatives that support this capability.

Question. In your view what, if any, improvements in intelligence capabilities would be needed to support a prompt global strike capability?

Answer. In an unclassified response, I cannot go into much detail. If confirmed, I will seek to better understand and identify the capability improvements necessary to address any intelligence gaps discovered in the development this requirement.

NUCLEAR WEAPONS AND STOCKPILE STEWARDSHIP

Question. Congress established the Stockpile Stewardship Program with the aim of creating the computational capabilities and experimental tools needed to allow for the continued certification of the nuclear weapons stockpile as safe, secure, and reliable without the need for nuclear weapons testing. The Secretaries of Defense and Energy are statutorily required to certify annually to the Congress the continued safety, security, and reliability of the nuclear weapons stockpile.

As the stockpile continues to age, what do you view as the greatest challenges, if any, with respect to assuring the safety, security, and reliability of the stockpile?

Answer. To sustain a safe, secure, and effective stockpile, we must prudently manage our stockpile and related warhead Life Extension Programs. Our success in executing these programs will largely depend on our people and our infrastructure. We must recruit and retain our next-generation workforce capable of certifying the stockpile without underground testing. We must maintain and modernize the nuclear weapon infrastructure to ensure we have the full range of capabilities available to produce components required for our Life Extension Programs.

Question. If the technical conclusions and data from the Stockpile Stewardship Program could no longer confidently support the annual certification of the stockpile

as safe, secure, and reliable, would you recommend the resumption of underground nuclear testing? What considerations would guide your recommendation in this regard?

Answer. Any decision to resume underground nuclear testing should not be taken lightly. I would strongly consider recommendations from the Department of Energy and the National Laboratory Directors before making my recommendation to the Secretary and President. If confirmed, I am committed to working with the Department of Energy to maintain the critical skills, capabilities, and infrastructure needed to ensure the safety, reliability, and security of the stockpile without underground testing if practicable.

Question. Do you agree that the full funding of the President's plan for modernizing the nuclear weapons complex, commonly referred to as the 1251 report, is a critical national security priority?

Answer. Yes, funding the President's plan for sustaining and modernizing our nuclear weapons delivery platforms, sustaining a safe, secure, and reliable nuclear weapons stockpile, and modernizing the nuclear weapons infrastructure is a critical national security priority. Our nuclear deterrent is the nation's top military priority. The President's plan for modernizing the complex aligns funding with this priority.

Question. Prior to completing this modernization effort, do you believe it would be prudent to consider reductions below New START Treaty limits in the deployed stockpile of nuclear weapons?

Answer. Yes, I believe it is prudent to consider options for future reductions below New START Treaty limits, both in the deployed stockpile and in non-deployed weapons. However, I strongly believe that any further reductions should be accomplished "hand-in-hand" with Russia and focus on measures that will maintain or strengthen deterrence of adversaries, assurance of our Allies and partners, and strategic stability.

Question. If confirmed, would you recommend any changes to the non-deployed hedge stockpile of nuclear weapons?

Answer. I support reducing the size of the stockpile consistent with deterrence objectives and warfighter requirements. The United States retains a force of non-deployed nuclear warheads to hedge against technical failure and geopolitical developments that might alter our assessment of U.S. deployed force requirements. Completion of life-extension programs that improve safety, security and reliability of the stockpile and infrastructure modernization efforts that improve responsiveness may provide opportunities to change the non-deployed hedge while still effectively managing stockpile risk.

COUNTERING THE ISLAMIC STATE OF IRAQ AND THE LEVANT IN IRAQ & SYRIA

Question. To "degrade and ultimately destroy the terrorist group known as ISIL" the Department of Defense seeks to deny ISIL safe-haven and build partner capacity.

If confirmed, what criteria would you use to evaluate ISIL degradation and what is your assessment of the progress to degrade ISIL in Iraq and in Syria?

Answer. I view ISIL's inability to hold key terrain and lines of communication, and ISIL's failure to resupply or refit its fighters as indicators of degraded capability. I would additionally consider the rate at which ISIL recruits and replaces fighters on the battlefield. I would also view large groups of displaced persons returning to their homes and working to restore their former way of life, in cities like Tikrit, as another positive indicator of degraded ISIL influence. DOD will continue to work closely with the U.S. Intelligence Community, using its databases and analytic tools to run assessments on these and other indicators as necessary.

If confirmed, I will visit the region to make a personal assessment of our progress in degrading ISIL in Iraq and Syria.

Question. A large part of the support for ISIL and other violent extremist groups like al Nusrah by the local Syrian population is based on the fact that these groups seek to remove President Assad from power.

What limitations, if any, do we face by failing to have the removal of Assad as an objective in Syria?

Answer. President Assad's policies contributed to the rise of ISIL and limits effective C–ISIL operations in Syria today.

Question. In Iraq, what is the importance of arming the Sunni tribes in Anbar province to degrading ISIL and how do you assess progress to date? What is your understanding of the current plan to train and equip Sunni fighters to help in the campaign against ISIL?

Answer. Support to Sunni tribes is an important component of the effort to defeat ISIL. Sunni tribal fighters have the potential to be a credible ground force, and are

necessary to protect Iraqis in Anbar and other Sunni-dominant areas. PM Abadi and the GoI have made some progress in mobilizing Sunni tribes, supported by our efforts at airbases like Al Asad and Al Taqaddum. Much additional work remains.

Question. What is your assessment of the fall of Ramadi to ISIL last month and what adjustments, if any, to U.S. and coalition strategy do you believe need to be made?

Answer. Ramadi was a tactical setback, and it shows that ISIL is an agile and adaptive adversary. CENTCOM and the Iraqis have learned from this setback, and are adjusting the implementation of the strategy accordingly. If confirmed, I'll review the military campaign to make sure it will allow the non-military lines of effort the time and space they need to succeed. This will be a long campaign.

Question. What is your assessment of the coalition air campaign in Iraq and Syria and what adjustments, if any, do you think need to be made?

Answer. The Coalition air campaign is making some progress toward degrading ISIL's military capabilities and disrupting key ISIL enablers like oil production and communications. These efforts limit ISIL's freedom of movement, constrain its ability to recruit and reinforce its fighters, and impede its command and control. Coalition air support has enabled some key achievements for local forces, including ISF efforts to clear Tikrit and the recent success of anti-ISIL forces who took control of Tal Abyad. The air campaign is creating time and space for our ongoing diplomatic and political efforts and the development of credible ground partners in Iraq and Syria.

If confirmed, I will consult with commanders on the ground and make recommendations on how to improve our effectiveness.

Question. What is your assessment of the capabilities of the Iraqi security forces to respond to the threat posed by ISIL and other security challenges?

Answer. Our strategy is dependent upon having a trained, capable, and motivated partner on the ground. We have seen that with effective training, equipping, command and control, and Coalition air support, Iraqi and Kurdish forces can fight and achieve success against ISIL. However, it will take time to repair the damage caused by sectarian policies and corrosive leadership and to build the capability and capacity of our Iraqi partners on the ground. If confirmed, one of my first trips will be to Iraq to assess the current situation for myself.

Question. What lessons do you assess need to be taken from the fighting in Tikrit in March and April of this year?

Answer. We learned that Iraqi forces supported by Coalition air power have the potential to achieve success against ISIL. Iraqi leaders learned that Iranian support comes with conditions, and that there is no substitute for U.S. power.

Question. Does the current troop limitation of 3,100 give U.S. commanders, in conjunction with Iraqi security forces, Kurdish Peshmerga, tribal and local security forces, and coalition partners, in Iraq enough capability to successfully degrade and ultimately destroy ISIL?

Answer. I think our troop levels, including the recent addition of another 450 troops in al Taqqadum, is sufficient for us to advance the strategy's two military lines of effort in the near term. However, as conditions change on the ground, it may become necessary to adjust how we implement the military campaign. In the long term, the success of our advisory forces' efforts must be matched by the commitment and capacity of credible Iraqi ground partners in order to degrade ISIL. Our Iraqi partners must own this fight, and we must continue to enable their forces.

Question. What do you see as the principle role or roles of the Office of Security Cooperation within the U.S. Embassy in Iraq?

Answer. The Office of Security Cooperation is the Department's primary interlocutor for traditional security assistance and cooperation, in support of the U.S. Embassy. OSC–I, along with the Foreign Military Sales program, enables military programs to enhance the professionalization of the Iraqi Security Forces.

Question. What is your assessment of the success of the current strategy against ISIL?

Answer. We are only in month nine of a long campaign, but we have seen that well-led and determined Iraqi forces supported by Coalition air power potentially can have success against ISIL. Iraqi and Kurdish forces in Iraq and Syria have repelled ISIL advances in several towns, halted their advances following large-scale attacks, and cleared and secured lines of communication, which disrupts ISIL's ability to replenish combat power and supplies.

Militarily, we are making moderate progress. ISIL has lost ground overall since the beginning our campaign. However, the current strategy depends on the development of reliable ground partners and on progress toward inclusive political systems in Iraq and Syria. If we get an indication that the other lines of effort cannot make the necessary progress, we should re-examine the strategy. Any enduring solution

to the challenge that ISIL and other VEOs pose requires a generational effort, and our military efforts must be part of a whole of government approach.

Question. Do you assess that the training and equipping of Syrian opposition fighters by the United States and coalition partners under section 1209 of the fiscal year 2015 NDAA will produce enough fighters to make a strategic difference on the battlefield in Syria?

Answer. The outcome of the T&E program remains to be seen, but we face significant challenges in recruiting and vetting suitable volunteers at the scale necessary to have strategic effects. If confirmed, I plan to visit the region and assess our approach in Syria to develop a better understanding of this immensely complex and challenging situation.

Question. In your view, what military support, if any, will the Syrian opposition fighters who receive support under section 1209 of the fiscal year 2015 NDAA need from the United States and coalition partners when they return to Syria?

Answer. We will provide equipment, such as basic military gear, some mobility assets in the form of trucks and vehicles, and small arms and ammunition so that they can better defend themselves. The United States is committed to the success of the personnel we train, and we have legal and ethical responsibilities to support them. We are still considering the full complement of assistance we might provide to the T&E forces.

Question. What are the lessons learned from the drawdown and post-combat operations in Iraq that should be applied to the drawdown and post-combat operations in Afghanistan?

Answer. Iraq demonstrated that decisions about the drawdown and post-combat operations in Afghanistan should be based on conditions on the ground, with the flexibility to make adjustments as those conditions evolve. In addition, the drawdown from Iraq shows that whole-of-government cooperation is required to sustain security gains. We learned that U.S. forces can only mitigate the effects of security threats that are fueled by underlying political or sectarian problems. Ultimately, it is critical to have credible and capable local partners.

AFGHANISTAN CAMPAIGN

Question. What is your assessment of the progress of the Resolute Support mission in Afghanistan?

Answer. The initial forward momentum of the Resolute Support mission has been stymied by delays in forming the full new 25-member Afghan cabinet. In general, the Afghan National Defense and Security Forces (ANDSF) are better trained and equipped than insurgent forces, and continue to demonstrate tactical proficiency as they work together across the security pillars. The ANDSF's most critical gaps remain in aviation, intelligence, and special operations, all linked to the ANDSF's targeting capability. These gaps will endure for some time, even with the addition of key enablers. RS advisors are also working to address developmental shortfalls in the areas of logistics, medical support, and counter-IED exploitation.

Question. In May of 2014 President Obama said " . . . by the end of 2016, our military will draw down to a normal embassy presence in Kabul . . . "

What is your understanding of what military forces comprise a "normal embassy presence"?

Answer. A normal embassy presence will have counter-terrorism and security operation components; it will consist of a Defense Attaché Office, an Office of Security Cooperation, and a special operations element. A deliberate and measured transfer of enduring security cooperation activities is required to maintain continuity of ANDSF development and maintain our relationship with Afghanistan as an enduring counter-terrorism partner. Planning for this presence is underway at CENTCOM and its size will depend upon factors such as security force assistance objectives, ANDSF capabilities, Afghan government requests, and force protection concerns.

Question. What lessons should we learn from the experience of a calendar-based drawdown of U.S. troops in Iraq as applied to the drawdown of U.S. and international troops in Afghanistan?

Answer. We have learned that transitions must be conducted in a manner that properly balances our end state with conditions on the ground.

Question. If confirmed, are there changes you would recommend to the U.S. strategy in Afghanistan?

Answer. I support our overall approach in Afghanistan. If confirmed, I will visit Afghanistan to make an assessment of our current progress toward achieving our objectives. That visit will inform any recommendations I may make for changes to our strategy.

Question. What is the effect of ISIL operations in Afghanistan and/or coordination with the Taliban for the U.S. strategy for Afghanistan?

Answer. ISIL is a competitor with other groups that have traditionally operated in Afghanistan, which may result in increased violence between the various extremist groups. The Taliban has declared that it will not allow ISIL in Afghanistan. The coalition and the Afghan government are closely watching ISIL's attempt to expand its reach to Afghanistan and Pakistan. The ANDSF, National Directorate of Security (NDS), and Afghan political leadership are also collaborating closely to prevent this threat from expanding.

Question. If security conditions on the ground in Afghanistan degrade in 2016, would you recommend to the President revisions to the size and pace of the drawdown plan in order to adequately address those security conditions?

Answer. Yes.

Question. Should the authorities granted to the commander of U.S. forces in Afghanistan take into account the security conditions on the ground faced by U.S. troops?

Answer. Yes.

AFGHANISTAN NATIONAL SECURITY FORCES

Question. What is your assessment of the progress in developing a professional and effective Afghanistan National Security Forces (ANSF) and what recommendations would you make to address challenges to building ANSF capacity?

Answer. My assessment is that the ANDSF are strong at the tactical level and still needs assistance at the corps and institutional levels. They still need help in developing the systems and processes necessary to run a modern, professional army and police force. They also need sustained support in addressing capability gaps in aviation, intelligence, sustainment, and special operations. To address these gaps, our advisory mission and mentorship will continue to be vital. Our advisors are at the security ministries, at the army corps level, and in the police zones—those remain our main efforts.

Question. Do you support plans for building and sustaining the ANSF at 352,000 personnel and, if so, what factors influence your recommendation about the proper size of the ANSF?

Answer. Yes, for the near-term the Afghan National Army (ANA) and Afghan National Police (ANP) are the right size and possess the right capabilities to address the security situation in Afghanistan. Long-term, we will need to evaluate and assess the threat and security situation, and work with the Afghan government to right size the force to a level consistent with its long term security requirements and funding limitations.

RECONCILIATION

Question. In your view, what should be the role of the United States in any reconciliation negotiations with the Afghan Taliban and other insurgent groups?

Answer. The United States should continue to support a political process that enables Afghans to sit down with other Afghans to determine the future of their country.

Question. What additional steps, if any, should the United States take to advance the reconciliation process?

Answer. We remain strongly supportive of an Afghan-led and Afghan-owned reconciliation process whereby the Taliban and the Afghan government engage in talks toward a settlement to resolve the conflict in Afghanistan.

Question. In your view, what should be the role of Afghanistan's neighbors, in particular Pakistan, in the reconciliation process?

Answer. We believe regional partners have an important role to play in ensuring a stable, democratic Afghanistan. We have encouraged stronger ties between Afghanistan and Pakistan and have been pleased with their recent bilateral efforts to address their security concerns.

An audit report by the Special Inspector General for Afghanistan Reconstruction (SIGAR) raised concerns about Department of Defense plans to purchase PC–12 aircraft and Mi-17 helicopters for the Afghan Special Mission Wing and recommended suspending the contracts for these purchases. The Department of Defense and the North Atlantic Treaty Organization Training Mission—Afghanistan/ Combined Security Transition Command—Afghanistan did not concur with the SIGAR's recommendation on contract suspension.

Question. What is your assessment of current plans to equip the Afghan Special Mission Wing with PC–12 aircraft and Mi-17 helicopters?

Answer. These programs are long term and are moving in the right direction and will have a significant impact on ANDSF's ability to provide security to Afghanistan. If confirmed, however, I will assess all options to support the Special Mission Wing (SMW). With the ANDSF assuming full responsibility for security, and an associated significant decrease in coalition air support, the demand for air support in the form of ISR, airlift, aerial fires, and CASEVAC is likely to increase significantly.

Question. What is your assessment of the impact to effectiveness of current Afghanistan counterterrorism and counterinsurgency efforts of the PC–12 aircraft and Mi-17 helicopters?

Answer. Both the Mi-17s and PC–12s have enhanced the ANDSF's capability to conduct counterterrorism and counterinsurgency operations. The Mi-17 fleet remains the workhorse of the Afghan Air Force (AAF), conducting personnel transport, CASEVAC, resupply, close combat attack, aerial escort, and armed overwatch missions. The SMW uses its Mi-17 helicopters to provide Afghan special forces with medium-lift air assault, personnel transport, CASEVAC, and quick reaction force capabilities. The PC–12 aircraft is Afghanistan's first fixed-wing ISR platform, and it has expanded the SMW's capability to locate and identify threats using enhanced video and other intelligence collection capabilities. These platforms have improved the SMW's ability to conduct intelligence preparation of the battlefield, provide mission overwatch during the infiltration and exfiltration of forces, and gain access to areas prohibitive of vehicular traffic. Both of these aircraft provide the ANDSF with increased capabilities to overmatch the Taliban.

U.S. STRATEGIC RELATIONSHIP WITH PAKISTAN

Question. What in your view are the key U.S. strategic interests with regard to Pakistan?

Answer. The key U.S. strategic interests in Pakistan are 1) preventing al-Qaeda's resurgence in Afghanistan and Pakistan to limit its ability to attack the homeland, 2) preventing the proliferation of nuclear weapons and technology, and 3) promoting regional stability (including a peaceful outcome in Afghanistan).

Question. What would you consider to be areas of shared strategic interest between the United States and Pakistan?

Answer. The United States and Pakistan share the common strategic interests of defeating al-Qaeda and other extremist threats, ensuring regional stability, and furthering the non-proliferation of nuclear weapons and technology. We also share the goal of a stable peaceful Afghanistan.

Question. In what areas do you see U.S. and Pakistani strategic interests diverging?

Answer. Areas of divergent interest with Pakistan include our views on the use of proxies and the importance of a positive and stable Pakistan-India relationship.

Question. If confirmed, what changes, if any, would you recommend for U.S. relations with Pakistan, particularly in terms of military-to-military relations?

Answer. The U.S.-Pakistan relationship is fundamental to our vital national security interests. We will need to continue cooperation with Pakistan to defeat al-Qaeda, support Pakistan's stability, and achieve a lasting peace in Afghanistan. If confirmed, I would continue to evaluate the specifics of the relationship based on my assessment of our shared interests with Pakistan and its effectiveness of achieving our shared goals. I will continue to evaluate the efficacy of the mil-to-mil cooperation we have with Pakistan and identify ways in which we can work with Pakistan to enhance regional stability.

U.S. ASSISTANCE TO PAKISTAN

Question. Since 2001, the United States has provided significant military assistance to Pakistan. In addition, the United States has provided significant funds to reimburse Pakistan for the costs associated with military operations conducted by Pakistan along the Afghanistan-Pakistan border.

As U.S. troop presence draws down in Afghanistan, what recommendations, if any, would you have regarding the reduction or cessation of Coalition Support Funds that currently reimburse Pakistan for military support in connection with U.S. military operations in Afghanistan?

Answer. Pakistan has been, and remains, the largest recipient of CSF. It is in our interests to have an enduring partnership with Pakistan. As our mission in Afghanistan transitions, there remains a need for our mutually beneficial relationship. If confirmed, I will provide military advice and recommendations regarding our support for their operations based on my assessment of Pakistan's effectiveness and the larger strategic environment. .

Question. In your view, how effective has the assistance and other support that the United States has provided to Pakistan been in promoting U.S. interests?

Answer. Our assistance has enabled operations in Afghanistan and operations against al-Qaeda and helped secure our strategic interests. If confirmed, I will continue to work with the Pakistani military to ensure that they continue to do more.

Question. Do you support conditioning U.S. assistance and other support to Pakistan on Pakistan's continued cooperation in areas of mutual security interest?

Answer. Yes.

Question. What is your assessment of the current relationship between Afghanistan and Pakistan?

Answer. The current relationship appears to have improved since the election of President Ghani. It is clear that security in Afghanistan and Pakistan are linked. Both sides are working to ensure that concrete steps are taken to enhance their bilateral relationship and cooperation.

Question. What is your assessment of Pakistan's cooperation with the United States in counterterrorism operations against militant extremist groups located in Pakistan?

Answer. Pakistan has cooperated with the United States in our operations against al-Qaeda and other terrorist organizations. Their actions in North Waziristan and other areas of western Pakistan have disrupted groups that are a threat to U.S. personnel and objectives in Afghanistan. We will continue to work with Pakistan to do more.

Question. What is your assessment of Pakistan's efforts to maintain transit and provide security along the ground lines of communication (GLOCs) through Pakistan?

Answer. The GLOCs are open and Pakistan's support has been commendable. We currently rely on multiple lines of communication, to include the Pakistani GLOCs to support operations in Afghanistan and do not foresee any issues that would constrain our ability to operate.

Question. What is your assessment of Pakistan's efforts to counter the threat improvised explosive devices, including efforts to attack the network, go after known precursors and explosive materials?

Answer. Pakistan recognizes that improvised explosive devices (IED) are a shared problem. They suffer significant casualties within Pakistan due to IED attacks. We are making progress in the area of counter-IED cooperation, and Pakistan is taking demonstrable steps to disrupt the IED network, to include placing new restrictions on the distribution of precursor materials and hosting regional discussions to discuss the IED problem with international partners. More progress needs to be made though, particularly as it relates to interdicting explosives through increased border security.

IRAN

Question. What is your assessment of the military and political threat posed by Iran?

Answer. Iran, the foremost state sponsor of terrorism, is both a regional and global security threat. Iran attempts to export its influence and protect its governing regime through support for proxy terrorist groups like Hezbollah; weapons trafficking; ballistic missile procurement and advancement; and maritime assets that threaten and harass international waters in the Straits of Hormuz and beyond.

Question. What is your assessment of the threat of Iran's influence in Iraq to U.S. interests?

Answer. Iran's goals and actions are inconsistent with our interests. Iran's goal in Iraq is not to build an inclusive government; rather, it is to create a compliant, Shia-dominated buffer state.

Question. In your view, what are the risks, if any, associated with reducing U. S. presence in the Middle East with respect to the threat posed by Iran?

Answer. Reducing our presence in the Middle East could leave space for Iran to pursue its hegemonic goals. U.S. military presence gives credibility to the military options in the Middle East that both demonstrate our commitment to our regional security partners and deters Iran from employing its large conventional army or ballistic missiles and from interdicting the Strait of Hormuz. Nothing we say can match the message we deliver with our military presence or lack thereof.

Question. Negotiations on the Iran nuclear program have been extended with a deadline now of June 30, 2015 to finalize a comprehensive agreement. What are the elements of a nuclear agreement with Iran that you consider critical to ensuring that it is a "good" deal for U.S. national security interests?

Answer. A good deal rolls back Iran's nuclear program; provides the international community with unprecedented access and transparency into Iran's nuclear facilities and nuclear supply chain; and preserves critical sanctions on conventional arms and ballistic missiles. A finalized deal based on the 02 April political framework satisfies all three of these criteria and clearly makes it more difficult for Iran to move towards a nuclear weapon.

Question. If Iran is allowed to maintain a monitored and limited uranium enrichment program, do you believe that other states in the region may seek to develop enrichment programs of their own and why or why not?

Answer. Any response I would make at this time would be speculation. If confirmed, I will make an assessment based on intelligence and my engagement with regional partners.

Question. What role, if any, should DOD play in countering Iran's support of international terrorism?

Answer. The DOD's role is to deter and counter Iran's support of international terrorism and support our interagency partners' efforts. We deter Iran through our own responsive military presence in the Middle East and through defensive infrastructure and tactics for both ourselves and our allies. To counter Iran, we enable our partner nations through counter terrorism training and equipment sales, multinational exercises, and information sharing, which when combined help to both weaken terrorist groups and Iran's ability to support them.

THE 2001 AUTHORIZATION FOR USE OF MILITARY FORCE

Question. What is your understanding of the scope and duration of the 2001 Authorization for Use of Military Force (AUMF), including with respect to military operations against the Islamic State in Iraq and the Levant?

Answer. The United States is in an armed conflict against al-Qaeda and its associated forces. An associated force is defined as a group that (1) is an organized armed group that has entered the fight alongside al-Qaeda and, (2) is a co-belligerent with al-Qaeda in hostilities against the United States or its coalition partners. These are the same terrorist threats that carried out the grievous attacks on U.S. soil on September 11, 2001, and the AUMF still serves as the legal basis under U.S. domestic law to employ military force against these threats. Since September 2014, the Administration has stated that the 2001 AUMF is interpreted to permit the use of military force against the Islamic State of Iraq and the Levant (ISIL). ISIL, previously known as al-Qaeda in Iraq, has been subject to the use of force under the AUMF since at least 2004, when it entered the conflict against the United States and joined Usama bin Laden's al-Qaeda organization. While there are tensions between ISIL and parts of bin Laden's al-Qaeda network, ISIL views itself as the true executor of bin Laden's legacy of global jihad, and continues its violent campaign against the United States, its citizens, and interests.

Question. What factors govern Department of Defense determinations as to where the use of force is authorized, and against whom, pursuant to the AUMF?

Answer. The May, 2013 Presidential Policy Guidance (PPG) governs direct action against terrorist targets located outside the United States and areas of active hostilities. This document establishes the procedures necessary for the DOD to conduct these types of military operations. The PPG and its underlying operational plans provide clear standards and procedures for DOD concerning where, how, and against whom military force may be used. The DOD meticulously adheres to the formalized procedures of the PPG to ensure that decisions in these counter-terrorist operations are informed by sound military and policy advice, and are based the most up-to-date intelligence and the expertise of our national security professionals. Senior commanders, with the advice of their legal counsel, carefully review all operations for compliance with U.S. and international law before a decision is rendered by the Secretary of Defense or the President.

Question. Are you satisfied that current legal authorities, including the AUMF, enable the Department to carry out counterterrorism operations and activities at the level that you believe to be necessary and appropriate?

Answer. In its current form, the 2001 AUMF provides the necessary and sufficient authorities to counter al-Qaeda and its associated forces. Furthermore, the 2001 AUMF and the 2002 AUMF provide statutory authority for the current operations against ISIL.

ISLAMIC STATE IN IRAQ AND THE LEVANT (ISIL)

Question. What is your assessment of the threat posed by ISIL to the U.S. homeland, U.S. interests overseas, and Western interests more broadly?

Answer. ISIL is currently focused on strengthening and expanding its self-declared caliphate in Iraq and Syria and, to a lesser extent, on strengthening its affiliates in Libya and Nigeria. If ISIL were to refocus its efforts on attacking the U.S. homeland or other Western countries, it would have access to a pool of operatives from which to draw. ISIL already poses a threat to the U.S. and Western interests abroad, particularly U.S. persons traveling in the region.

Question. How would you describe the U.S. strategy to counter ISIL?

Answer. We have a whole-of-government strategy. The "ends" are defined as degrading ISIL over the course of 36 months and ultimately defeating ISIL, in coordination with the international coalition. Nine lines of effort across the USG constitute the "ways" in which we will achieve that objective, including supporting effective governance in Iraq, disrupting ISIL's finances, disrupting the flow of foreign fighters, and protecting the homeland. DOD is responsible for two of those lines of effort: to deny ISIL safe haven and to build partner capacity. The Department's "means" include: kinetic strike operations, advise/assist operations, training/equipping efforts, and our military posture in the region.

The military campaign, as one component of the broader strategy, provides time and space for progress along the other lines of effort, particularly the development of inclusive and legitimate governments in Iraq and Syria.

Question. What is your assessment of the effectiveness of that strategy in achieving its objectives?

Answer. We are seeing some military progress, but it is early in the campaign. In both Iraq and Syria, ISIL's ability to mass and maneuver forces is degraded, its leadership cells are pressured, and its command-and-control and supply lines are being severed. We have reduced ISIL's ability to produce, process, and transport oil. However, challenges remain, and this will be a long campaign.

The current strategy depends on the development of reliable ground partners and on progress toward inclusive political systems in Iraq and Syria. If we get an indication that the other lines of effort cannot make the necessary progress, we should re-examine the strategy. Any enduring solution to the challenge that ISIL and other VEOs pose requires a generational effort, and our military efforts must be part of a whole of government approach.

Question. What do you assess to be the greatest impediments to implementing the strategy to counter ISIL?

Answer. Poor governance and sectarian divisions create the greatest challenge to our efforts to counter ISIL. Political systems that foster inclusive and legitimate governance remain the most likely path to enduring stability and security in Iraq and Syria over the long-term.

Question. What modifications, if any, would you recommend be made to the strategy to counter ISIL?

Answer. If confirmed, I will assess the military lines of effort to ensure that they are providing the time and space necessary for the non-military lines of effort to succeed. I also will evaluate the efficacy of our efforts to train and equip security forces in Iraq and Syria, and assess whether we can make adjustments to increase their effectiveness. A final area I would examine is whether and how we would need to adjust our efforts to respond to ISIL's shifting geographic reach to confront ISIL not only where it exists today, but also where it is most likely to take root in the future, As with any strategy, I expect that continued assessment and refinement of both the strategy and its implementation is ongoing. As a key component of the overall strategy, we will continue to adjust implementation of the military campaign based on changes on the ground in Iraq and Syria.

AL QAEDA

Question. What is your assessment of the threat posed by al Qaeda and its affiliates to the U.S. homeland, U.S. interests overseas, and Western interests more broadly? Which affiliates are of most concern?

Answer. Al-Qaeda and its affiliates continue to pose a threat to the U.S. homeland, U.S. interests overseas, and Western interests more broadly despite ongoing counterterrorism (CT) pressure and competition from ISIL. Al-Qaeda in the Arabian Peninsula (AQAP) remains the affiliate of most concern.

YEMEN AND AL QAEDA IN THE ARABIAN PENINSULA

Question. What are the U.S. national security interests in Yemen?

Answer. We seek a stable Yemen, with an inclusive and legitimate government, that is willing and able to confront violent extremist organizations. Continued instability in Yemen not only imposes significant humanitarian costs on civilians, it also enables AQAP to thrive—a group which poses a direct threat to the U.S. home-

land—and allows groups to threaten freedom of navigation in the Gulf, particularly in the Bab al Mandeb Strait.

Question. What is your assessment of U.S. strategy in Yemen to date?

Answer. Our current U.S. strategy in Yemen is founded upon three related pillars: (1) support political transition, namely National Dialogue, Constitutional reform, and Elections, (2) provide continued economic and humanitarian assistance, and (3) lay the groundwork for security reform, specifically counterterrorism capacity building, border security, and critical infrastructure protection. The first step is for political parties to return to negotiations and establish a legitimate government. That would enable the United States to resume cooperation with the Yemen government in the future, particularly on countering AQAP. At this time we are challenged to conduct effective CT operations.

Question. What are the implications of recent events in Yemen for U.S. counterterrorism policy both in Yemen and globally?

Answer. The current turmoil in Yemen has hampered DOD CT operations against AQAP. Although, the United States still maintains a diminished capability. Prior to a Houthi takeover, DOD worked with the Republic of Yemen Government (RoYG) military units to combat the significant terrorist threat to the U.S. homeland emanating from AQAP. However, security concerns in Yemen led to an evacuation of all U.S. personnel, hindering efforts to combat AQAP. AQAP continues to pose an immediate security threat to Yemen, the region, and the United States. When the political and security situation allows, DOD will resume our counterterrorism partnership with the Yemeni government.

Question. What is your assessment of the effectiveness and capability of coalition operations led by Saudi Arabia in Yemen?

Answer. Coalition airstrikes are slowing Houthi expansion in Yemen. Saudi-led Coalition operations can be sustained at least in the near term. However, these operations have not compelled the Houthis to withdraw from cities they captured earlier this year nor deterred Houthi attacks along the Saudi border.

SOMALIA AND AL SHABAB

Question. What is your assessment of the threat posed by Al Shabab?

Answer. Al-Shabaab is primarily a threat in Somalia, Kenya, and other regional countries. It specifically targets countries providing forces to the African Union Mission in Somalia (AMISOM) as well as government facilities and Western targets in and around Mogadishu.

Question. In your view, does al Shabab pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. Al-Shabaab does not pose a direct threat to the U.S. homeland or Europe at present. Nevertheless, the group poses an ongoing threat to U.S., Western, and other allied interests in East Africa, to include Somalia and Kenya.

Question. What is your understanding of the current U.S. strategy in Somalia and the role of DOD in that strategy?

Answer. The current U.S. strategy on Somalia that was put in place in May 2014 focuses on two main security lines of effort: (1) Continued support to the African Union Mission in Somalia (AMISOM), to stabilize the short term security situation and (2) Promoting Somali security sector reform by expanded support to the Somali National Army, to advance longer term security and stabilization. DOD had an integral role in developing the strategy and we are playing an important role in its execution. These security efforts promote the stabilization of the political and economic situation which allows for the creation of responsive and functioning governmental institutions at the federal, regional, and local level.

Question. What role should DOD play in building the capacity of the Somali national military forces?

Answer. DOD continues to work closely with our colleagues at the Department of State to build the capacity of Somali security services that are loyal to the federal government and are composed of a mixture of clans and regional backgrounds. We intend to increase our support to the Somali National Army in the next year, with programs designed to provide equipment and logistics capacity to units of the Somali National Army to support their continued efforts alongside the African Union Mission in Somalia to defeat al-Shabaab.

AL-QAEDA IN THE ISLAMIC MAGHREB (AQIM)

Question. What is your assessment of the threat posed by Al-Qaeda in the Islamic Maghreb (AQIM)?

Answer. Al-Qaeda in the Lands of the Islamic Maghreb (AQIM) and affiliated groups pose a local and regional threat. AQIM will likely continue to target Malian

government and military targets and Multidimensional Integrated Stabilization in Mali (MINUSMA) forces and facilities, as well as pursue kidnapping for ransom tactics in Niger and Mali.

Question. In your view, does AQIM pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. No, AQIM does not presently pose a direct threat to the U.S. homeland. We see no indications the group views conducting attacks outside North Africa and the Sahel as a priority in the near term.

Question. What capacity has AQIM demonstrated to plan and carry out actions threatening U.S. interests?

Answer. AQIM has the capacity to threaten U.S. and Western interests within North and West Africa, where it has conducted or attempted attacks in several countries (i.e. Mali, Niger, Algeria, and Mauritania). The group will likely continue to bolster its ties to al-Qaeda-associated terrorist groups throughout the region to influence and support attack planning.

Question. In your view, what has been the impact of the recent expansion of AQIM's area of operations in northern Mali on the group's capacities and aims?

Answer. AQIM's expansion in northern Mali has increased its freedom of movement and enabled it to institute its own severe brand of sharia in territories it controls, implementing policies that are particularly brutal for women. AQIM remains capable of conducting small-scale improvised explosive device (IED), indirect fire (IDF), and mortar attacks against Multidimensional Integrated Stabilization Mission (MINUSMA) and Malian interests in the north.

LIBYA

Question. What is your assessment of the current security situation in Libya?

Answer. Libya's civil war has created a security vacuum and the country will remain volatile in 2015. Two rival governments are seeking to establish legitimacy, and their aligned militias are vying for control of territory and key infrastructure. ISIL also has declared the country part of its caliphate, and ISIL-aligned extremists are trying to institute sharia in parts of the country.

Question. What is your understanding of the U.S. strategy with regards to Libya and the role of DOD in that strategy?

Answer. The United States maintains a national interest in stabilizing Libya and preventing terrorists from using it as a safe haven. The United States and our allies are supporting the United Nations-led efforts to help the warring Libyan factions reach a political solution by forming a national unity government. Currently, the role of DOD in the U.S. strategy is to leverage military relationships with regional partners to encourage support for a political solution. A unity government containing both secularists and Islamists provides the best the long term partner to counter VEOs in Libya. Should diplomatic efforts to form a unity government succeed, the United States will be prepared to revisit security assistance efforts for the legitimate Libyan security forces.

Question. How would you assess its effectiveness in achieving its objectives?

Answer. Political reconciliation has yet to materialize. Libya's political landscape is severely fragmented and the country is in the midst of civil war. The UN-led negotiations have so far failed to gain traction, however negotiators remain optimistic that an agreement can be reached and a unity government formed.

Question. What do you assess to be the greatest impediments to implementing the strategy and protecting U.S. interests in Libya?

Answer. The greatest impediment to advancing U.S. goals in Libya is the severe fragmentation of Libya's political and security landscape, which has significantly complicated the negotiations. Libya has disintegrated into a complex mix of rival political factions, tribes, militias and other armed groups, interspersed with local and foreign extremists. Competition between these rival groups poses a challenge to building enduring political consensus, while violent extremists exploit this window of uncertainty to compromise regional stability.

NORTH AFRICA

Question. In recent years, there has been a growth of terrorist networks, capabilities, operations, and safe havens throughout North and East Africa, including groups that have the intention to target U.S. and Western interests. In the face of growing instability and threats, the U.S. counterterrorism effort in the region has been described as an "economy of force" effort.

Do you agree with that characterization of the situation in North and East Africa and the U.S. counterterrorism efforts to combat the related threats?

Answer. North and East Africa are important areas in our fight against extremists. Multiple different terrorist networks are indeed active in North and East Africa, as well as West Africa. These networks have primarily local ambitions—seeking increased influence over resources or territory, and threatening the stability of our regional partners and safety of civilians on the ground. Some have, at times, also demonstrated a willingness to target U.S. and Western interests. AFRICOM is continually working to identify, prioritize and target these networks, in partnership with host nations.

Question. What is your assessment of the current U.S. counterterrorism strategy in the region? In your view, is the U.S. military allocating adequate resources to effectively address the terrorism threat in the region?

Answer. DOD assets have been allocated based on the level of threat and the potential for collaboration with partner nations. Based on that criteria, our current allocation of resources appears appropriate, however if confirmed, I will consider whether additional investments are required in order to stem the growth of violent extremism in the region.

Question. General Rodriguez noted in his March 2014 testimony that "North Africa is a significant source of foreign fighters in the current conflict in Syria." What is your understanding of the foreign fighter flow from North Africa to the conflict in Syria and Iraq?

Answer. North Africans make up the vast majority of foreign fighters entering Iraq and Syria; however, increasingly many are choosing to remain in North Africa, and join the ISIL affiliate in Libya. Tunisians provide the largest contingent of foreign fighters to Syria and Iraq, followed by Morocco, Libya, and Algeria.

Question. In your view, is it likely that many of these fighters will eventually return home from Syria and Iraq to North Africa and continue their fight against regional governments?

Answer. Yes, it is likely that North African foreign fighters will eventually return home to conduct attacks in their home countries; however, it is currently unknown if these individuals would be tasked by ISIL to conduct attacks or if it would be of their own accord.

RUSSIA

Question. Crimea was formally annexed when President Putin signed a bill to absorb Crimea into the Russian Federation on March 18, 2014, and Russia continues to fuel instability in eastern Ukraine despite a ceasefire agreed to in September 2014.

How effective do you assess the sanctions of the U.S. and the European Union have been in deterring additional aggression by Russia?

Answer. Sanctions alone are unlikely to deter future Russian aggression; deterring combined Russian-separatists actions against Ukraine requires a whole of government approach that is aligned with our NATO allies and friends in Europe. However, U.S. and EU sanctions have had an impact on Russia's economy and send a clear signal to Moscow that aggression against Ukraine's sovereignty and territorial integrity entails costs.

Question. What other specific U.S. actions helped to deter additional Russian aggression in Eastern Europe?

Answer. Congressional support for the European Reassurance Initiative has enabled DOD, via Operation ATLANTIC RESOLVE (OAR), to conduct military exercises and training on land, in the air and at sea, while sustaining a rotational presence across Europe; and increase the responsiveness of U.S. forces to reinforce NATO by pursuing the prepositioning of equipment and enhancing reception facilities in Europe. Our bilateral efforts as well as our continued support of NATO adaptation measures all support the goal of deterring additional Russian aggression. Senior defense and diplomatic officials travel and consult with our allies and friends to affirm Alliance resolve and bolster approaches to deter Russian aggression.

Question. What additional steps, if any, are likely to prove most effective at deterring Russian aggression in Eastern Europe?

Answer. If confirmed, I will continue to evaluate current measures and take a close look at potential adjustments and adaptations. Of key concern to me is wisely channeling U.S. military efforts and resources to ensure our allies and partners are militarily capable and interoperable.

Question. Are you concerned that Moldova and Georgia may be at a heightened state of vulnerability given Russian willingness to take aggressive action in Ukraine?

Answer. Yes. Russia has demonstrated both in Georgia in 2008 and Ukraine today its willingness to use force, violate sovereignty, and exploit the vulnerabilities of

these fragile democracies to achieve its strategic objectives. Georgia, Moldova and Ukraine all contain Russian occupied separatist regions that the Kremlin exploits for its own purposes.

Question. Russian tactics in eastern Ukraine have been called "hybrid" and combine hard power with soft power, including elements such as lethal security assistance to separatists, the use of special operations forces, extensive information operations, withholding energy supplies and economic pressure.

If confirmed, what steps would you recommend as part of a strategy to counter this "hybrid" approach?

Answer. We need to remain alert to Russian strategic intent and capabilities—and their integration of military and non-military tools in the gray space. Most importantly, we must lead in order to maintain Trans-Atlantic resolve to resist Russian coercion now and in the future. I will continue to emphasize efforts and investments that enable our allies and friends to defend against a range of threats—and to do so collectively. Increasingly, there is a non-military dimension to security that requires whole-of-government and multinational approaches. Military power is just one aspect of these approaches.

Question. In light of Russia's actions in 2014, what do you believe are appropriate objectives for U.S.-Russian security relations?

Answer. Cooperation with Russia in areas of mutual interest within the military sphere remains possible if Russia assumes the role of a responsible international actor moving forward, not isolated and moving backward as it is today. If confirmed, my intent for the military-to-military relationship is to reduce the chances of miscalculation or escalation through professional, candid communications and behaviors.

NATO ALLIANCE

Question. The reemergence of an aggressive Russia has resulted in the North Atlantic Treaty Organization (NATO) developing the Readiness Action Plan that NATO Secretary General Jens Stoltenberg called "the biggest reinforcement of our collective defense since the end of the Cold War." NATO also continues to be central to our coalition operations in Afghanistan and elsewhere, even as many NATO members have significantly reduced their national defense budgets in response to economic and fiscal pressures.

How important is the NATO alliance to U.S. national security interests?

Answer. The Alliance is essential to our national security. The bedrock of NATO's collective defense obligation is Article 5, but NATO's importance extends beyond Article 5. NATO has been fundamental to sustaining Trans-Atlantic unity, prosperity and security. This has enabled Europe to contribute to security and prosperity on a global basis. The Alliance maintains a persistent air, land, and maritime presence in and around the territories of our European allies, demonstrating a commitment to defend its territory against any aggression. NATO is a fundamental contributor to international order. NATO conducts military operations in Kosovo, Afghanistan, the Mediterranean Sea, and off the Horn of Africa to support stability to those areas. NATO also assists nations in North Africa and the Middle East to develop local capabilities to stem the growing instability and transnational threats in and around their countries and to prevent those threats from spreading to Europe or threatening the U.S. homeland.

Question. In light of the Russian Federation's aggression against Ukraine, what do you see as the major strategic objectives of the NATO Alliance in the coming years and what are the greatest challenges in meeting those objectives?

Answer. NATO must affirm Trans-Atlantic Unity by adapting its collective defense against state and non-state threats across a broad spectrum. NATO's unity is fundamental, and that requires us to be attentive to the challenges confronting all members. The Russian Federation's aggression in Ukraine consolidated attention on the Alliance's clearest responsibility, which is to protect and defend its territory and populations against attack, per Article 5 of the North Atlantic Treaty. NATO must also remain prepared and continue to undertake its other "core tasks" of crisis management and cooperative security. Violent extremist non-state actors and Russian coercion and subversion in "gray space" test the Alliance's ability to adapt Article V to these challenges. As Allies, we must thereby ensure that the Defense Investment Pledge at the 2014 Wales Summit meets these challenges and threats.

Question. What do you see as the proper role, if any, for NATO in addressing the threat posed by ISIL and in addressing the problem of illegal immigration across the Mediterranean Sea?

Answer. A unified Europe can and must do more than one thing at a time. But NATO must be judicious about prioritizing its engagement given limited resources to address the threats and challenges to the southern and eastern flanks.

Information sharing is a useful contribution NATO could make to counter ISIL and/or to support Mediterranean Allies and friends managing border security and immigration challenges..

Question. The concept of defense cooperation among NATO members was emphasized at the NATO summit in Chicago in May 2012.

What areas or projects would you recommend, if confirmed, that NATO nations cooperate in to improve NATO alliance capabilities?

Answer. Cooperative efforts among Allies on developing capabilities have become increasingly important in light of the worldwide challenges and the fiscal straits facing many Allied nations. If confirmed, I would use my office to influence Allies to implement Wales Summit pledge to move toward the two percent defense spending target as soon as possible. In doing so, I would encourage Allies to focus their resources on specific Alliance capability needs, such as developing command and control and joint intelligence, surveillance and reconnaissance and maintaining and improving readiness and interoperability.

Question. Under what conditions, if any, would you envision further enlargement of NATO in the coming years?

Answer. Enlargement should be reserved for those candidates deemed ready to accept the obligations of membership, who are prepared to make the necessary reforms that further NATO's principles, and who contribute to the unity and security of the Alliance.

Question. Turkey continues to be a gateway for foreign fighters proceeding to and from Syria and Iraq.

What steps would you recommend to encourage Turkey to continue to address the threat posed by foreign fighters proceeding to and returning from Syria and Iraq?

Answer. Turkey acknowledges the foreign terrorist fighter threat and is taking steps to bolster its law enforcement and border security efforts, including increased monitoring, border security, and counter-illicit finance measures. If confirmed, I would support the Department's contributions to interagency support of Turkish enhance border security enhancements, to include strengthening critical information sharing with the Turkish military. Moreover, I would support international efforts to help source countries identify and disrupt foreign fighter transit through Turkey.

Question. At the NATO Summit in Wales in 2014, NATO leaders declared their "aim to move towards the 2 percent guideline [of GDP for defense spending] within a decade with a view to meeting their NATO Capability Targets and filling NATO's capability shortfalls."

In your view, what impact have national defense budget cuts had on the capabilities of the NATO alliance, and what do you believe needs to be done to address any capability shortfalls?

Answer. National defense budget cuts and fiscal austerity measures by our Allies have limited their ability to address long standing Alliance capability shortfalls such as in joint intelligence, surveillance and reconnaissance. These capabilities can be costly, but we need to ensure that in the future the United States is not the only Ally with such capabilities. The rhetoric of the Wales Defense Investment Pledge must be matched by real resources to build capability. The United States is committed to working with Allies on defense planning to ensure they maintain or develop the specific capabilities that the Alliance is lacking.

Question. What are the greatest military capability shortfalls that you see in the NATO alliance?

The most significant shortfalls that I see in the Alliance are: cyber defense, defense institution-building, enabling capabilities such as joint intelligence, surveillance and reconnaissance, air-to-air refueling and strategic lift. The Alliance places heavy reliance on the United States to provide these limited but high-demand capabilities. Other Allies should be encouraged to develop these capabilities through national and multinational investment.

Question. In light of the reductions in national defense spending by some NATO members, are you concerned that the Alliance will lack critical military capabilities? If so, what steps, if any, would you recommend be taken to address potential shortfalls in Alliance capabilities?

Answer. The United States is engaged in political, diplomatic and military channels to address continued reductions in defense investment by our Allies. We are particularly focused on NATO Allies that have been our most reliable partners for managing global security issues and those with the largest Gross Domestic Products. Alliance capability shortfalls will increase as national defense spending decreases. Most Allies have gone as far as they can go in wringing out efficiencies in

their defense spending. The key step for addressing capability shortfalls is to arrest the decline in national defense investment and move to meet the Defense Investment Pledge made at the 2014 Wales Summit.

Question. What are the greatest opportunities and challenges that you foresee for NATO in meeting its strategic objectives over the next five years?

Answer. The greatest opportunity and challenge are the same: adapting NATO to better meet current and future security challenges while preserving Trans-Atlantic unity. The events in both Europe and the Middle East have provided the catalyst for adapting NATO's political, military and institutional processes and focus. NATO leaders—including our President—have committed to this adaptation which will make NATO more responsive and ready to face, or deter, challenges. Following thru on this adaptation is the greatest opportunity for NATO; gaining the consensus to do this in a focused, proactive manner is the greatest challenge.

Question. In your view, is there a continuing requirement for U.S. nuclear weapons to be deployed in NATO countries?

Answer. The 2010 Strategic Concept for the Alliance states NATO will remain a nuclear alliance for as long as nuclear weapons exist. Further, the 2012 NATO Deterrence and Defense Posture Review, the DDPR, concluded NATO's current mix of conventional, nuclear, and missile defense capabilities remains appropriate. I concur with both of these judgments by the Alliance. Finally, in the context of recent Russian behavior, including their development of dual capable intermediate-range missile systems that directly threaten our NATO allies, now is not the time to eliminate a capability that has been an effective centerpiece of Alliance cohesion, resolve and deterrence for decades.

U.S. FORCE POSTURE IN EUROPE

Question. The Department of Defense continues to review its force posture in Europe to determine what additional consolidations and reductions are necessary and consistent with U.S. strategic interests.

How would you define the U.S. strategic interests in the European area of responsibility (AOR)?

Answer. As the National Security Strategy states, the United States maintains a profound commitment to a Europe that is free, whole, and at peace. According to the National Military Strategy, NATO's collective security guarantees are strategically important for deterring aggression, particularly in light of recent Russian aggression on its periphery.

Question. Do you believe that additional consolidation and reductions of U.S. forces in Europe are consistent with U.S. strategic interests in that AOR given the increase in Russian aggression in the last 15 months?

Answer. Yes. The current U.S. footprint in Europe—including the recent changes announced by Secretary Carter—supports garrison operations, training facilities and power projection capabilities for operations inside and outside the AOR. However, the credibility and effectiveness of our response to Russian aggression in the East depend not only on the operational scale and geographic scope of our operations, but also on their longevity. If confirmed, I will seek to ensure the persistent, appropriate level of rotational presence is retained in Europe to effectively assure allies and deter Russian aggression.

U.S. FORCE POSTURE IN THE ASIA-PACIFIC REGION

Question. The Department continues the effort to rebalance toward the Asia-Pacific as announced in the January 2012 Strategic Defense Guidance.

Are you satisfied with the rebalance efforts to date?

Answer. Yes. I am satisfied with our Rebalance efforts to date. The rebalance to the Asia-Pacific region has resulted in a significant adjustment in U.S. force structure and capabilities. As indicators of our success, we have negotiated new comprehensive force posture and access agreements with key allies and partners to support broader U.S. goals and objectives in the region. We have strengthened our alliances and greatly expanded partnerships with countries like Singapore, Vietnam and India. We have moderated tensions in East and South China Sea maritime disputes and reinforced our position as the security partner of choice for most nations in the region. An added benefit of these strengthened ties is the commitment of military forces and assets of several countries to the anti-ISIL coalition.

Question. What do you see as the U.S. security priorities in the Asia-Pacific region over the next couple of years and what specific capabilities or enhancements are needed in to meet those priorities?

Answer. The United States faces a range of challenges in the Asia-Pacific region, including provocations by the DPRK and the growth of its ballistic missile pro-

grams; China's development of new technologies intended to prevent open access to the air and maritime domain; widespread natural disasters and transnational threats; and territorial disputes. Going forward, we must prioritize investments in advanced capabilities that are critical for the future operational environment. I will support the ongoing efforts to increase U.S. military presence in the region and invest in and deploy critical advanced capabilities.

I believe we must not only continue to modernize U.S. alliances and partnerships, which provide a critical role in underwriting regional security, but also help grow the ISR, HADR and maritime security/domain awareness capacities of our allies and partners in the region. The Department must continue to enhance U.S. force posture and capabilities and work with China to encourage greater transparency about how it will use its growing military capabilities.

Question. Do the budget cuts and resource constraints associated with sequestration threaten your ability to execute the rebalance to the Pacific?

Answer. If we return to sequestration-level cuts in Fiscal Year 2016, we will face serious risks across the board, and may have to reassess the rebalance strategy. If confirmed, I look forward to working with the Department and Congress to help solve this pressing problem.

Question. As the United States realigns its forces in the Asia-Pacific Theater, do you believe we have the air and maritime lift required to support the distribution of Marines across North and Southeast Asia?

Answer. No. If confirmed, I look forward to working with the Services and the U.S. Pacific Command to address this challenge.

KOSOVO

Question. Approximately 700 U.S. troops remain in the Balkans as part of the Kosovo Force (KFOR) that first deployed to Kosovo in 1999 and today is comprised of over 4,600 personnel from 30 countries. Spikes in violence in 2011 required the deployment of the NATO operational Reserve Force battalion of approximately 600 soldiers to bolster KFOR and maintain a secure environment. Progress is required in both the military and political realms before further troop reductions can be made.

What major lines of effort do you think are required to further reduce or eliminate U.S. and NATO presence in Kosovo?

Answer. Continued progress in the EU implementation of the April 2013 accord between Serbia and Kosovo will go a long way to stabilizing the Western Balkans and ending Kosovo's ethnic partition thus setting the security conditions appropriate for further reducing or eliminating U.S. and NATO presence in Kosovo.

Question. In your view, can the European Union play a more significant role in Kosovo?

Answer. The EU plays a significant role by contributing to the security of Kosovo through its European Union Rule of Law Mission in Kosovo (EULEX–Kosovo) in addition to ongoing efforts to implement the 2013 Accord. The EULEX mission supports Kosovo on its path to a greater European integration in the rule of law area by investigating, prosecuting and adjudicating sensitive cases using its executive powers as well as by monitoring, mentoring, and advising local counterparts in the police, justice and custom fields to achieve sustainability and EU best practices in Kosovo. The EU's active engagement has helped facilitate political dialogue between Serbia and Kosovo and will continue to be an essential part of progress.

SECURITY SITUATION ON THE KOREAN PENINSULA

Question. What is your assessment of the current security situation on the Korean peninsula and of the threat posed to the United States and its allies by the current state of North Korea's ballistic missile and nuclear weapons capabilities?

Answer. North Korea remains one of the most challenging security problems for the United States and our allies and partners in the region. North Korea continues to take actions that are destabilizing for the region, including its December 2012 missile launch, February 2013 nuclear test, series of short-range ballistic missile launches in 2014, and the cyber-attack against Sony Pictures Entertainment.

North Korea's ballistic missile and weapons of mass destruction (WMD) capabilities clearly present a serious and direct threat to U.S. forces postured in the Asia-Pacific region as well as to our regional allies and partners. These capabilities could eventually pose a direct threat to U.S. territory. Moreover, North Korea's history of proliferation amplifies the dangers of its asymmetric programs.

The US–ROK alliance continues to be the linchpin to deterring North Korean aggression and maintaining stability on the Korean Peninsula. If confirmed, I will ensure that the U.S.-ROK Alliance continues to strengthen alliance capabilities to

counter North Korea's increasing missile and nuclear threat. I will also ensure that we draw upon the full range of our capabilities to deter, defend, and respond to North Korean ballistic missile and WMD threats.

Question. In your view, are there additional steps that DOD could take to ensure that North Korea does not proliferate missile and weapons technology to Syria, Iran and others?

Answer. If confirmed, I will continue efforts to strengthen our strong defense posture against the North Korean ballistic missile threat. This includes enhancing DOD's ability to highlight and disrupt the illicit proliferation networks that North Korea uses, and promoting cooperation with partners to interdict vessels and aircraft suspected of transporting items of proliferation concern.

Question. What is your view regarding the timing of transfer of wartime operational control from the U.S. to the ROK?

Answer. At the 2014 U.S.-ROK Security Consultative Meeting, SecDef Hagel and ROK Minister of Defense Han decided that in light of the evolving security environment in the region, we will implement the ROK-proposed, conditions-based approach to the transition of wartime OPCON.

The ROK will take wartime OPCON when critical ROK and alliance military capabilities are secured and the security environment in the region is conducive to a stable wartime OPCON transition.

CHINA ASSERTIVENESS

Question. How has China's aggressive assertion of territorial and maritime claims, particularly in the South China Sea and East China Sea, affected security and stability in the region?

Answer. China's actions in the South and East China Seas, as well as its rapid military modernization and growing defense budgets, have led many in the region—including the United States—to question its long-term intentions. It has still not clarified its expansive 9–Dash Line claim, and it continues to conduct large scale land-reclamation activities in the South China Sea. Such behavior has been destabilizing.

CHINA MIL-MIL

Question. What is your assessment of the current state of the U.S.-China military relationship and your views regarding China's interest in and commitment to improving military relations with the United States?

Answer. I view the U.S.-China military-to-military relationship as a critical component to our overall bilateral relations. It allows us to increase cooperation on areas of mutual interest and reduces risk as our forces come into closer contact. The Chinese leadership has expressed the view that the military-to-military relationship is useful as vehicle for stability in the overall bilateral relationship. The relationship has room for improvement.

Question. What is your view of the purpose and relative importance of sustained military-to-military relations with China?

Answer. As an enduring Pacific power, the United States has a clear interest in sustaining military-to-military contacts with China. I will continue to seek a mil-mil relationship that builds sustained and substantive dialogue, practical cooperation in areas of mutual interest, and mitigates the risk of miscalculation.

ANTI-ACCESS/AREA DENIAL

Question. Over the past few years, much has been made of the emerging anti-access and area denial capabilities of certain countries and the prospect that these capabilities may in the future limit the U.S. military's freedom of movement and action in certain regions. Do you believe emerging anti-access and area denial capabilities are a concern?

Answer. Yes. One of the keys to our nation's success is our ability to rapidly project power around the globe. Our power projection capability is essential to deterring our adversaries and maintaining global stability. Russia, Iran, and China are developing technologies, most notably missiles, designed to limit U.S. military's freedom of movement. If confirmed, I will make it a priority to ensure that we sustain our ability to project overwhelming combat power into any theater at a time of our choosing.

Question. If so, what do you believe the U.S. Armed Forces need to be doing now and in the next few years to ensure continued access to all strategically important segments of the maritime domain?

Answer. The United States is committed to keeping the global commons, especially maritime, free. We will continue to invest in the personnel and technological

advantages that will allow us to meet that commitment, especially to counter anti-access and area denial capabilities of our potential enemies. However, any discussion of specific actions and investments associated with our counter A2AD strategy and capabilities are more appropriate for discussion in a classified forum.

Question. If confirmed, you would play an important role in the process of transforming the U.S. Armed Forces' capability and capacity to meet new and emerging threats.

Answer. Concerning capability and capacity to meet new and emerging threats, what are your goals regarding transformation of the U.S. military?

Question. If confirmed, I would develop a detailed concept for Joint exercises and experimentation. My initial assessment, from the perspective of a service chief, is that our operational tempo over the past decade has adversely impacted us in this area.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES

Question. Despite the ongoing drawdown in Afghanistan, demand for intelligence, surveillance, and reconnaissance (ISR) capabilities of every kind remains very high due to the enhanced situational awareness and targeting capabilities they bring to our commanders. Almost all of the geographic combatant commands still have validated ISR requirements that are not being met.

What is your assessment of the Department's current disposition of ISR assets across the various combatant commands?

Answer. Demand for ISR continues to outpace available supply. The Services are operating at maximum capacity; therefore, sourcing for new requirements is a zero sum game. Assets are primarily reallocated from other combatant commander operations to meet new demands.

The Department's allocation strategy remains focused on leveraging our ISR capabilities to maximize effects. To support counter-terrorism and force protection, we have allocated nearly 90 percent of our remotely-piloted full-motion video assets to USCENTCOM, with the remaining sourced primarily to USAFRICOM. In USEUCOM and USPACOM's sensitive reconnaissance operations areas, we have leveraged assets with standoff capabilities to maximize indications and warning collection.

Question. As our forces are withdrawn from Afghanistan, should existing ISR assets be re-postured to support combatant command needs in other regions, or can we afford to reduce ISR capacity?

Answer. The Department continually evaluates our capabilities against evolving combatant command requirements, ensuring a balance across operational, force management, and institutional risks. When appropriate, ISR assets can be repostured to support emerging combatant commander needs across other regions. For example, within the last year, we shifted some ISR from Afghanistan to monitor ISIL activity in the Middle East. Additionally, we made the challenging decision to return medium-altitude ISR capacity to a steady-state 60 flights a day, from an almost continual surge of 65, reducing risk to the long-term sustainability of the USAF's unmanned pilot force.

Question. Most of the highest-value ISR assets acquired after 9/11 are aircraft that were not designed to be survivable in high-threat air defense environments, although in some cases unmanned aerial vehicles were designed to be deployed in large numbers in the expectation of substantial combat attrition.

Do you believe that the Department needs a major shift towards ISR platforms that are survivable in high-threat situations, or merely an augmentation of the capabilities we now have, with the assumption that air superiority can be gained rapidly enough to operate today's assets effectively?

Answer. We have learned a great many ISR lessons from more than ten years of conflict. It is in the best interest of the United States to invest in ISR platforms, sensors, and communications capabilities designed to penetrate and survive in high-threat and denied environments; not just in the air domain, but in space, surface, and sub-surface domains as well. These systems also offer the potential to improve pre-conflict warning. These capabilities are expensive to develop and field, but are a necessary component of balanced efforts to maintain our warfighting advantages. However, existing ISR systems remain very relevant for today's operations and future scenarios; particularly in support of ongoing counter-terrorism missions. So the right path appears to be augmenting the capabilities we have today to fill critical capability and capacity gaps.

AIRCRAFT CARRIER-LAUNCHED UNMANNED SYSTEMS

Question. The Navy's current plan for the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) system aircraft is to develop an airframe optimized for unrefueled endurance (14 hours) and the ISR mission.

Given the combat radius of the planned carrier air wing, are you concerned the carrier will lack the ability to project power at relevant distances given emerging anti-access/area-denial threats?

Answer. Yes. That's why it's critical that we continue to develop concepts and capabilities that will allow us to maintain a competitive advantage in an A2AD environment.

SPECIAL OPERATIONS FORCES

Question. The 2006 and 2010 QDRs have mandated significant growth in our special operations forces (SOF) and enablers that directly support their operations. The most-recent QDR released in 2014 capped this growth at 69,500, approximately 2,500 below the originally planned growth.

In light of the growing global terrorism threat, do you believe the currently planned end-strength for SOF is sufficient to meet global requirements?

Answer. The last two Quadrennial Defense Reviews (QDRs) directed significant growth in our special operations forces (SOF) along with enablers that directly support their operations. We will continue to carefully balance the need for further growth in SOF with our need to address other capability demands in light of increased budgetary pressures.

Question. SOF are heavily reliant on enabling support from the general purpose force. In light of current fiscal challenges, do you believe sufficient enabling capabilities can be maintained within the general purpose forces and that such capabilities will remain available to special operations forces?

Answer. Special operations forces depend on general purpose forces for many enabling capabilities, including intelligence, surveillance and reconnaissance (ISR), logistics, and medical evacuation. I believe that we have sufficient and trained general purpose forces to support high priority special operations missions.

INTERNATIONAL PEACEKEEPING CONTRIBUTIONS

Question. In testimony before the House Committee on Foreign Affairs (July 29, 2009), Ambassador Susan Rice, then U.S. Ambassador to the United Nations, stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to UN peacekeeping operations."

What is your view on whether the U.S. should contribute more military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. I believe we should focus on how best to increase the effectiveness and efficiency of UN peacekeeping operations. Deliberate and strategically crafted placements of personnel to key positions within the UN can advance U.S. influence and interests.

Question. If confirmed, would you support identifying methods through which the DOD personnel system could be more responsive to requests for personnel support from multilateral institutions like the United Nations?

Answer. Over the past year the Joint Staff has provided multiple officers to the UN to include the head of the UN's military planning service. The recent administrative waiver extension provided by the UN to the United States will help ease future assignments, when warranted.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. Military power is necessary, but not sufficient to achieve our national security objectives. The non-military dimensions of national security are increasing in their importance. Our adversaries understand this and have adapted to challenge us outside or short of our military redlines. Whereas the U.S. military provides a range of options to employ force, our diverse civilian partners provide potent and diverse options to exert and sustain American influence. Much of the incremental

progress bringing civil and military capacities together in the field is waning. Agencies and Departments must deliberately and jointly invest in civil-military strategy, doctrine, training and operations to meet the tests of this era, whether State-based coercion in "gray space," non-state violent extremism, or cyber threats to our homeland and overseas interests. If confirmed, my military advice to the President, NSC and Congress will reflect the need to invest, apply and sustain deliberate civil-military approaches to national security.

Question. How do you believe these efforts can be improved?

Answer. It begins with leadership. If confirmed, I will consult early and often with Secretary Carter, other members of the NSC and Congress to understand specific ways the Joint Force can support or enable the non-military dimensions of our national security. My focus will remain on the military instrument of power. I will establish expectations that the Joint Staff parallel my efforts by pursuing a more collaborative and engaged posture in NSC fora and with departments, agencies and the private sector.

Question. How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future contingency operations?

Answer. The Department's Joint Force Development process that takes observations from operational practice, joint training and concept development, analyzes them, and synthesizes them into Joint Doctrine for the operational preparation and employment of the force. As an example, the current average age of the Department's 81 Joint Doctrine publications is about 2 years old, a refresh rate that is about 3-times faster than it was in the years after 9/11. We should look at making doctrine more adaptable to the dynamic environment and accessible to the joint force. But we must also infuse learning into our joint education and joint exercise programs to ensure that its impact is aligned at the strategic, operational and tactical echelons within OSD, the Military Departments and Services, combatant commands and defense support activities.

Question. Interagency collaboration on an operational or tactical level tends to address issues on a country-by-country basis rather than on a regional basis (e.g. international terrorists departing Mali for safe havens in Libya).

How do you believe regional strategies that link efforts in individual countries can best be coordinated in the interagency arena?

Answer. Combatant commanders develop Theater Campaign Plans and Functional Campaign Plans that address regional and trans-regional issues. They seek input from interagency partners in the development of these plans to de-conflict and complement efforts. We need to change our paradigm. The State Department has initiated regional, functional and country strategies and supporting processes. DHS is maturing its scenario-based planning process. Our military paradigm needs to shift from expecting others to integrate into military plans and processes. This reinforces the tendency for DOD to become the option of first resort and the default integrator. We need to be more engaged with OSD to support and influence foreign affairs and homeland security planning and resourcing processes and integrate those into military plans and processes.

RESPONSIBILITY TO PROTECT

Question. The U.S. Government has recognized the "responsibility to protect" (R2P)—that is, the responsibility of the international community to use appropriate means to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, by encouraging states to protect their own populations, by helping states build the capacity to do so, and by acting directly should national authorities fail to provide such protection. In its 2010 Quadrennial Defense Review, the Department of Defense names "preventing human suffering due to mass atrocities" as one of a long list of potential contingencies that DOD might be called on to address. DOD has begun to explore some of the implications of R2P, by considering "mass atrocity prevention and response operations" (MAPRO).

Question. In your view, how high a priority should the "responsibility to protect" be for the U.S. Government as a whole?

Answer. My role is not to set policy priorities but rather to design and employ the military instrument in support of policy decisions. The military instrument can be used to meet many priorities as directed by the President. The U.S. military has often taken an active role in helping to prevent and responding to mass atrocity situations.

Question. In your view, what should be the role of DOD, if any, in fulfilling the responsibility to protect?

Answer. The role of DOD is to support the broader U.S. government's response in any situation as part of a whole-of-government approach. DOD should provide op-

tions, assess the risk associated with those options, and execute selected options as needed.

Question. In your view, what is the proper application of R2P doctrine with respect to the situation in Syria?

Answer. We incorporate R2P considerations, and civilian security considerations more broadly, when we weigh the acceptability and feasibility of our military strategies, whether in Syria or elsewhere. The U.S. Government is working with allies and partners and with the Syrian opposition to provide humanitarian assistance within Syria and across the region. Since fiscal year 2012, the United States has provided over $4.4 billion in aid to help the victims of this conflict, including emergency medical care and supplies, food, and shelter. Of that, over three quarters of a billion dollars have already been spent in fiscal year 2015.

OPERATION OBSERVANT COMPASS & THE LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces (UPDF) and efforts by U.S. Special Operations personnel to support them, elements of the Lord's Resistance Army (LRA)—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and South Sudan. Some observers have identified operational concerns with this mission, including that: (1) supported forces are trying to find an elusive foe in an area roughly the size of California, much of which is covered in thick jungle; (2) technical support to U.S. forces and their UPDF partners from the defense and intelligence community continues to be inadequate; and (3) limitations continue to be placed on the ability of U.S. Special Operations personnel to accompany UPDF partners outside of main basing locations, thereby limiting the level of direct support they can provide.

In your view, what is the objective of Operation Observant Compass?

Answer. Operation OBSERVANT COMPASS has four main objectives:

1) Increase protection of civilians affected by the LRA
2) Promote defection, disarmament, demobilization, and reintegration of LRA fighters
3) Remove Joseph Kony and LRA leaders from central Africa
4) Increase humanitarian access and provide relief

Our African partners, with DOD and interagency assistance, have made progress in achieving these mission objectives.

Question. Do you support the continuation of DOD's current level of support to this mission?

Answer. I am sensitive to the resource constraints we face, especially in the Africa area of operations, and am open to exploring other options to achieve our stated policy goals. I recommend resourcing at a level appropriate to the threat the LRA poses to our national interests in the region.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries" in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing Department of Defense support to U.S. law enforcement."

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime integrates all elements of our national power to combat transnational organized crime and related threats to national security—and urges our partners to do the same. The strategy seeks to reduce transnational organized crime from a national security threat to a manageable public safety concern in the U.S. and strategic regions abroad.

Question. What is your understanding of the Department's role within the President's strategy?

Answer. The Department of Defense provides support to other U.S. government agencies who lead our efforts to combat transnational organized crime.

Question. In your view, should DOD play a role in providing support to the U.S. law enforcement and the Intelligence Community on matters related to transnational organized crime?

Answer. Consistent with current and recently expanded authorities provided in the fiscal year 2015 NDAA, the Department provides unique capabilities that support U.S. law enforcement and Intelligence Community activities as part of a whole-of-government approach to address the national security threat posed by transnational criminal organizations. Intelligence support, counter-threat finance support, building partner capacity, and detection and monitoring are specific DOD capabilities which support the interagency and partner nations.

MASS ATROCITIES PREVENTION

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

Among interagency partners, what is DOD's role in addressing atrocity threats, and what tools does DOD have for preventing or responding to atrocities?

Answer. DOD has developed Joint Doctrine for conducting Mass Atrocity Response Operations. Based on this doctrine, atrocity prevention and response is now incorporated into DOD plans and planning guidance. In addition, DOD has conducted a comprehensive review of training in this area and is working to strengthen the capacity of UN peacekeeping operations to respond to atrocity situations.

Question. Has DOD developed planning processes toward this effort so that it will be able to respond quickly in emergency situations?

Answer. Yes, DOD has developed planning processes toward this effort. All DOD components have been directed to integrate atrocity prevention and response into their policies and plans. Specific plans are further developed and implemented at the Geographic Combatant Command level, in coordination with the Office of the Secretary of Defense, the Joint Staff, and the interagency as appropriate.

Question. In your view, is the situation in Syria a mass atrocity?

Answer. Assad's actions against his own people have harmed civilians and undermined security in Syria and the region, with over two hundred thousand combatant and non-combatants deaths and over four million displaced.

COUNTER THREAT FINANCE

Question. DOD and the Intelligence Community (IC) have begun investing more resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking, but the opportunities for tracking and degrading illicit financing flows are not yet matched by the effort and resources devoted to them. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats.

What are your views on the role of DOD in counter threat finance activities?

Answer. Many terrorists, criminal networks, and other adversaries who threaten U.S. strategic interests rely heavily on licit or illicit financial networks to support and sustain their operations. DOD policy is to work with other U.S. government entities and partner nations to effectively deny, disrupt, degrade, and defeat our adversaries' ability to access and utilize financial resources. If confirmed, I will review our level of integration across the interagency and with our foreign and institutional partners with the goal of maximizing cooperation and effectiveness in countering these activities and networks.

Question. Are you aware of any policy, legal authority, or resource shortfalls that may impair U.S. counter threat finance efforts?

Answer. Lack of sufficient insight and fidelity on the sources of corruption in partner nations can hinder our ability to achieve counter threat network goals. Additionally, in non-terrorism cases, there is room for improvement with respect to the full and timely sharing of relevant information between law enforcement and intelligence elements in a timely manner.

Question. In your view, how should the Department of Defense coordinate and interface with other key agencies, including the Department of Treasury and the Intelligence Community, in conducting counter threat finance activities?

Answer. The Department should, and currently does, use its unique capabilities to augment and support the efforts of other U.S. government entities, including the Department of Treasury and the Intelligence Community. The result is a well-coordinated, capable, and robust counter threat finance posture. If confirmed, I will

continue to remain fully engaged in the interagency process to diminish adversary use of both licit and illicit financial networks.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent bills, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your current assessment of this authority?

Answer. Section 1208 funding allows the U.S. government to reduce our reliance on unilateral Direct Action operations and increase the role of our foreign partners in combatting terrorism around the globe. It is an effective Advise and Assist program that can be rapidly established to advance U.S. counterterrorism objectives in areas that do not possess the will or capacity to fight terrorism. It can serve as a bridging solution to future programs focused on building partner nation capacity.

ACTIVE-DUTY AND RESERVE COMPONENT END STRENGTH

Question. Last year DOD announced its 5-year plan to reduce active-duty end strengths by over 100,000 servicemembers by 2017 and the reserve components by another 21,000 over the same period. These cuts do not include any additional personnel reductions that could result from sequestration or any agreement to avoid sequestration.

What is your view of the role of the reserve components as the active components draw down?

Answer. As an integral part of our Total Force, the Reserve Components provide much of the operational capability and strategic depth needed to meet our nation's defense requirements. The drawdown of both active-duty and reserve end strength requires us to rebalance some capabilities between the active and reserve components to maintain the force structure required by our National Military Strategy. This balance between components provides us with the agility to meet strategic objectives while managing our current fiscal constraints. I see the Reserve Components as continuing to provide much of the operational capability needed to support current operations while maintaining the strategic depth required in responding to the more demanding global contingencies. Our nation's investment in the Reserve Components has generated a well-trained, fully integrated, and capable force that will continue to fulfill these roles. In addition, we will continue to capitalize upon the broad skills and experience our Reserve Component servicemembers bring to the force from their civilian occupations.

Question. What additional military personnel reductions do you envision if the sequester continues into 2014 and beyond?

Answer. PB16 FYDP manning levels already reflect the maximum acceptable risk in executing our defense strategy. If sequestration continues, we will further reduce total personnel numbers, known as end-strength, consistent with the numbers we have provided since the Strategic Choices Management Review (SCMR) of 2013–2014. These numbers were highlighted by all of the Service Chiefs in their combined testimony to the SASC on January 28, 2015.

Question. In your view, what tools do DOD and the Services need to get down to authorized strengths in the future, and which of these require Congressional authorization?

Answer. The Department and Services' current force management tools provide adequate flexibility to enable the drawdown to authorized Service end strengths, and, at present, the Services do not seek additional authorities in this regard.

RELIGIOUS GUIDELINES

Question. American military personnel routinely deploy to locations around the world where they must engage work effectively with allies and with host-country nationals whose faiths and beliefs may be different than their own. For many other cultures, religious faith is not a purely personal and private matter; it is the foundation of their culture and society. Learning to respect the different faiths and beliefs of others, and to understand how accommodating different views can contribute to a diverse force is, some would argue, an essential skill to operational effectiveness.

In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes. I believe current policies appropriately accommodate the free exercise of religion, including individual expressions of belief, without impinging on those who have different, or no, religious beliefs. Department of Defense policy regarding religious accommodation, set forth in DODI 1300.17, affirms the rights of individuals to express their sincerely held beliefs, whether they be matters of conscience, moral principles, or religious beliefs. The Department of Defense places a high value on the rights of individuals to do so, or not do so. This is held in balance with the need of the Military Departments to maintain military readiness, unit cohesion, and good order and discipline.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Yes. The current policies regarding religious accommodation provide a clear means by which individual expressions of belief, including apparel, grooming and worship practices, can be considered by commanders. Denial of religious accommodation requests may only occur when it furthers a compelling governmental interest and is the least restrictive means of furthering that interest. Unit cohesion and good order and discipline are compelling interests, but they must be preserved in the least restrictive manner that is practicable for mission accomplishment.

Question. In your view, does a military climate that welcomes and respects open and candid discussions about personal religious faith and beliefs in a garrison environment contribute in a positive way to preparing U.S. forces to be effective in overseas assignments? Would a policy that discourages open discussions about personal faith and beliefs be more or less effective at preparing servicemembers to work and operate in a pluralistic environment?

Answer. In my view, a military climate that welcomes and respects open and candid discussion about personal religious faith in garrison can positively prepare U.S. forces to be effective in overseas assignments. In a world that appears to be increasingly committed to expressing religious belief, possessing this skill is necessary to not only understand our adversaries, but also understand our partner nations (consistent with the National Strategy on Integrating Religious Leader and Faith Community Engagement into U.S. Foreign Policy). Any policy that discourages open discussion diminishes our ability to develop these skills. However, there must be clear guidance about the importance of mutual respect and trust.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. In 2014, there was what the Department described as an "unprecedented 53 percent increase in victim reports of sexual assault. In fiscal year 2014, victims made 4,660 Unrestricted Reports and 1,840 initial Restricted Reports of sexual assault. Also in fiscal year 2014, the Department saw the number of victims who converted Restricted Reports to Unrestricted Reports increase from an average of 15 percent to 20 percent. According to the 2014 RAND Military Workplace Study approximately 72 percent of servicemember victims who indicated they made a sexual assault report said they would make the same decision to make a report if they had to do it over again. The Rand Study also indicated the percentages of active duty personnel who experienced unwanted sexual assault declined in 2014, from 6.1 percent to 4.3 percent for women and from 1.2 percent to 0.9 percent for men. The Department also concluded the estimated gap between reporting and prevalence of sexual assaults was at the narrowest point since the Department began tracking this data.

What is your assessment of the current DOD sexual assault prevention and response program?

Answer. The Department's response to sexual assault continues to improve, but work remains. The Services have developed a number of reforms and policy changes designed to increase victim confidence and enhance access to victim advocacy and legal support. To reinforce these changes, as the Services have instituted unique training for investigators and prosecutors who handle sexual assault crimes. They have also increased bystander intervention training and sexual assault awareness across the entire force.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. Victim care remains a top priority for the Department. We face the same challenges that society faces in dealing with incidents of sexual assault—balancing care to victims with prosecuting offenders. Unrestricted reporting automatically initiates a criminal investigation. After learning some victims were choosing to forego support services rather than initiate an investigation, the Department offered the restricted reporting option. Offering both forms of reporting provides a means to

protect a victim's privacy while also providing access to medical care and support services.

Question. What is your understanding of the adequacy of DOD oversight of military service implementation of the DOD and service policies for the prevention of and response to sexual assaults?

Answer. The Department has put a considerable amount of effort into the development of policies and procedures designed to address sexual assault. The Sexual Assault Prevention and Response Office provides oversight for sexual assault policy and works with the Services to execute their prevention and response strategic plans. The Joint Chiefs of Staff's partnership with OSD provides the operational perspective to the sexual assault program in support of initiatives to improve oversight and accountability.

Question. What is your view about the role of the chain of command in changing the military culture in which these observed changes in sexual assaults have occurred?

Answer. Establishing an appropriate culture where victims are treated with dignity and respect starts at the top. Commanders are accountable for what happens in their units and they set the leadership tone. Commanders are crucial to our ability to effect institutional change and leaders at all levels must foster a command climate where sexist behavior, sexual harassment and sexual assault are not condoned or ignored.

Question. Surveys report that up to 62 percent of victims who report a sexual assault perceive professional or social retaliation for reporting. If confirmed, what will you do to address the issue of retaliation for reporting a sexual assault?

Answer. First of all, any form of retaliation goes against our core values and has no place in our military. While the latest surveys confirmed that victims perceive retaliation, the data did not provide the depth needed to understand this challenging problem or to develop appropriate solutions to the problem of peer retaliation. If confirmed, I, along with the Joint Chiefs, will continue to support efforts to better define the problem and determine root causes. I will also continue to work to ensure that the joint force culture is one of respect and that retaliation is not tolerated, especially among peers.

Question. Sexual assault is a significantly underreported crime in our society and in the military. If confirmed, what will you do to increase reporting of sexual assaults by military victims?

Answer. In order to increase reporting of sexual assaults by military victims, we must improve victim confidence in our ability to respond to incidents of sexual assault. We must also establish a climate in which victims are treated with dignity and respect, and where any form of retaliation or reprisal is unequivocally unacceptable. If confirmed, I will continue the partnership with OSD to assess current programs and develop initiatives to enhance support services and improve our systems to hold perpetrators appropriately accountable.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command, instead of a military commander in the grade of O–6 or above as is currently the Department's policy, to determine whether allegations of sexual assault should be prosecuted?

Answer. I support the Department's current policy. The Uniform Code of Military Justice operates as both a criminal justice system and a critical component of a commander's authority to maintain good order and discipline. I believe our military members and national security will best be served by retaining the military commander's key role in the military justice decision process. While I greatly value the legal analyses and recommendations provided by our highly proficient judge advocates, and fully expect all leaders in the Services to take the greatest advantage of this expertise, I firmly believe the military commander's role is indispensable in the prosecutorial process.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. As you know, the Department in January rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services are working now to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development of these standards?

Answer. The Services are in the final stages of validating their standards. In my current capacity, I have been involved in the process. Military Department Secretaries must certify that their standards are gender-neutral and in compliance with all applicable Public Laws by 30 Sept. If confirmed, I will be engaged in the development and implementation of standards that affect joint warfighting.

Question. Will you ensure that the standards will be realistic and will preserve, or enhance, military readiness and mission capability?

Answer. Yes. The Services and USSOCOM worked with various scientific and research agencies to ensure the standards are current, occupationally valid and tied to the operational requirement. Preserving readiness is a key tenant of the guiding principles established in the Jan 2013 memorandum.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements?

Answer. Yes. Decisions to open positions will be based on rigorous analysis of the Services and USSOCOM integration studies and the recommendations of the Secretaries of the Military Departments.

Question. If so, what steps will you take, if confirmed, to ensure that such decisions are made on this basis?

Answer. As the senior military advisor to the Secretary of Defense, I will provide sound advice from a Joint operational perspective to ensure that we preserve unit readiness and maintain the best qualified forces to meet mission requirements.

Question. Some family members have expressed concerns about assigning women to what are currently male-only combat units.

To what extent do you believe that this will be a problem in the implementation of this policy?

Answer. As with any institutional change, we can expect there will be concerns from a variety of sources. I respect the concerns of our military families, but I do not see this as a problem as we implement the policy. Women are already serving in units that provide direct support to combat units.

Question. If it is a problem, what steps would you take if confirmed to address it?

Answer. If confirmed, I will continue to engage with military families our servicemembers to discuss their concerns and explain our policies.

MILITARY HEALTH CARE REFORM AND MODERNIZATION

Question. Congress authorized the Military Compensation and Retirement Modernization Commission in the National Defense Authorization Act for Fiscal Year 2013 to conduct a review of the military compensation and retirement systems and to make recommendations to modernize those systems. The Commission released its report in January 2015.

What is your view of the Commission's findings regarding the military health system?

Answer. I agree with the Commission that DOD needs to continue to improve the military health care system. I also believe the health care reforms proposed in the fiscal year 2016 budget are a good first step and offer servicemembers, retirees, and their families more control and choice over their health care decisions. I'm open to working with Congress to develop additional reform proposals for consideration in the fiscal year 2017 budget.

Question. Do you believe the Department's fiscal year 2016 proposal to consolidate TRICARE adequately addressed the Commission's findings on military health care?

Answer. Yes. The TRICARE proposal in the President's Fiscal Year 2016 budget more effectively achieves the aim of providing family members and retirees with greater choice and control over their healthcare decisions without the risk of an untested, and potentially infeasible, overhaul of the Military Health System. If confirmed, I will work closely with DOD leadership and Congress to ensure the proposal is implemented as efficiently and effectively as possible.

Question. What is your view of the Commission's recommendation to establish a Joint Readiness Command?

Answer. I agree with the Commission's overall objective of protecting medical readiness across the joint force including establishment of essential medical capabilities (EMCs). However, a new, four-star readiness command is not necessary as the Department has sufficient processes and governance structures in-place to identify, track, and measure the readiness status of enterprise wide and Service specific EMCs.

Question. What is your assessment of progress the Defense Health Agency has made to create efficiencies and generate cost savings by combining the medical support functions of the Services?

Answer. The Defense Health Agency (DHA) will reach Full Operational Capability (FOC) on 01 October 2015 and I am told they are on track to meet this goal. Once FOC, DHA will receive a Combat Support Agency Review Team Assessment (CSART) from the Joint Staff NLT 2017 to determine its responsiveness and readiness to support the operating forces.

Question. Do you believe the Defense Health Agency should be replaced with a new combatant command, a Unified Medical Command?

Answer. The Defense Health Agency (DHA) will reach Full Operational Capability (FOC) on 01 October 2015 and I believe it is premature to make a determination if DHA is able to meet its mission. As a Combat Support Agency (CSA), DHA will receive Combat Support Agency Review Team Assessment (CSART) in early 2017 to determine its responsiveness and readiness to support the operating forces. In addition, in my role as the Commandant of the United States Marine Corps, I was directly involved in Department's review of the Military Compensation and Retirement Modernization Commission recommendations. As such, I agree with the Secretary's assessment of not supporting creation of an additional new four-star combatant command for the purpose of ensuring joint medical readiness.

WOUNDED WARRIOR SUPPORT

Question. Servicemembers wounded and injured in combat operations deserve the highest priority from their Service for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty when appropriate, and continuing support beyond retirement or discharge.

What is your assessment of the progress made by the Department of Defense, the Department of Veterans Affairs, and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. DOD, the VA, and the Services have made considerable progress in ensuring the Nation's wounded, ill, and injured recovering servicemembers (RSMs), their families, and caregivers receive the support they need for recovery, rehabilitation, and reintegration. The NDAA for fiscal year 2008 directed DOD to improve the care, management, and transition of recovering servicemembers. It established the office now known as Warrior Care Policy (WCP) to develop policies for the Department and provide the oversight of those policies to ensure proper execution and outcomes. The policy and oversight areas for WCP include the Recovery Coordination Program, the Integrated Disability Evaluation System, the Military Adaptive Sports Program, Operation Warfighter, the Education and Employment Initiative, and the Caregiver Support Program.

The Department continuously evaluates our wounded warrior and caregiver programs, and implements improvements. We are incorporating lessons-learned and best practices to update policies and programs to improve support for RSM and their families.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. The recovery care coordinators are a crucial resource for Wounded Warriors and their families, and we must continue to fund and evaluate the effectiveness of this resource over time. The Joint Staff conducted a thorough review of the Service's policies and procedures related to returning our Wounded Warriors to service, and found that all Services were operating within OSD guidance. We provided constructive feedback to OSD which will allow the Services to retain flexibility to develop programs unique for their Service needs and culture, while also providing guidance that better supports Wounded Warriors. This guidance provides clarity on how to navigate the "reassignment and retraining" process if they desire (and qualify for) continued service. If confirmed, I am committed to continued improvement on our efforts and results with regards to the care and support of our Wounded Warriors and their families.

Question. What is your assessment of the need to make further improvements in the Integrated Disability Evaluation System?

Answer. The Department continuously evaluates IDES to identify improvements. DOD has implemented several actions that have resulted in the IDES reaching a critical milestone in timeliness and overall servicemember satisfaction. As of May 2015, Active Component case timeliness averaged 223 days against a 295-day goal, Reserve Component timeliness averaged 298 days against a 305-day goal, and 87 percent of servicemembers expressed overall satisfaction with the IDES process. If

confirmed, I will ensure my staff and I support improvements to the Disability Evaluation Process that benefit both our servicemembers and the Department.

SUICIDE PREVENTION AND MENTAL HEALTH RESOURCES

Question. The numbers of suicides in each of the Services continues to concern the Committee.

In your view, what role should the Joint Chiefs of Staff play in shaping policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families, including members of the reserve components?

Answer. Suicide prevention is an important responsibility I share with the Service Secretaries and Service Chiefs. We have joined forces with agencies across DOD and Interagency, the White House and civilian sector to better understand the factors leading to suicide and refine our prevention programs. As leaders, we have the responsibility to not only seek to build strong and resilient individuals, but also to grow strong and resilient organizations.

Question. If confirmed, what actions will you take to ensure that sufficient mental health resources are available to servicemembers in theater, and to the servicemembers and their families upon return to home station?

Answer. Adequate mental health staffing must remain a priority to ensure the highest delivery of mental health services. I support several initiatives underway to improve access to mental health care, increased provider availability, and more effective recruitment and retention of mental health providers. The continued embedding of Mental Health personnel across the deployed force is critical with required in-theater periodic mental health assessments. These initiatives in conjunction with the cooperative efforts underway between the VA and DOD work to ensure continuity of mental health care for deployed and returning servicemembers. It is imperative that these efforts continue to address the long-term mental health needs of servicemembers and their families.

MILITARY QUALITY OF LIFE

Question. The Committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare and recreation services, especially as DOD faces budget challenges.

If confirmed, what further enhancements, if any, to military quality of life programs would you consider a priority in an era of intense downward pressure on budgets?

Answer. I don't have any recommendations for enhancement at this time. If confirmed, I will continue to engage in the maintenance and development of effective quality of life programs.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the active and reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families?

Answer. Every family has unique needs, requiring a flexible and responsive network of services to deliver support at the right time, using the most effective methods. From pay and benefits, to deployment forecasting to wellness plans, military families have valid concerns that should be addressed. Our research indicates that military families are most concerned about pay and benefits, including retirement. Other critically important issues are health care, education, and housing.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. If confirmed I will continue to work with the Services to meet the changing needs of our military families. Community-based partnerships will be key to improve education, employment, and wellness support for current and transitioning members. The Services have also adjusted force size and rotation, redoubled transition support, and invested in world-class health care for our wounded. Family support programs that are flexible, responsive, and communicate and coordinate with interagency and non-governmental family services are critical to meet the enduring needs of our servicemembers and their families, whether they live on, near, or far from military installations. Working together with the Services, we can find effi-

ciencies and enhance the accessibility of support when and where it is needed and at the right level.

I remain committed to building and retaining ready, resilient servicemembers and families. Readiness/retention efforts must look beyond reactive financial incentives to emphasize total servicemember and family wellness.

Question. If confirmed, how would you ensure support is provided to reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. We must continue outreach, education, awareness, and engagement strategies to promote servicemember and family readiness programs within the Reserve Component. Since 2008, the Yellow Ribbon Reintegration Program has led our support efforts with this population, providing access to deployment cycle information, resources, programs, services, and referrals to more than 1.53 million servicemembers and their families. The Yellow Ribbon Reintegration Program eases transitions for servicemembers and families as they move between their military and civilian roles. Our geographically diverse populations are also supported by Department of Defense Military One Source Consultants that works to build capacity to identify and meet evolving needs at the local community level. To augment and enable that local support, Military OneSource provides support to military families, military leadership, and military and civilian service providers through delivery of information, referrals, specialty consultations and non-medical counseling.

OPERATIONAL ENERGY BUDGETING

Question. Since Congress created the Office of the Assistant Secretary of Defense for Operational Energy Plans and Programs, much progress has been made in a few short years in these programs.

In what specific areas, if any, do you believe the Department needs to improve the incorporation of energy considerations into the strategic planning and force development processes?

Answer. The Joint Staff and Combatant Commands will continue to analyze, evaluate, and assess where increased energy demand necessary for improved combat capabilities intersects with operational energy and energy security constraints or vulnerabilities. We will further refine and improve plans, strategy, procurement, force development and policies regarding energy considerations as it relates to mission success.

Question. In what specific areas, if any, do you believe the Department should increase funding for operational energy requirements, energy efficiency, alternative energy, and renewable energy opportunities?

Answer. I am mindful of our need to increase military capability, reduce risk, and mitigate operational costs through our use and management of energy. As a result, I believe that we should make additional investments to increasing both operational effectiveness and efficiency. This will be accomplished by improving the energy performance of aircraft, ships, ground vehicles, and military bases, reducing the vulnerability of our energy supply chains, and diversifying the kinds of energy accessible to our combatant commanders. Additional funding applied towards alternative energy solutions for contingency operations would be particularly welcomed given ongoing and anticipated operational requirements.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Question. Officials of the Department of Defense, including previous Chairmen of the Joint Chiefs of Staff, have advocated for accession to the Law of the Sea Convention.

Do you support United States accession to the United Nations Convention on the Law of the Sea?

Answer. I support accession to the Convention. Being a party to the Convention enhances the United States' security posture by reinforcing freedom of the seas and rights vital to ensuring our global force posture. The Convention provides legal certainty in the world's largest maneuver space. Access would strengthen the legal foundation for our ability to transit through international straits and archipelagic waters; preserve our right to conduct military activities in other countries' Exclusive Economic Zones (EEZs) without notice or permission; reaffirm the sovereign immunity of warships; provide a framework to counter excessive maritime claims; and preserve or operations and intelligence-collection activities. Joining the Convention would also demonstrate our commitment to the rule of law, strengthen our credibility among those nations that are already party to the Convention, and allow us to bring the full force of our influence in challenging excessive maritime claims. Fi-

nally, it would secure for us a leadership role in shaping and influencing future maritime developments.

Question. How would you respond to critics of the Convention who assert that accession is not in the national security interests of the United States?

Answer. There are significant national security impacts from failing to join the Convention. By remaining outside the Convention, the United States remains in scarce company with Iran, Venezuela, North Korea, and Syria, and foregoes the most effective way to counter undesirable changes in the law or to exercise international leadership. By not acceding to UNCLOS we deny ourselves the ability to challenge changes to international law as a result of the practice of nations at the local, regional, or global level. As some states seek to interpret treaty provisions in a manner that restricts freedom of navigation, U.S. reliance on customary international law as the legal foundation for our military activities in the maritime becomes far more vulnerable and needlessly places our forces in a more tenuous position during operations. Moreover, by failing to join the Convention, some countries may come to doubt our commitment to act in accordance with international law.

Question. In your view, what impact, if any, would U.S. accession to the Law of the Sea Convention have on ongoing and emerging maritime disputes such as in the South China Sea and in the Arctic?

Answer. Acceding to the Convention would strengthen our credibility and strategic position on issues pertaining to these regions. While we do not take sides in the various territorial disputes in the South China Sea, we do have a national security interest in ensuring disputes are resolved peacefully, countries adhere to the rule of law, and all nations fully respect freedom of the seas. However, we undermine our leverage by not signing up to the same rule book by which we are asking other countries to accept. As for the Artic, the other Arctic coastal nations (Russia, Canada, Norway and Denmark (Greenland)) understand the importance of the Convention and are in the process of utilizing the Convention's procedures to establish the outer limits of their extended continental shelves (ECS) in the Arctic. The United States has a significant ECS in the Arctic Ocean, but cannot avail itself of the Convention's mechanisms to gain international recognition of its ECS. We must put our rights on a treaty footing and more fully and effectively interact with the other seven Arctic Council nations who are parties to the Convention.

DETAINEE TREATMENT POLICY

Question. Recent Department of Defense operations in Iraq and Syria highlight the need for a continued detention capability for both interrogation and law of war detention.

What recommendations do you have for ensuring that the Department of Defense maintains sufficient detention capabilities for capture operations against ISIL and other affiliated terrorist groups to remain a viable option?

Answer. The United States needs a viable detention capability to support our counterterrorism strategy. If confirmed, I will work with civilian and military leadership to ensure our commanders on the ground have the capability to lawfully detain as part of capture operations.

Question. Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated August 19, 2014?

Answer. Yes.

Question. If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with the Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes.

Question. Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. Soldiers, Sailors, Airmen or Marines are treated, should they be captured in future conflicts?

Answer. Yes.

OFFSET TECHNOLOGIES

Question. During the Cold War, the DOD pursued three key technologies to offset the numerical superiority of Soviet conventional forces: precision guided munitions, stealth technology, and satellite-based navigation. These three technologies have given U.S. forces unparalleled superiority until now. However, with advancements by our emerging adversaries, it seems like the military technological superiority is beginning to erode. As a result, it is critical that the United States once again focus on offsetting the technology advantages being gained by our adversaries.

Which technology priorities do you believe the Department of Defense should be pursuing to maintain the military technological superiority of the United States?

Answer. To offset advances in anti-access and area-denial weapons and other advanced technologies that are proliferating around the world, the Department will identify, develop, and field breakthroughs in cutting-edge technologies and systems—especially from the field of robotics, autonomous systems, miniaturization, big data, and additive manufacturing.

Question. What strategies would you recommend that Secretary Carter implement to develop these technology priorities?

Answer. I strongly support Secretary Carter's vision and strategy as captured in the Defense Innovation Initiative. This multi-faceted effort recognizes that more than just developing new technology priorities is required, and acts as the organizing and integrating construct weaving cutting-edge technology recommendations developed by our long-range research and development planning program into new innovative operational concepts. We must also make sure that our investments in operational concepts and human capital proceed apace with our efforts to pursue innovative solutions through technological means. Our greatest asset will remain our servicemembers.

Question. What role do the services have to play in their development?

Answer. The Services will have a key role, as part of the Defense Innovation Initiative team and as the Department's primary organizations for developing and acquiring weapons systems. The Services identify combinations of new and existing technologies that are necessary to project power globally, and to prevent the erosion of our technological superiority in other areas. Ultimately, the Services integrate technology, training, and operational concepts to produce capabilities and generate fielded forces for the combatant commanders.

SCIENCE AND TECHNOLOGY

Question. One of the main objectives of the defense research enterprise is to develop advanced technologies that will be of benefit to the warfighter. In this regard, it is critical that advancements quickly transition from the development phase into testing and evaluation and ultimately into a procurement program for the warfighter.

What are some of the challenges you see in transitioning technologies effectively from research programs into programs of records?

Answer. There are three challenges that I see in in transitioning technologies effectively into programs of record. The first is establishing a compelling case and the necessary "head-room" in the budget. The second is maintaining momentum in the program and budgeting process given the competing and evolving strategic demands placed on the U.S. military. The third is achieving the promise of the research technology in a timely manner at a reasonable cost.

Question. As the Chairman of the Joint Chiefs of Staff, what steps will you take to ensure that the services are benefitting more quickly and directly from the research being performed by the defense research enterprise?

Answer. As the primary advocate for warfighter requirements, I will ensure that the resourcing and acquisition processes are well-informed on the priority and timing of capability needs. I will also continue to use the Chairman's Gap Assessment and the Chairman's Program Recommendation to communicate directly to Secretary Carter my thoughts on promising research being performed by the research enterprise.

Question. Do you feel that defense technologies and systems, especially in areas such as mobile communications, computing, and robotics, are keeping pace with global and commercial technological advances? If not, what do you suggest that the Department do to keep up with the pace of global technological change?

Answer. I believe the Department is challenged keeping pace with global and commercial technology advances. The Secretary's Defense Innovation Initiative is focusing the Department on maintaining our military's technological edge in an increasingly competitive technology environment.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the Administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Chairman of the Joint Chiefs of Staff?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

FORCE STRUCTURE AND DETERRENCE

1. Senator INHOFE. General Dunford, does our military have the force structure, training and equipment to meet requirements in the National Military Strategy?

General DUNFORD. My initial assessment is yes. However, if Budget Control Act level cuts return, we will need to reassess our ability to execute the strategy with an acceptable level of risk

2. Senator INHOFE. General Dunford, in your opinion, why is the United States being challenged around the globe?

General DUNFORD. The United States is being challenged because our comparative military and technological advantages over adversaries are eroding. Moreover, the pace and diffusion of technology advancement makes it easier for both state and non-state actors to challenge us.

3. Senator INHOFE. General Dunford, does our military have the capability and credibility to deter aggression around the globe?

General DUNFORD. Yes. I believe the Services have maintained our military capabilities to provide credible deterrence against potential aggressors across the globe. However, the capabilities of potential aggressors are expanding and modernizing. We need to update our deterrence model for emerging threats, which are more asymmetric and hybrid in nature. We must now focus on resetting and reconstituting capabilities that have degraded over the past fifteen years, while also incorporating new capabilities so we can continue to provide a credible deterrent.

4. Senator INHOFE. General Dunford, do you believe our potential adversaries have that perception?

General DUNFORD. Yes, I do, although it is certainly difficult to know exactly how potential adversaries view our capabilities and credibility. As we develop an effective deterrence model, understanding and shaping the perceptions of adversaries about our capabilities and credibility must be a major component.

AFGHANISTAN AND IRAQ

5. Senator INHOFE. General Dunford, are their benchmarks established to determine if conditions on the ground dictate the time and level of a withdrawal of U.S. forces?

General DUNFORD. Yes, in Afghanistan we continually validate our assumptions and assess the conditions on the ground using eight "Essential Functions" as our benchmark and the overall security environment with the country and within the year. These functions identify the areas where Coalition efforts support the Afghan security institutions to more effectively enable Afghan National Defense and Security Forces. Over time, ANDSF will require less U.S. participation to train, advise, and assist Afghan security institutions as they build sustainable capabilities.

If security conditions on the ground in Afghanistan degrade against these benchmarks, I will continue to reassess the size and pace of the drawdown plan and provide my best military advice to the President and the Secretary of Defense.

If confirmed, I will visit Afghanistan to make an assessment of our current progress. That visit will inform any recommendations I may make for changes to our strategy.

6. Senator INHOFE. General Dunford, how do we avoid the same mistake we made in Iraq?

General DUNFORD. Iraq demonstrated that decisions about the drawdown and post-combat operations in Afghanistan should be based on conditions on the ground, with the flexibility to make adjustments as those conditions evolve. In addition, the drawdown from Iraq shows that whole-of-government cooperation is required to sustain security gains. U.S. forces can mitigate the effects of security threats that are fueled by underlying political or sectarian problems, but ultimately, it is critical that we have credible and capable local partners and an enduring political solution.

ARMING THE KURDS

7. Senator INHOFE. General Dunford, if confirmed, will you take steps to ensure the Kurds receive weapons and equipment they need to fight ISIL?

General DUNFORD. Yes.

8. Senator INHOFE. General Dunford, will you also look into the process used to approve which weapons are giving to the Kurds and report back to this committee any issues with the process, recommendations on how to improve the process, and status of the Kurds receiving the equipment they need to fight ISIL?

General DUNFORD. Yes.

TAIWAN

9. Senator INHOFE. General Dunford, the Taiwan Relations Act and the "Six Assurances" affirm our commitment to maintain Taiwan's self-defense capability. What is your view towards this longstanding policy?

General DUNFORD. Consistent with the Taiwan Relations Act, the U.S. remains firmly committed to make available to Taiwan such defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. It has been over 35 years since the TRA was enacted, and we will continue to support Taiwan through the robust unofficial relationship contemplated in the TRA. We oppose any unilateral changes to the status quo on either side of the Strait, and we support peaceful resolution of cross-Strait differences in a manner acceptable on both sides.

10. Senator INHOFE. General Dunford, what do you believe are the priorities for U.S. military assistance to Taiwan?

General DUNFORD. The priority for U.S. military assistance to Taiwan is to provide defensive systems and capabilities in order for Taiwan to maintain a sufficient self-defense capacity. This long-standing policy contributes to the maintenance of peace and stability across the Taiwan Strait by providing Taiwan with the confidence to pursue constructive interactions with the PRC.

11. Senator INHOFE. General Dunford, due to Taiwan's geo-strategic position and close bilateral cooperation, Taiwan can potentially play an important role in our rebalance to Asia strategy. Do you plan to help improve Taiwan's asymmetric capability to deter potential threats from the PRC?

General DUNFORD. The U.S. conducts robust security cooperation with Taiwan, and both sides carefully examine Taiwan's defense needs. Cost-effective, asymmetric capabilities are important for Taiwan to maintain a sufficient self-defense capability.

12. Senator INHOFE. General Dunford, do you believe Taiwan should be invited to participate in regional maritime security and humanitarian assistance/disaster relief operations?

General DUNFORD. The U.S. military has deepened and expanded its cooperation with Taiwan's military in recent years and HA/DR is one of many important areas in which this has occurred. Going forward, we will continue to evaluate every opportunity for Taiwan's participation, based on specific training objectives.

QUESTIONS SUBMITTED BY SENATOR RODGER F. WICKER

RUSSIA AND EASTERN EUROPE

13. Senator WICKER. General Dunford, last week I met with President Poroshenko in Kyiv. While he is grateful for the $300 million in military assistance authorized in our Senate-passed National Defense Authorization Act (NDAA), Poroshenko told me that Ukraine urgently needs Javelin anti-tank missiles to counter Russian advances in the East. Would you agree with me that the United States not providing defensive arms to Ukraine could send a message to Putin about a lack of resolve on Ukraine from the administration?

General DUNFORD. The U.S. is delivering substantial security assistance and training, which demonstrates resolve. Defense institution building is essential. From a purely military perspective, enhancing Ukraine's capabilities to deal with Russian aggression would help Ukraine protect its sovereignty.

14. Senator WICKER. General Dunford, would you also agree that it's outrageous that this month's transfer of 100 armored Humvees to the Ukrainians took over one year to process due to bureaucratic delays at DOD and State?

General DUNFORD. We must improve our processes and increase efficiency. In this case, the White House announced approval of the transfer of 30 armored and up to 200 unarmored HMMWVs to Ukraine on 11 March 2015. Ukraine took delivery of 30 armored HMMWVs later that month and 100 unarmored HMMWVs on 16 July 2015. One hundred additional unarmored HMMWVs will be delivered based on Ukraine's schedule. These are provided as Excess of Defense Articles which means the country determines the number, and pays for delivery and any refurbishment.

15. Senator WICKER. General Dunford, earlier this year, former national security advisor Zbigniew Brzezinski proposed to this committee the creation of a "tripwire" in the Baltics that communicates clearly to Russia that NATO—in particular, the United States—will not tolerate violations of the territorial integrity of our allies. Can you highlight to this committee the steps the Department of Defense (DOD) should take to send a credible message to Russia about our red-lines in Eastern Europe?

General DUNFORD. We must continue to take actions to deter Russian aggression and remain alert to its strategic capabilities. Most importantly, we must also help our allies and partners resist and defend against Russian coercion now, and over the long term. I will continue to emphasize a package of security cooperation, rotational presence, and deterrence measures. These measures will further affirm alliance intent and capability to deter and defeat asymmetric threats. I will continue to evaluate current measures and recommend or make appropriate adjustments.

16. Senator WICKER. General Dunford, for too long, Europe has relied on the American taxpayer for their security. According to NATO guidelines, member countries should spend at least 2 percent of their gross domestic product (GDP) on defense. Only four countries spent that much in 2013–Estonia, Greece, the United States, and the United Kingdom. Given the fragility of the economies of many European states, how would you engage and encourage our NATO allies to live up to their commitments to invest in their militaries?

General DUNFORD. If confirmed, I would encourage my Allied counterparts to invest in specific capabilities that address both the Alliance needs and support to their nations' defense modernization efforts.

SEQUESTRATION

17. Senator WICKER. General Dunford, in fiscal year 2013, the Navy implemented numerous cuts in response to sequestration. This included cancellation of five ship deployments and the delayed deployment of a carrier strike group to the Middle East. Since 2013, we've witnessed the rise of ISIL, the deteriorating situation in Yemen, Russia's aggression in Eastern Europe, and a belligerent North Korea. The

world is more dangerous today than it was in 2013. What is your view on how sequestration would threaten DOD's ability to decisively project power abroad?

General DUNFORD. Funding to sequester levels removes flexibility to respond to emergent challenges while maintaining our forward presence to deter threats sequestration will require that we develop a new strategy. If sequester continues, our military will be forced to make cuts with deep and enduring consequences. These consequences include limiting combat power, limiting decisive power projection abroad, reducing the size of our military units and further reducing readiness. We will incur significant risk to mission and risk to force. Our ability to maintain present commitments to allies and partners will be degraded.

18. Senator WICKER. General Dunford, what is your assessment of the impact sequestration would have on our amphibious forces and DOD's ability to execute DOD's pivot to Asia?

General DUNFORD. A return to sequestration would necessitate a revision of the Defense Strategic Guidance and the Quadrennial Defense Review. It would also compel me to revise the national military strategy. Funding cuts would force us to further delay or cancel critical warfighting capabilities to amphibious capabilities include amph reduce readiness of forces needed for steady-state and contingency response operations, and further degrade warfighting capacity and capability. Sequestration presents serious risk to executing the military aspects of the rebalance to the Asia-Pacific and supporting our contributions to other aspects of the rebalance. Sequestration level cuts would compel us to re-evaluate our Asia Pacific rebalance in a way that emphasizes budgets above national interests, regional goals, and military missions.

19. Senator WICKER. General Dunford, certain sectors of the defense industry–such as shipbuilding–are extremely capital intensive. Our fiscally constrained environment threatens to close production lines that would take years to restart. Given your prior experience Commandant of the Marine Corps, what is your assessment of the risks to DOD industrial base given our current budget environment?

General DUNFORD. The current budget environment creates significant risk to the industrial base. The volatility and unpredictability affects the quality of the workforce and creates inefficiencies for industry that ultimately affect our buying power.

QUESTIONS SUBMITTED BY SENATOR DAN SULLIVAN

U.S. ARMY FORCE STRUCTURE ADJUSTMENTS (FISCAL YEARS 2016–2017):

20. Senator SULLIVAN. General Dunford, in your personal opinion, do U.S. Army Force structure reductions in Alaska make strategic sense, especially given an increasingly aggressive Russia and China, an unpredictable North Korea, and the need to reassure our Arctic and Pacific allies against these threats?

General DUNFORD. The department faces numerous pressing challenges across the globe, to include the Arctic and Pacific. Force structure decisions are informed by strategy, but intrinsically tied to fiscal realities. As a result of the current fiscal environment, the Department has been forced to make difficult choices that affect our force posture. The Army force structure reduction in Alaska were made in that context.

21. Senator SULLIVAN. General Dunford, in your personal opinion, should the U.S. Army reduce the ONLY ABCT in the Pacific AOR and does doing so hurt the credibility of–or entirely undermine–the Obama administration's strategic rebalance to the Asia-Pacific Region?

General DUNFORD. The Army has been constrained by the requirement to reduce overall force structure. The reduction of the ABCT in Alaska is part of their solution to that requirement. To mitigate, they have reorganized in order to effectively meet PACOM requirements with sufficient capabilities on a smaller scale.

22. Senator SULLIVAN. General Dunford, do these large Army reductions in the Asia-Pacific area of responsibility (AOR) make the Rebalance more rhetoric than substance?

General DUNFORD. The Army has reorganized in light of force reductions to effectively meet PACOM requirements with sufficient capabilities on a smaller scale. The reductions do not affect the level of U.S. engagement in the Pacific AOR. The Rebalance is about more than force structure: it includes an increased footprint, expanded agreements, enhanced partnerships, and economic development in the region. These

factors, combined with the sustainment of capabilities necessary to meet PACOM requirements, ensure a substantive effort.

23. Senator SULLIVAN. General Dunford, in your personal opinion, what alternatives should the U.S. Army have considered, as opposed to reducing strategically-important forces in Alaska and Hawaii?

General DUNFORD. The Army states that they considered all possible options to retain its warfighting capability with a trained and modern force. The reductions are designed to maintain the proper balance between force structure, readiness, and modernization. The Army's stationing plans are designed to leverage existing installation capabilities, minimize future construction costs, and posture the force to support the defense strategy.

24. Senator SULLIVAN. General Dunford, what is the exact number of soldiers that will be reduced in Alaska and can you provide an installation-specific profile of how many soldiers will reduced from each installation and how many soldiers will remain following the reductions?

General DUNFORD. I understand that the Army is planning to reduce 2,704 soldiers in Alaska. Fort Wainwright will be reduced by 73 soldiers and maintain authorization for 6,223. Joint Base Elmendorf-Richardson will be reduced by 2,631 and maintain authorization for 1,895 soldiers. I will continually look across the Joint Force to ensure each service is best postured to support combatant commands in the present, while simultaneously equipping and training to counter future threats.

25. Senator SULLIVAN. General Dunford, specifically, what elements of are being reduced in Alaska and specifically what elements are being kept?

General DUNFORD. I understand the Army plans to reduce the 4th Brigade Combat Team, 25th Infantry Division at Joint Base Elmendorf-Richardson to an infantry battalion task force and maintain a Striker Brigade Combat Team at Fort Wainwright.

26. Senator SULLIVAN. General Dunford, what are the exact dates that these reductions in Alaska officially begin and end?

General DUNFORD. Reductions are scheduled to be complete by the end of fiscal year 2017.

27. Senator SULLIVAN. General Dunford, what specific cost/strategic factors did the United States use to make this decision and can you provide all of that information to me?

General DUNFORD. It is my understanding the Army used a comprehensive analysis of mission requirements and installation capabilities that included public participation. Total Army Analysis, Focus Area Review Groups and Military Value Analysis were used to determine necessary reductions. For specific details, I defer to the Chief of Staff of the Army.

28. Senator SULLIVAN. General Dunford, what will be the remaining combat elements of the 4–25 ABCT, what missions will they be capable of, and what missions will they no longer be capable of?

General DUNFORD. The 4–25 ABCT will become an infantry battalion task force, which includes engineer, field artillery, and support elements. This task force will allow USARPAC to retain an airborne capability for rapid deployment.

29. Senator SULLIVAN. General Dunford, in terms of threats in the region and the AOR, including North Korea, China, and Russia, what are the specific risks that the U.S. Army is assuming in relation to each of these threats, and in your personal opinion, is the U.S. Army accepting too much risk?

General DUNFORD. Any assessment of military risk must include analysis of all Joint Force capabilities. However, as long as we do not return to BCA-level funding, the Army assesses that it will have the necessary force structure to counter these regional threats. The Army used extensive analysis including Total Army Analysis (TAA) and Military Value Analysis (MVA) as well as COCOM component input to arrive at a force structure to best posture a smaller Army to fulfill strategic requirements and world-wide operational demands.

30. Senator SULLIVAN. General Dunford, if confirmed, would you want to have a say in the highly strategic force structure decisions of each Service? Do you believe the Chairman of the Joint Chiefs of Staff (CJCS) should have a say and did the cur-

rent CJCS–or the Secretary of Defense (SECDEF)–weigh into this recent Army decision?

General DUNFORD. In accordance with Title 10, I will advise the Secretary on the extent to which Service program recommendations and budget proposals conform with the priorities established in strategic plans and with the priorities established for the requirements of the combatant commands. In addition, if in my judgment these priorities and requirements are not being met, I will provide alternative program recommendations.

31. Senator SULLIVAN. General Dunford, in your personal opinion, given what the Russians are doing and the importance of the Rebalance, shouldn't both the SECDEF and the CJCS weigh into decisions like this one, which involve key national security priorities?

General DUNFORD. In accordance with Title 10, I will advise the Secretary on the extent to which Service program recommendations and budget proposals conform with the priorities established in strategic plans and with the priorities established for the requirements of the combatant commands. In addition, if in my judgment these priorities and requirements are not being met, I will provide alternative program recommendations.

32. Senator SULLIVAN. General Dunford, if confirmed, would you advise the SECDEF to have input in force structure decisions that affect our national security, like those in the Arctic?

General DUNFORD. Yes. In accordance with Title 10, I will advise the Secretary on the extent to which Service program recommendations and budget proposals conform with the priorities established in strategic plans and with the priorities established for the requirements of the combatant commands. In addition, if in my judgment these priorities and requirements are not being met, I will provide alternative program recommendations.

33. Senator SULLIVAN. General Dunford, in your personal opinion, are the U.S. Army's reductions in fiscal year 2016 and fiscal year 2017 more driven by Sequestration or the 2014 Quadrennial Defense Review (QDR)?

General DUNFORD. The Army's reduction to 980,000 Soldiers (450,000 Active, 335,000 National Guard, and 195,000 Reserve) reflects their assessment of the minimum force necessary to execute the defense strategy as outlined in the 2014 QDR that end strength was informal by the resources available. Should fiscal year 2016 be funded at BCA sequestration levels, programmatic decisions will be driven by sequestration, which, as you know, is a fiscal topline not based on strategy. At sequestration funding levels, as stated in the QDR, Army end strength would go down to:

(1) Active duty end strength, 420,000;
(2) Army National Guard, 315,000;
(3) Army Reserves, 185,000.

34. General Dunford, in the U.S. Army's decision, what, if any, thought was given to the recent actions of President Putin and the Russians in the Arctic and how heavily were his recent aggressive actions weighed?

General DUNFORD. I will defer to the Chief of Staff of the Army for specifics on how Russian activities weighed into the decisions. If confirmed, I will work with leaders to maintain a full range of options to protect our interests in the Arctic. Any future force structure reductions or realignments will be evaluated against the ever-evolving security environment to ensure we consistently meet our global defense responsibilities.

35. Senator SULLIVAN. General Dunford, recently, General Brooks, U.S. Army Pacific (USARPAC) alluded that he could respond to contingencies in the South China Sea, specifically at Fire Cross Reef, utilizing the 4–25 ABCT and could do so "tonight." Following these reductions, would this still be a true statement?

General DUNFORD. I am not familiar with General Brooks' specific comments. However if confirmed as Chairman, I will continually look across the Joint Force to ensure each service is best postured to support Combatant Commands in the present, while simultaneously equipping and training to counter future threats.

36. Senator SULLIVAN. General Dunford, how do these reductions in Alaska impact the response to a Korean Peninsula contingency and what specifically is that impact?

General DUNFORD. Although this action may change the sourcing allocation for our plans, we have the necessary forces and capabilities to respond to a treat on the Korean Peninsula.

37. Senator SULLIVAN. General Dunford, how do these reductions in Alaska impact the Army's ability to quickly respond to contingencies in the Arctic?

General DUNFORD. The Armed Forces possess sufficient capabilities to respond to a wide-range of contingencies across the globe, including the Arctic. U.S. Northern Command and U.S. European Command, as the combatant commands with geographic responsibility for the Arctic region, are continually assessing the security environment to ensure we can meet assigned or potential missions.

38. Senator SULLIVAN. General Dunford, how much excess facility capacity will Fort Richardson have after the 4–25 ABCT is reduced and specifically what excess facilities will those be?

General DUNFORD. This analysis is ongoing and will incorporate a number of strategic factors. When complete, the final force structure results will inform the amount of excess infrastructure capacity generated. As part of a Joint Base, the force structure decision calculus is conducted by the Army while the Air Force, as the lead Service for Joint Base Elmendorf-Richardson, will make the facility decisions.

39. Senator SULLIVAN. General Dunford, will the reduction of the 4–25 negatively affect the DOD/VA Joint venture hospital on Joint Base Elmendorf-Richardson (JBER)?

General DUNFORD. The withdrawal of the U.S. Army's 4th Brigade, 25th Infantry Division will not affect the DOD/VA joint venture hospital at Joint Base Elmendorf –Richardson. The reduction in active duty forces and families should increase the hospital's available capacity, enabling more Veterans to receive medical care at the medical facility.

40. Senator SULLIVAN. General Dunford, how much input did U.S. Pacific Command (PACOM) have in the U.S Army's decision to reduce forces in Alaska and Hawaii and what specifically was that input and how heavily was it weighed?

General DUNFORD. It is my understanding that USPACOM was represented by U.S. Army Pacific (USARPAC) throughout the process that determined the recently announced Army Force structure decisions.

41. Senator SULLIVAN. General Dunford, how much input did U.S. European Command (EUCOM) have in the U.S Army's decision to reduce forces in Alaska and what specifically was that input?

General DUNFORD. EUCOM, as represented by USAREUR, participated in the Army's comprehensive process that facilitated the recent force structure decisions. Their input, like that of every other geographic combatant command, helped inform a decision to best posture a smaller Army to fulfill strategic priorities, including the Asia-Pacific rebalance and world-wide operational demands.

42. Senator SULLIVAN. General Dunford, I have been told that the final decision to reduce forces in Alaska and Hawaii came down to tradeoff between those forces and the 173rd Airborne Brigade Combat Team in Vicenza, Italy. Is this accurate, and if so, specifically what strategic considerations (location, deterrence, proximity to threats, access to nearby or organic lift, and capabilities) went to making this decision?

General DUNFORD. I do not have insight at this level of detail about the force structure decisions of the other services. I defer to Chief of Staff of the Army.

43. Senator SULLIVAN. General Dunford, how much input did U.S. Northern Command (NORTHCOM) have in the U.S Army's decision to reduce forces in Alaska and what specifically was that input?

General DUNFORD. NORTHCOM, as represented by ARNORTH, participated in the Army's comprehensive process that facilitated the recent force structure decisions. Their input, like that of every other geographic combatant command, helped inform a decision to best posture a smaller Army to fulfill strategic priorities, including the Asia-Pacific rebalance and world-wide operational demands.

44. Senator SULLIVAN. General Dunford, to what extent was the U.S Army's decision to reduce forces in Alaska coordinated with Alaska Command (ALCOM) and what concerns were raised/mitigated from this coordination?

General DUNFORD. ALCOM, a sub-command of NORTHCOM, as represented by ARNORTH, participated in the Army's comprehensive process that facilitated the recent force structure decisions. Their input, like that of every other geographic combatant command, helped inform a decision to best posture a smaller Army to fulfill strategic priorities, including the Asia-Pacific rebalance and world-wide operational demands.

45. Senator SULLIVAN. General Dunford, to what extend was this decision coordinated with the Air Force side of JBER and what concerns were raised/mitigated from this coordination?

General DUNFORD. Joint Base Elmendorf-Richardson, like the other 29 installations at which substation Army forces are stationed, helped inform and facilitate the Army's decision process through participating in two environmental and socio-economic analyses, providing input to the Military Value Analysis and facilitating "listening sessions" for installation communities. Commands were solicited to ensure the accuracy of data and HQDA awareness of issues and concerns associated with their installations. While analysis focused on potential losses at the former Fort Richardson, it considered impacts to Joint-Base Elmendorf-Richardson as a whole.

46. Senator SULLIVAN. General Dunford, to what extent were our South Korean Allies consulted on the U.S Army's decision to reduce forces in Alaska?

General DUNFORD. I defer to the Chief of Staff of the Army to characterize any engagement with our Allies regarding their decision to reduce forces in Alaska.

47. Senator SULLIVAN. General Dunford, if so, what were their concerns and how much were those concerns weighed?

General DUNFORD. I defer to Chief of Staff of the Army.

48. Senator SULLIVAN. General Dunford, to what extent were our Japanese Allies consulted on the U.S Army's decision to reduce forces in Alaska?

General DUNFORD. I defer to the Chief of Staff of the Army to characterize their engagement with our Allies regarding the decision to reduce forces in Alaska.

49. Senator SULLIVAN. General Dunford, if so, what were their concerns and how much were those concerns weighed?

General DUNFORD. I defer to Chief of Staff of the Army.

50. Senator SULLIVAN. General Dunford, to what extent was section 1043 of the NDAA for fiscal year 2016 considered in the U.S Army's decision to reduce forces in Alaska?

General DUNFORD. I defer to the Chief of Staff of the Army on how/if Section 1043 informed their decision to reduce forces in Alaska. If confirmed as Chairman, I will pay close attention to what is required to meet our strategic military objectives in the Arctic, including consideration of how we best posture forces in and around that region. I will seek to ensure a balanced approach to the posturing of our global forces.

51. Senator SULLIVAN. General Dunford, in your personal opinion, is it strategically wise to reduce forces in the Arctic before we have a new Arctic strategy and OPLAN?

General DUNFORD. The reduction of personnel in Alaska, as well as elsewhere, is a result of the need to balance current operational priorities and resource constraints. These force structure decisions best posture a smaller Army to meet global commitment. The Department is continually reviewing the security environment and operational requirements in the Arctic and will reprioritize resources as needed. I look forward to participating in this process.

52. Senator SULLIVAN. General Dunford, to what extent was section 1262 of the NDAA for Fiscal Year 2016 considered in the U.S Army's decision to reduce forces in Alaska?

General DUNFORD. I defer to the Chief of Staff of the Army on how/if section 1043 informed their decision to reduce forces in Alaska. If confirmed as Chairman, I will pay close attention to what is required to meet our strategic military objectives in the Arctic, including consideration of how we best posture forces in and around that region. I will seek to ensure a balanced approach to the posturing of our global forces.

53. Senator SULLIVAN. General Dunford, to what extent were Alaska's, and specifically JBER's organic strategic airlift and close proximity to large and robust training areas, weighted in the U.S Army's decision to reduce forces in Alaska?

General DUNFORD. The Army considered all possible options to retain its warfighting capability, to include strategic airlift and training area location. Ultimately, these reductions are designed to maintain the proper balance between force structure, readiness, and modernization. The Army's stationing plans are designed to leverage existing installation capabilities, minimize future construction costs, and posture the force to support the defense strategy.

54. Senator SULLIVAN. General Dunford, what countries has the 4–25 ABCT worked closely with and possibly trained with and what is the impact of this reduction on the military-to-military relationships with those countries following the reduction of this unit?

General DUNFORD. I defer to the Chief of Staff of the Army for any specific details on the 4–25 ABCT's training history.

55. Senator SULLIVAN. General Dunford, following the Air Force's initial decision to remove a squadron from Eielson, senior Air Force officials soon went up to Fairbanks and North Pole communities to explain the decision. When will this be done in the case of Fort Richardson and who will be sent?

General DUNFORD. Engaging our communities on basing decisions is important. I understand the Department of the Army conducted extensive community outreach. I defer to the Chief of Staff of the Army on the specifics of the community engagement plan.

56. Senator SULLIVAN. General Dunford, what impact has the Army assessed will occur to the greater Anchorage housing market and to the greater Anchorage economy as a result of the decision to reduce the 4–25 ABCT?

General DUNFORD. Analysis of the Anchorage housing market and greater economy was part of the Army's overall analysis in determining force structure changes. I defer to the Department of the Army to provide specific detail regarding your request.

57. Senator SULLIVAN. General Dunford, will installations with reductions be allowed to access DOD Office of Economic Adjustment (OEA) funds to mitigate the effects of these reductions?

General DUNFORD. If an Army installation is selected for reduction, impacted areas may qualify for assistance from OEA. I understand the Army intends to distribute letters and brochures to the most impacted areas, based on job loss, and that OEA will consider all applications for assistance.

58. Senator SULLIVAN. General Dunford, what effects with the U.S. Army's reductions in Alaska have on U.S. Army Alaska (USARAK) and USARAK's headquarters?

General DUNFORD. I defer to the Department of the Army for specific detail on impacts to the HQ reduction. I am aware that the Army's force structure analysis included Total Army Analysis (TAA), Military Value Analysis (MVA), as well as environmental and socio-economic analysis.

59. Senator SULLIVAN. General Dunford, in what way does the U.S. Army's decision to reduce forces in Alaska impact Alaska-based joint training exercises such Red Flag-Alaska, Northern Edge, and Alaska Shield?

General DUNFORD. The U.S. Army's decision to reduce forces in Alaska could potentially limit their ability to operate the Joint Pacific Alaska Range Complex (JPARC). The JPARC provides joint combined arms training support to all of the Services for exercises such as Red Flag-Alaska, Northern Edge, and Alaska Shield.

60. Senator SULLIVAN. General Dunford, before you are confirmed, can you please provide the Military Value Analysis (MVA) Model and the Total Army Analysis used to make all of the Army's fiscal year 2016–2017 force structure decisions?

General DUNFORD. I will work with Army leadership to ensure the committee has access to the documents necessary for the committee to provide oversight.

61. Senator SULLIVAN. General Dunford, can you provide more information on the U.S. Army's possible desire to convert at National Guard brigade at Joint Base Lewis-McChord (JBLM) to Styker brigade?

General DUNFORD. The decision to convert a National Guard brigade to a Stryker Brigade rests with the Department of the Army. They can provide the best information regarding any planned force structure change.

62. Senator SULLIVAN. General Dunford, if confirmed, do you pledge to ensure that the U.S. Army is completely transparent about the entire fiscal year 2016–2017 force reductions and makes all the documents used to make all of these decision available to Congress?

General DUNFORD. If confirmed, I will work with the Army leadership to provide requested information regarding the fiscal year 2016–2017 force reductions to Congress.

63. Senator SULLIVAN. General Dunford, if confirmed, do pledge to fully review the Army's reductions decisions, especially in light of the emerging concerns in the Asia-Pacific, the Arctic and given that there is a pending Arctic strategy?

General DUNFORD. Yes.

64. Senator SULLIVAN. General Dunford, as the Army has told me that they hope to reverse the decision in Alaska. If confirmed, will you work with me, and them, to bring all the U.S. Army forces back to my State and the Arctic?

General DUNFORD. If confirmed, I will work with all the Services to determine the right size, capabilities, and posture to best support our National Security.

MARINE CORPS IN ALASKA

65. Senator SULLIVAN. General Dunford, what opportunities and challenges would exist to either permanently stationed marines in Alaska, specifically at JBER—or developing rotational forces at JBER—as a part of the Rebalance from Okinawa?

General DUNFORD. The state of Alaska, and specifically Joint Base Elmendorf-Richardson, is important to our nation's security in protecting the homeland and projecting power in the Pacific and beyond. As the global security environment evolves, we will continue to assess the optimal strategic footprint across the services in the PACOM AOR.

U.S. SECURITY COMMITMENT TO TAIWAN

66. Senator SULLIVAN. General Dunford, The Taiwan Relations Act (TRA) and the "Six Assurances" form the cornerstone of U.S.-Taiwan relations and affirms our commitment to maintain Taiwan's self-defense capability. How do you and the administration plan to continue to implement our policy under this framework?

General DUNFORD. The U.S. remains firmly committed to supporting Taiwan within the overall framework of our one-China policy, based on the three joint U.S.-China communiques and the Taiwan Relations Act. We also remain committed to the Six Assurances. Accordingly, we will continue to promote cross-Strait stability by ensuring that Taiwan maintains a sufficient self-defense capability.

PACIFIC PATHWAYS

67. Senator SULLIVAN. General Dunford, in your personal opinion, in a budget constrained environment, can we afford to have an Army mission in the Pacific that is redundant with another service's longstanding mission?

General DUNFORD. The Army's mission in the Pacific remains a critical component of the Joint Force's broader mission and presence. Each service provides unique, valuable capabilities in executing joint responsibilities in the region based on national strategic interests.

68. Senator SULLIVAN. General Dunford, is Pacific Pathways redundant with the mission of the U.S. Marine Corps?

General DUNFORD. When it comes to increasing U.S. presence in the Pacific for peacetime engagement or the maintenance of forces to support the execution of contingency plans, the United States Army remains a critical component. Their efforts in the Pacific are consistent with broader department efforts and support combatant commanders requirements.

THE NEED FOR STRATEGIC LIFT IN THE PACIFIC AOR

69. Senator SULLIVAN. General Dunford, you have said in multiple forms (hearings, public speaking engagements, answers to Advanced Policy Questions from the Senate Armed Services Committee (SASC)) that lift capacity to support the shifting laydown of forces in the Pacific theater will be insufficient and constitutes a major

concern for you. In your response to the committee's questions, you stated that you "look forward to working with the Services and the U.S. Pacific Command to address the lift needs in the Pacific." If confirmed, what are some of the ways you would consider to address this pending shortfall?

General DUNFORD. The Pacific force laydown is a challenge exacerbated by the fact that we have a shortfall of amphibious lift to meet global demand whether it is support to peacetime or contingency operations. I will work with the Secretary of Defense to ensure the department's priorities reflect the lift requirements in the pacific. I will also support efforts to work with our allies and partners to advance initiatives that mitigate this challenge.

70. Senator SULLIVAN. General Dunford, as Admiral Roughead testified to this committee in April, do you believe we should also consider moving additional naval and maritime assets forward into the theater to support our peacetime and contingency lift?

General DUNFORD. Yes, we should continue to consider how we can best posture our naval assets in the Pacific. The movement of forces around the Pacific is a challenge given the tyranny of distance, and this challenge is exacerbated by a shortfall of amphibious lift to meet global demand, whether in support of peacetime or contingency operations. We continually evaluate our force posture in the Pacific theater, and all theaters, based on global threats.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

TEST AND TRAINING RANGES

71. Senator LEE. General Dunford, one of the most important, yet often overlooked, assets DOD is our test and training ranges. Many of these are located in western states and are utilized by all branches of the military, as well as other Federal agencies, to train members on a variety of threats and environments and to research and test new systems vital to the future of our national security. In order to adapt their training to the rapidly changing spectrum of threats facing the military, it is imperative that we work to modernize our training ranges and protect these assets from issues like encroachment and cumbersome environmental regulations. What is your assessment of the state of our military test and training ranges, and do you agree that we need to modernize and prioritize our military readiness against future threats?

General DUNFORD. Yes. Test and training ranges are critical assets for enabling our nation's military to prepare and respond flexibly across the wide range of potential threats, both now and in the future. Currently, many of our weapons systems exceed the contiguous space capabilities that our U.S. ranges can support. In addition, meeting the Department of Defense's Endangered Species Act (ESA) responsibilities, along with competition for frequency spectrum, will continue to challenge our management of test and training ranges. Modernization of our ranges to assure military readiness is critical to addressing threats posed by our adversaries.

NATIONAL GUARD AND RESERVE UNITS

72. Senator LEE. General Dunford, you have been a combat commander in Iraq and Afghanistan, what is your assessment of the performance of our National Guard and Reserve units in these conflicts?

General DUNFORD. Throughout the conflicts in Iraq and Afghanistan, our Reserve Component forces performed admirably. Our Reserve Component forces were an integral part of our operations in both theaters and they often brought unique civilian skills that proved invaluable on the battlefield.

73. Senator LEE. General Dunford, if confirmed, how do you plan to build upon the combat experience gained by National Guard and Reserve units and take advantage of the cost benefits of the Reserve Forces that have been identified by the Reserve Forces Policy Board and CAPE reports in order to preserve combat power for the military, especially while adjusting to potential budget constraints?

General DUNFORD. The National Guard and Reserves are integral to our operational force and our strategic reserve. The challenge we face is striking the right balance between what is needed in the active component to meet emergent or short-notice requirements and what can be maintained in the reserve components and activated as required. The studies conducted by the Reserve Forces Policy Board and CAPE will certainly help inform these decisions. If confirmed, I will work with the

Services to leverage the capabilities and experience inherent within our reserve components.

ACQUISITIONS

74. Senator LEE. General Dunford, one of the topics of great concern to this committee has been reforming the acquisition process in DOD to streamline efforts and find savings, especially for big-ticket acquisitions that have experienced major cost overruns in the past. Equally important to better allocation of funding and resources across DOD is ensuring that weapon system sustainment concerns are addressed beginning in the acquisitions process and aligned throughout the system's entire lifecycle. I am pleased by steps that the Air Force has taken to bring sustainment issues into the acquisition process and look forward to seeing those efforts continue. If confirmed, what ideas do you have for acquisition and sustainment efforts to increase the total life-cycle efficiency and decrease overall costs of weapons systems?

General DUNFORD. I am an advocate of the Air Force's "Bending the Cost Cure-Weapon System Sustainment Initiative" focused on significantly reducing weapon system sustainment cost growth and the Navy's ground-breaking work in the field of renewable energy to power "the Great Green Fleet" driven by 50–50 blends of biofuels.

We need to press forward on efforts to promote commonality across weapons systems where it makes sense, establish competition at all phases of the acquisition cycle, and demand the incorporation of life-cycle efficiency considerations into the basic DNA of every weapon system we build.

ISIS/SYRIA/IRAQ

75. Senator LEE. General Dunford, the stated objective of the United States in the conflict against ISIS is to defeat the group and leave a stable, unified government in Iraq and a post-Assad state in Syria. Some of my colleagues earlier this week discussed with Secretary Carter and General Dempsey the viability and appropriateness of supporting the modern borders of Iraq and Syria given the region's cultural, religious, and tribal histories. While I do not think it is the role of the United States to partition and re-draw borders on the other side of the world, I am also greatly concerned that we could be ineffectively employing our national security resources by continuing to support governing constructs that may be flawed in the first place.

You have extensive experience in Iraq and in the Middle East. Do you believe that in order to protect Americans from the terrorist threats that are physically or ideologically generated in this region that we must absolutely continue supporting the concept of an Iraqi and Syrian state as currently drawn?

General DUNFORD. Protecting American citizens, our homeland, and our interests abroad will remain our top priority. Supporting the current strategy to defeat ISIL, which assumes Iraq and Syria as nation states, is our best option to mitigate threats in the region. If, in the future, I assess that Iraq and/or Syria are not viable as nation states, I will adjust my best military advice accordingly.

76. Senator LEE. General Dunford, how significant of an investment in forces, funding, and time would be necessary to overcome the sectarian divisions that exist inside and outside of these borders?

General DUNFORD. Ultimately, the solution to overcome sectarian divisions must come from the leaders and communities within the region. No amount of U.S. investment alone will be sufficient.

77. Senator LEE. General Dunford, Secretary Carter stated on Tuesday to this committee that the Department of Defense is currently training only 60 Syrian rebels under the $500 million program authorized last year, with the goal of graduating thousands of recruits by the end of the year. How would you define success in this program, and specifically what do you view as the timeline for achieving success?

General DUNFORD. The Syria train and equip program is a long-term effort that is only one component of our broader approach. The impact of the T&E program remains to be seen, but we currently face significant challenges in recruiting and vetting suitable volunteers at the scale necessary to have strategic effects. If confirmed, I plan to visit the region and assess our approach in Syria to develop a better understanding of this immensely complex and challenging situation.

78. Senator LEE. General Dunford, what will you do to ensure that the weapons and training we supply are not used by or to the advantage of ISIS and other ex-

tremist forces that share a common enemy with the groups we are supporting in Syria?

General DUNFORD. The first step is to accurately identify those groups with whom we wish to train. Next, we need to ensure a stringent and rigorous vetting process to better understand the backgrounds and motivations of those we are training. Last, we must have a well-designed end use monitoring program, in order to verify our equipment is being used according to U.S. objectives and our high standards of battlefield conduct.

IRAN/P5+1

79. Senator LEE. General Dunford, the P5+1 negotiations on the Iranian nuclear program have passed two deadlines for a final deal, and concerns exist over the ability of any deal under the parameters of the framework released earlier this year to prevent Iran from achieving a nuclear weapons capability in the future. What impact will Iran maintaining a path to a nuclear weapon capability, or the lack of sufficient verification and inspection agreements, have on our strategic posture in the U.S. Central Command (CENTCOM) area and the actions of Arab countries?

General DUNFORD. If Iran maintains a path to a nuclear weapon capability it would have a destabilizing impact within the region and constitute a threat to our national interests.

BORDER SECURITY

80. Senator LEE. General Dunford, last year, the commander of U.S. Southern Command, General John Kelly, stated that the security along our southern border and the migration crisis were existential threats to U.S. national security. In addition to the drugs and crime that can enter into the United States from the Southern border, we know that terrorist organizations have connections with drug cartels and other contacts in that region. Are you concerned about the security threats that are presented by unsecure borders, and what is your overall assessment of security in the western hemisphere?

General DUNFORD. I appreciate the complexity of securing borders as vast as ours and recognize the challenge they present. I am concerned about the security of our borders. Within the Western Hemisphere, we have seen the negative influence of Transnational Criminal Organizations (TCOs) on security and the rule of law, especially in Mexico and Central America. While there is always a potential for convergence between violent extremists (VE) and Transnational Criminal Organizations (TCO) in the Western Hemisphere, TCOs are motivated by profit and the ability to operate unimpeded by law enforcement. Within our hemisphere, TCOs generally understand that supporting terrorists or terrorist activities would bring increased U.S. attention and negative impacts to their operations.

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

SIGAR UNUSED BUILDING REPORT IN AFGHANISTAN

81. Senator MCCASKILL. General Dunford, in May, the Special Inspector General for Afghanistan Reconstruction (SIGAR) released a report on a 64,000 square foot regional headquarters built in Afghanistan at a cost of $36 million that was never occupied. Its findings implicated a senior Army general who ignored requests to cancel the construction, and also the Army's own investigation of the matter. SIGAR recommended that disciplinary action be taken against the senior Army general who conducted the investigation "in light of his failure to carry out a fulsome investigation in compliance with General Dunford's orders." This investigation was ordered by you while serving as commander of the International Security Assistance Force (ISAF) and U.S. Forces-Afghanistan (USFOR–A). While SIGAR did not find any fault with your actions, as the officer who ordered the investigation you ultimately signed it. General Dunford, given SIGAR's findings, are you concerned that the investigation into this matter was inadequate?

General DUNFORD. No. However, I fully recognize the necessity for the military to be effective stewards of the resources we are provided. This facility was constructed prior to my assumption of command. When I became aware of the issue, I directed an investigation. The investigation did not find criminal behavior, but rather identified incorrect assumptions made in a combat environment. We should and must learn from these incorrect assumptions. I am committed to responsible stewardship of both the resources Congress appropriates and taxpayer trust.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

ISIL/IRAQ

82. Senator SHAHEEN. General Dunford, what is your assessment of the effectiveness of the current collation air campaign against the Islamic State of Iraq and the Levant (ISIL)?

General DUNFORD. From a military effectiveness perspective, coalition airstrikes since August 2014 have blunted ISIL's initiative, removed a number of ISIL leaders, and degraded the ability of the group to operate openly in Iraq and Syria. ISIL's total area of influence in Syria remains largely unchanged as the group has offset the losses of Kobane and territory in Raqqah province with gains in As Suwayda, the Damascus countryside, and Homs Province.

Coalition airstrikes have also degraded ISIL's capability to mass and stage fighters, forcing the group to rely more heavily on asymmetric terrorist tactics such as suicide attacks, car bombs, and assassinations.

83. Senator SHAHEEN. General Dunford, what do you assess would be the impact on the campaign of deploying U.S. forward air controllers to Iraq to call in close support during combat?

General DUNFORD. Employing Forward Air Controllers or accompanying Iraqi ground forces in the past has, in my experience, made those units more effective at the tactical level. Adjustments to our military support campaign will further enable Iraqi forces to gain the skill and confidence necessary for improved combat effectiveness.

84. Senator SHAHEEN. General Dunford, do you favor this shift in policy?

General DUNFORD. If confirmed, I would take an early opportunity to get on the ground to speak to commanders so I could provide a more comprehensive recommendation as to how we can support our broader campaign objectives in Iraq.

QUESTIONS SUBMITTED BY SENATOR JOE DONNELLY

DEFENSE MANPOWER DATA CENTER

85. Senator DONNELLY. General Dunford, the Defense Manpower Data Center (DMDC) is an important resource for ensuring that servicemembers receive the benefits and protections they are entitled to under the law. The use of the DMDC system has been designated as a resource to enhance compliance with the Servicemembers Civil Relief Act (SCRA). In view of the growing importance of the DMDC for a wide variety of purposes, what steps has the Department taken to strengthen the capabilities of the DMDC?

General DUNFORD. The Defense Manpower Data Center (DMDC) plays a vital role in ensuring our servicemembers, retirees, and their family members receive all the entitlements and benefits provided under the law. The department has taken steps to strengthen the DMDC, for example, when DOD saw the use of the Servicemembers Civil Relief Act (SCRA) database increased from approximately 490 million searches in 2012 to over 2.9 billion searches in 2014, DOD provided additional resources to improve the SCRA website to meet this demand. I am confident the Department will continue to provide DMDC the necessary resources to carry out its critical mission.

SERVICEMEMBERS CIVIL RELIEF ACT (SCRA) AND MILITARY LENDING ACT (MLA)

86. General Dunford, are the staffing, funding, and security levels appropriate to ensure the accuracy, reliability and integrity of the SCRA and MLA database systems?

General DUNFORD. It is my understanding that the SCRA and MLA database systems are appropriately staffed, funded, and secured to ensure the accuracy, reliability, and integrity of the systems.

87. Senator DONNELLY. General Dunford, if there are shortfalls in maintaining and improving the SCRA and MLA databases, what are your requests to bring them to a level you feel would place them at the highest levels of accuracy, reliability and integrity?

General DUNFORD. I am not aware of shortfalls in maintaining the SCRA and MLA databases.

88. Senator DONNELLY. General Dunford, how is the Department ensuring that the SCRA and MLA databases provide adequate protection of servicemembers' personal information?

General DUNFORD. The SCRA and MLA databases conform to all federal requirements for the protection of personal information. Protections include Information Assurance certification and accreditation of the SCRA and MLA databases, encryption of traffic to and from the databases, best practices for data security and data retention, and protection of information as required by the Privacy Act of 1974.

89. Senator DONNELLY. General Dunford, how is the Department ensuring that the SCRA and MLA databases have the capability to provide timely and accurate data to enable servicemembers eligible for SCRA benefits?

General DUNFORD. The Department maintains the SCRA and MLA databases with near real-time data supplied directly by the Military Services. The SCRA and MLA databases are publicly accessible and available 24 hours a day, 7 days a week (barring periodic maintenance), which allow the Department to meet the highest standards for providing timely and accurate verification data.

90. Senator DONNELLY. General Dunford, does the SCRA and MLA databases have the capability to prevent delays with military consumers seeking credit or receiving their benefits?

General DUNFORD. The SCRA and MLA databases are publicly accessible 24 hours a day, 7 days a week (barring periodic maintenance). Those seeking to determine eligibility for benefits or seeking credit may use the SCRA or MLA databases to verify status anytime with the most up-to-date information

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[The nomination reference of General Joseph F. Dunford, Jr., USMC, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 21, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as the Chairman of the Joint Chiefs of Staff and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601:

To Be General

General Joseph F. Dunford, Jr., 3240.

[The biographical sketch of General Joseph F. Dunford, Jr., USMC, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GENERAL JOSEPH F. DUNFORD, JR., USMC

Source of commissioned service:

Platoon Leaders Class (PLC)

Educational degrees:

Saint Michael's College, BA, 1977.
Georgetown University, MA, 1985.
Fletcher School of Law and Diplomacy, MA, 1992.

Military schools attended:

Basic Officer Course, 1977.
Infantry Officer Course, 1978.
U.S. Army Ranger School, 1980.
Amphibious Warfare School, 1984–1985.
U.S. Army Airborne School, 1987.
Static Line Jumpmaster School, 1988.
Marine Corps Command and Staff College, 1991–1992.

U.S. Army War College, 1998–1999.
Capstone, 2005.
Combined/Joint Force Land Component Commander, 2007.
Pinnacle, 2009.
Senior Executive EEO Seminar, 2010.

Promotions:

Promotions	Dates of appointment
2nd Lt.	8 Jun 77
1st Lt.	8 Jun 79
Capt.	1 Feb 82
Maj.	1 Jul 89
Lt. Col.	1 Sep 94
Col.	1 Oct 99
Brig. Gen.	1 Jan 05
Maj. Gen.	2 May 09
Lt. Gen.	8 Aug 08
Gen.	23 Oct 10

Major duty assignments:

From	To	Assignment
Oct 14	Present	Commandant of the Marine Corps (Gen.)
Feb 13	Aug 14	Commander, International Security Assistance Force—Afghanistan; and Commander, United States Forces—Afghanistan (Gen.)
Dec 12	Feb 13	Special Assistant to the Chairman, Joint Chiefs of Staff (Gen.)
Oct 10	Dec 12	Assistant Commandant of the Marine Corps (Gen.)
Sep 09	Oct 10	Commanding General, I Marine Expeditionary Force; and Commander, U.S. Marine Corps Forces Central Command (Lt. Gen.)
Aug 08	Aug 09	Deputy Commandant for Plans, Policies, and Operations (Lt. Gen.)
Jun 07	Aug 08	Vice Director for Operations, J–3, Joint Staff (Brig. Gen.)
Jul 05	Jun 07	Director, Operations Division, Plans, Policies and Operations (Brig. Gen.)
Jul 04	Jun 05	Assistant division Commander, 1st Marine Division (Brig. Gen./Col.)
May 03	Jul 04	Chief of Staff, 1st Marine Division (Col.)
May 01	May 03	Regimental Commander, 5th Marines, 1st Marine Division (Col.)
Jun 99	May 01	Executive Assistant to the Vice Chairman of the Joint Chiefs of Staff; and Chief, Global and Mulitlateral Affairs Division, J–5, Joint Staff (Col./Lt. Col.)
Mar 96	Jul 98	Commanding Officer, 2d Battalion, 6th Marines, 2d Marine Division (Lt. Col.)
Jul 95	Mar 96	Executive Officer, 6th Marines, 2d Marine Division (Lt. Col.)
Dec 92	Jul 95	Senior Aide-de-Camp to the Commandant of the Marine Corps (Lt. Col./Maj.)
Jun 92	Dec 92	Commandant of the Marine Corps Staff Group (Maj.)
Jun 88	Jun 91	Marine Officer Instructor, College of the Holy Cross (Maj./Capt.)
Jul 87	Jun 88	Plans Officer, 2d Air Naval Gunfire Line Company, 2d Force Service Support Group (Capt.)
May 85	Jul 87	Company Commander, Rifle Company, 3d Battalion, 6th Marines, 2d Marine Division (Capt.)
Dec 81	Jul 84	Head, Reserve, Retention & Reenlistment Unit; Admin Officer, Headquarters Marine Corps (Capt./1st Lt.)
Nov 80	Dec 81	Aide-de-Camp, 3d Marine Amphibious Force (1st Lt.)
Mar 78	Nov 80	Company Commander; Executive Officer; Platoon Commander; S-Liaison Officer, Company K, 3d Battalion, 1st Marines, 1st Marine Division (1st Lt./2nd Lt.)
Jul 77	Feb 78	Student, The Basic School, Quantico, Virginia (2nd Lt.)

Summary of joint assignments:

	Date	Grade
Commander, International Security Assistance Force—Afghanistan and Commander, United States Forces—Afghanistan.	Feb 13–Aug 14	General
Special Assistant to the Chairman, Joint Chiefs of Staff	Dec 12–Feb 13	General
Vice Director for Operations, J–3, Joint Staff	Jun 07–Aug 08	Brigadier General
Executive Assistant to the Vice Chairman of the Joint Chiefs of Staff; Chief, Global and Multilateral Affairs Division, J–5, Joint Staff.	Jun 99–May 01	Colonel/Lieutenant Cololonel

Summary of operational assignments:

	Date	Grade
Commander, International Security Assistance Force—Afghanistan; Commander, United States Forces—Afghanistan.	Feb 13–Aug 14	General
Chief of Staff; Assistant Division Commander, 1st Marine Division Operation Iraqi Freedom II.	Jun 04–Mar 05	Brigadier General/ Colonel
Chief of Staff, 1st Marine Division Operation Iraqi Freedom II	Mar 04–May 04	Colonel
Regimental Commander; Chief of Staff, 1st Marine Division Operation Iraqi Freedom/Enduring Freedom.	Jan 03–Oct 03	Colonel

U.S. Decorations and Badges:

Decorations	Quantity
Defense Distinguished Service Medal	×1
Defense Superior Service Medal w/bronze oak leaf cluster	×2
Legion of Merit w/Combat V	×1
Defense Meritorious Service Medal	×1
Meritorious Service Medal	×2
Navy and Marine Corps Commendation Medal	×4
Navy and Marine Corps Achievement Medal	×1
Combat Action Ribbon	×1
Presidental Unit Citation-Navy	×1
Joint Meritorious Unit Award	×2
Navy Unit Commendation	×1
Navy Meritorious Unit Commendation	×1
National Defense Service Medal	×2
Afghanistan Campaign Medal	×1
Iraq Campaign Medal	×2
Global War on Terrorism Expeditionary Medal	×1
Global War on Terrorism Service Medal	×1
Sea Service Deployment Ribbon	×7
NATO Medal-ISAF Afghanistan	×1

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by General Joseph F. Dunford, Jr., USMC in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Joseph F. Dunford, Jr.

2. **Position to which nominated:**
Commandant of the Marine Corps.

3. **Date of nomination:**
21 May 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
23 December 1955; Boston, Massachusetts.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Ellyn A. Dunford (Maiden name: Ellyn A. Sartucci).

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.
Member, Marine Corps Association.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
Awarded Colonel Donald Cook Award for Citizenship, from St. Michael's College, Vermont.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

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

GENERAL JOSEPH F. DUNFORD, JR.

This 23rd day of May, 2015

[The nomination of General Joseph F. Dunford, Jr., USMC was reported to the Senate by Chairman McCain on July 23, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 29, 2015.]

NOMINATIONS OF GENERAL PAUL J. SELVA, USAF, TO BE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF; AND GENERAL DARREN W. McDEW, USAF, TO BE COMMANDER, U.S. TRANSPORTATION COMMAND

TUESDAY, JULY 14, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:34 a.m. in room SD–G50, Dirksen Senate Office Building, Senator John McCain (chairman) presiding.

Committee members present: Senators McCain, Inhofe, Ayotte, Fischer, Cotton, Rounds, Ernst, Tillis, Sullivan, Reed, McCaskill, Manchin, Shaheen, Gillibrand, Donnelly, and Kaine.

OPENING STATEMENT OF SENATOR JOHN McCAIN, CHAIRMAN

Chairman MCCAIN. Please take seats, gentlemen, and we'll begin the hearing. And thank you.

The Senate Armed Services Committee meets this morning to consider the nominations of General Paul Selva to be the Vice Chairman of the Joint Chiefs of Staff and General Darren McDew to be the Commander of U.S. Transportation Command (TRANSCOM).

We welcome you here this morning, as well as members of the Selva and McDew family. As is our tradition, at the beginning of your testimony, we welcome each of you to introduce the members of your family joining you this morning. We know the sacrifices your families make, and we're grateful to them for their continued support to our Nation.

Please proceed, General Selva.

General SELVA. Senator McCain, I'd like to introduce you to my wife, Ricki, who's sitting right behind me. She's been with me for every day of my 35-year career. In fact, we are classmates from the U.S. Air Force Academy. She wore the uniform of our Air Force for 9 years. She's probably the only person in the world that can give me the kind of feedback I need when I stray from centerline. And she is a lifelong friend, and I love her for being by my side.

Chairman MCCAIN. Well, thank you, General. And welcome.

General McDew.

General MCDEW. You know, they trained me to do this, and the first thing I did was not do it.

[Laughter.]

Thank you, Mr. Chairman, Senator Reed.

Behind me I have the folks that have been behind me for a long, long time. First, my beautiful wife, Evelyn, who's been with me for 40 years. We've been married for 31, we've known each other for 40. We have been blessed to have two children, who continue to grow our family. We have my favorite daughter, Keisha. We also have our son, Keith, our daughter-in-law, Becca, and the most wonderful human in the world, our grandson, Henry, who's 5 weeks old—5 months old this week. But, also behind me——

Chairman MCCAIN. Henry looks pretty healthy to me.

[Laughter.]

General MCDEW. And if he could just play, here, with my uniform, he'd be fine, but, otherwise, he'll probably sleep.

We also have behind us a very close friend and colleague, Dr. William R. Sutherland. I call him "my buddy, Bert." My buddy, Bert, has pinned on every rank since colonel, and he's been a colleague, a friend, and a mentor. And I thank all of them for being here today and as they've been along the way.

Chairman MCCAIN. Thank you. We are so pleased to see the families here today.

General Selva and General McDew, you come before this committee today amid a sweeping transition in military leadership that will take place over the coming months. In addition to your nominations, this committee is currently considering the nominations of a new Chairman of the Joint Chiefs of Staff, new Service Chiefs for the Army, Navy, and Marine Corps, and potentially others in the near future. This team of military leaders will be soon—will soon be responsible for preparing our military to confront the most diverse and complex array of global crises since the end of World War II.

The list of challenges for our national security is as daunting as it is drearily familiar: the rampage of ISIS [Islamic State of Iraq and Syria] terrorist army, Iran's pursuit of nuclear weapons and support for its destabilizing proxies, revisionist Russia's invasion of Ukraine, and China's continued military buildup and aggressive behavior towards its neighbors. And yet, while worldwide challenges like these grow, the Defense Department has grown larger but less capable, more complex but less innovative, and more proficient at defeating low-tech adversaries but more vulnerable to high-tech ones. And worse, the self-inflicted wounds of the Budget Control Act and sequestration-level defense spending have made all these problems worse.

Over the past 4 years, we've seen drastic reductions to defense spending that have cut Army and Marine Corps end strength dangerously low and slowed critical modernization priorities across the Services, placing at risk our Nation's military technological superiority. At the same time, our military has maintained an accelerated operational tempo and, as a consequence, entered a dangerous downward spiral of military capacity and readiness that risk compromising each Service's ability to execute our defense strategic guidance at a time of accumulating danger to our national security.

The current Chairman of the Joint Chiefs of Staff has stated that, even if the Defense Department receives the additional $38 billion above the budget caps that the President's defense budget

requests, our military would still "remain at the lower ragged edge of manageable of risk in our ability to execute the defense strategy." More worrisome, every one of our military Service Chiefs has testified that continued sequestration-level defense spending puts American lives at greater risk. Unless we change course and return to strategy-driven defense budgets, I fear our military will confront depleted readiness, chronic modernization problems, and deteriorating morale. No matter how many dollars we spend, we won't be able to provide our military the equipment they need with a broken defense acquisition system that takes too long and costs too much. For example, an Army study looked at the time it would take to go through all of the AT&L [Acquision, Technology, and Logistics] reviews and buy nothing. What was the answer? Ten years. Ten years to buy nothing. Our adversaries are not shuffling paper, they're building weapon systems, and it's time for us to do the same.

General Selva, if confirmed as the next Vice Chairman, in addition to your many responsibilities supporting the next Chairman, you would serve as the chairman of the Joint Requirements Oversight Council and an executive member of the Defense Acquisition Board. In these—in this combination of roles, you will have a critical role in the defense acquisition system, from identifying and approving joint requirements to assessing cost, schedule, and performance. Members of this committee will be very interested to hear your thoughts on acquisition reform. In particular, we will be interested to hear your views on how we fix blurred lines of accountability inside the defense acquisition system that allow its leaders to evade responsibility for results. This is the central problem this committee is trying to address in the acquisition reforms adopted in the Senate's defense authorization bill. There are diverse views on acquisition reform, but one thing is for sure: The status quo is unacceptable. And we need a Vice Chairman of the Joint Chiefs who recognizes that.

General McDew, as the Commander of Air Mobility Command, you are well aware of the challenges facing TRANSCOM [United States Transportation Command] in projecting and sustaining forces around the world amid ongoing budget cuts. But, TRANSCOM isn't just providing capability to support other commands in confronting escalating global threats. Some of these threats are aimed at TRANSCOM itself. For example, just last year, this committee conducted an exhaustive investigation of the cyberthreats facing TRANSCOM. The report documented at least 20 advanced cyberintrusions targeting TRANSCOM contractors, all attributed to China. That's because, according to the Pentagon, Chinese military analysts have identified logistics and mobilization as potential U.S. vulnerabilities, and their military doctrine advocates targeting these networks to impact our ability to operate during the early stages of conflict.

Given TRANSCOM's dependence upon the private sector and the fact that the vast majority of their business is conducted on unclassified networks, there's still important work left to be done to enhance the Defense Department's ability to share information with its critical transportation contractors and assist them in detecting and mitigating cyberattacks.

General Selva, General McDew, we thank you for—both for appearing before us today. We look forward to your testimony.

Senator Reed.

STATEMENT OF SENATOR JACK REED

Senator REED. Thank you very much, Mr. Chairman.

Let me join you in welcoming General Selva and General McDew. Thank you for your service and for your sacrifice, and also for your families' service and sacrifice.

Let me, too, welcome Ricki, and thank you, ma'am, for your service as well as your support.

General McDew, your wife, Evelyn—Evelyn, hello—and Keisha and Keith and Becca and, the most important person here, who just left, Henry.

I also want to commend Keith for his service in the Coast Guard. Thank you for your service.

Finally, Dr. Sutherland, thank you for being here, also.

The United States, as the Chairman indicated very astutely, faces challenges across the globe that are unprecedented in nature. And, if confirmed, you'll both be playing an important role in addressing these complex international issues.

Last week, we had General Dunford before the committee, the designated-to-be Chairman of the Joint Chiefs of Staff, and he testified that the threats confronting the United States are multifaceted and varied, they include the campaign against ISIL [Islamic State of Iraq and Syria]; building local forces to counter ISIL; deterring additional Russian aggression toward Ukraine and its European neighbors; our rebalance to the Asia-Pacific theater; and how best to address sequestration and the ongoing fiscal challenges of the Department. General Selva, if confirmed as Vice Chairman, you'll be working closely with General Dunford to address each of these issues. We're looking forward to your views on all the issues that I've mentioned and that the Chairman has mentioned.

In addition, if confirmed, you will assume a number of distinct responsibilities as the Vice Chairman. In the past, the Vice Chair has been an integral participant in the interagency process, working closely with senior policymakers within the Department and at the National Security Council on critical national security issues. Additionally, the Vice Chairman oversees the Joint Retirement—Requirements Oversight Council, JROC, which is charged with reviewing requirements for acquisition programs to ensure they are reasonable and necessary. And finally, as a senior member of the Nuclear Weapons Council, the Vice Chairman plays a central role in ensuring the United States safely maintains its nuclear weapons stockpile. And I look forward to hearing more from you, General Selva, about how you'll prioritize and execute all these responsibilities as Vice Chairman.

General McDew, you've been nominated to be Commander of TRANSCOM. It encompasses the Air Force's Mobility Command, the Navy's Military Sealift Command, and the Army's Surface Deployment and Distribution Command, and is really the backbone of our strategic mobility. And, for the past several years, TRANSCOM has played a critical role in supplying our operations in Iraq and

Afghanistan, as well as bringing home our troops and equipment after deployments.

Given the myriad of national security challenges facing the United States and the long-term effects of sequestration on our defense budget, we will certainly look to your views on the challenges TRANSCOM must tackle in this environment. And, as the Chairman indicated, one of those challenges is cyberintrusions. It will become more of a problem as the days go on, rather than less of a problem. And your views are absolutely critical, and your actions will be critical, going forward.

So, Mr. Chairman, again, let me join you in welcoming our nominees and thanking them for their service.

Chairman MCCAIN. Thank you.

I'd like to mention to the witnesses, we have standard questions that are asked of all military nominees. I would now like to read them to you.

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information. Have you adhered to applicable laws and regulations governing conflicts of interest?

[Both witnesses answered in the affirmative.]

Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

[Both witnesses answered in the affirmative.]

Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

[Both witnesses answered in the negative.]

Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[Both witnesses answered in the affirmative.]

Will you cooperate in providing witnesses and briefers in response to congressional requests?

[Both witnesses answered in the affirmative.]

Will those witnesses be protected from reprisal for their testimony or briefings?

[Both witnesses answered in the affirmative.]

Do you agree, if confirmed, to appear and testify, upon request, before this committee?

[Both witnesses answered in the affirmative.]

Do you agree to provide documents, including copies of electronic forms of communications, in a timely manner when requested by a duly-constituted committee, or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

[Both witnesses answered in the affirmative.]

Thank you very much.

General Selva, and then General McDew, please proceed.

STATEMENT OF GENERAL PAUL J. SELVA, USAF, NOMINEE TO BE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

General SELVA. Thank you.

Mr. Chairman, Ranking Member Reed, distinguished members of the Senate Armed Services Committee, it's a great honor to appear before you today as President Obama's nominee to become the Vice Chairman of the Joint Chiefs of Staff.

First, I want to thank all of you for your undying support for our soldiers, sailors, airmen, marines, and coastguardsmen who guard our liberty every single day, specifically those who serve today in TRANSCOM.

Leading the men and women of Transportation Command has been a distinct honor, and I have no doubt that they are representative of the servicemembers across our institution who are the best-trained, best-led, best-equipped, and most-capable military in the world.

I would like to acknowledge and congratulate my close friend and colleague, General Darren McDew, testifying beside me today. I can think of no person more qualified to lead the men and women of TRANSCOM. I wish him and Evelyn the greatest of success, subject to your confirmation.

If confirmed, I look forward to working with the senior leadership in the Department of Defense (DOD), the combatant commanders, our friends, allies, and partners around the world, key members of the executive branch and the interagency process and Members of Congress, including this committee, to address a wide spectrum of challenges confronting our Nation. We are increasingly at risk in space, across the networks of cyberspace, and face a cast of regional and near-peer competitors who are fielding increasingly sophisticated conventional and nuclear arsenals. While these threats represent a clear and present danger to our security, we continue to front—to confront violent extremists, such as ISIL, who shock the very core of our beliefs and threaten to further destabilize a very strategic reason—region that includes several of our key allies.

Effectively confronting these threats, as diverse as they are, requires a whole-of-government approach. Our soldiers, sailors, airmen, marines, and coastguardsmen truly are the heart and soul of our competitive advantage, and they are far more effective when the full weight of our country's power is working in unison. If confirmed, I look forward to being an advocate for those men and women who wear the uniform of our Nation, and their civilian counterparts in our Department.

Lastly, I want to say that I am humbled by the President's nomination and the Secretary's confidence in putting me before this committee as the nominee to be the Vice Chairman of the Joint Chiefs of Staff. I'm grateful for the opportunity to appear before you today, and look forward to working with you, subject to your confirmation.

Thank you, Mr. Chairman.

[The prepared statement of General Selva follows:]

PREPARED STATEMENT BY GENERAL PAUL J. SELVA.

Thank you. Mr. Chairman, Ranking Member Reed, distinguished members of the Senate Armed Services Committee, it's a great honor to appear before you today as President Obama's nominee to become the vice chairman of the Joint Chiefs of Staff.

First, I want to thank all of you for your undying support for our soldiers, sailors, airmen, Marines and Coast Guardsmen who guard our liberty every single day, specifically those who serve today in the United States Transportation Command.

Leading the men and women of Transportation Command has been a distinct honor and I have no doubt that they are representative of the servicemembers across our institution who are the best trained, best led, best equipped and most capable military in the world.

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Thank you, Chairman.

Chairman MCCAIN. Thank you.

General McDew.

STATEMENT OF GENERAL DARREN W. McDEW, USAF, NOMINEE TO BE COMMANDER, U.S. TRANSPORTATION COMMAND

General MCDEW. Thank you, Mr. Chairman, Ranking Member Reed, and distinguished members of the committee. It is, indeed, a great honor for me and my family to sit before you today.

For 31 years, Evelyn and I have treated every single person that we've had the privilege to lead in our commands as an extension of our family. If confirmed, we look forward to welcoming the soldiers, sailors, airmen, marines, and coastguardsmen of Transportation Command to our extended family.

Before I go any further, I also owe a debt of gratitude to my esteemed colleague, General Paul Selva, for his support of Air Mobility Command and his dedicated leadership of Transportation Command. I have no doubt that, if confirmed, General Selva's service as Vice Chairman of the Joint Chiefs will benefit our Nation.

Members of the committee, thank you for your steadfast support of 118,000 men and women of Air Mobility Command. They are our Nation's finest. I hope I have the opportunity to tell you more about them during questioning.

If confirmed, I am excited to continue working with the men and women of TRANSCOM—Active Duty, Guard, Reserve, and civilian,

as well as the vast network of commercial carriers that support American forces worldwide. These unheralded professionals are the business end that project military power around the globe. I cannot overstate the importance of the often thankless work accomplished at TRANSCOM, and I am humbled to be considered to be their commander.

Members of the committee, I am committed to working with you and other committees to ensure our servicemembers and civilians have everything needed to support and defend the United States of America. If confirmed, I will provide the leadership the men and women of Transportation Command expect and deserve. I appreciate the trust and confidence the President, the Secretary of Defense, and General Dempsey have placed in me by considering me for this position.

I thank you, Mr. Chairman and the members of the committee, for continuing—for conducting this hearing. And I look forward to your questions.

Chairman MCCAIN. Well, thank you very much, General. Thank you.

General Selva, we had a hearing with the prospective Chairman of the Joint Chiefs of staff a few days ago, as you know, and one of the many members—I believe it was Senator Manchin—asked the prospective Chairman of the Joint Chiefs, General Dunford, what he believed was the greatest threat that the United States faces in the world today. And, to the surprise of some, General Dunford responded: Russia. What is your opinion on that response to that question, General?

General SELVA. Thank you, Mr. Chairman. I would put the threats to this Nation in the following order: Russia, China, Iran, and North Korea, and all of the organizations that have grown around the ideology that was articulated by al-Qaeda early in the turn of this century. And that's not to say that each or any of those present a clear and present danger today. But, in that order, you see the countries that are peer and near-peer competitors who are developing conventional and nuclear weapons that match our own. You see opaque governments that have ideologies that we don't agree with. And you see the broad base of terrorist threats that might threaten our interests abroad, our—

Chairman MCCAIN. I got all that.

General SELVA.—abroad, and our Homeland.

Chairman MCCAIN. I got all that. What—your—you agree with General Dunford that the first would be Russia?

General SELVA. Yes, sir.

Chairman MCCAIN. Because?

General SELVA. Because Russia possesses the conventional and nuclear capability to be an existential threat to this Nation, should they choose to do so.

Chairman MCCAIN. And you place ISIS last of those four priorities?

General SELVA. Yes, sir, I do.

Chairman MCCAIN. Because?

General SELVA. Because right now ISIS does not present a clear and present threat to our homeland and to the existence of our Na-

tion. It is a threat we must deal with, and we must help our regional partners deal with, but it does not threaten us at home.

Chairman MCCAIN. Does it threaten us at home when these young men who have gone to Iraq and Syria and become radicalized and then return to the United States, that the Director of the FBI and the Director of Homeland Security have said is a direct threat to the United States? That's their testimony.

General SELVA. Yes, sir. I would agree with their assessment. However, I would qualify it with the following. Those do not present an existential threat to the existence of the Nation. ISIL does not possess the tools or the capabilities to threaten the existence of the United States as we know it.

Chairman MCCAIN. I would like your and General McDew's comments and assessment of the effects of sequestration on our ability to defend the Nation, and its effect on the risk to the men and women who are serving, and the effect on their morale as they face this uncertainty that is dictated by sequestration. Beginning with you, General Selva.

General SELVA. Mr. Chairman, I think sequestration presents a direct threat to the morale of our soldiers, sailors, airmen, and marines, who deserve the best-maintained and best equipment available to fight the threats that face this Nation. And, as we see the effects of sequestration and the potential declines in the defense budget affecting readiness, they affect our ability to train those young men and women to do their work, they affect our ability to maintain and reset the equipment that they have been using for the better part of the last decade and a half in Iraq and Afghanistan, and they affect our ability to retain the best of those soldiers, sailors, airmen, and marines as they make the decision on whether or not they believe they have the full support of the Nation in the work that they do to defend our freedom and liberty every day.

So, I do believe sequestration has readiness impacts, it has impacts on our ability to maintain the force, and it has impacts on our ability to sustain the morale of the men and women who have committed to defending our freedom and liberty around the world.

Chairman MCCAIN. The Overseas Contingency Operations (OCO) funding is a bandaid.

General SELVA. Sir, I believe the OCO funding is a 1-year incremental fix to a long-term problem that we all need to address together. And, if confirmed, I look forward to working with this administration, with this Congress, and with this committee, and others, to try and find a long-term solution to that problem.

Chairman MCCAIN. General McDew. First, the answer on the greatest threat, and then the second, if you would.

General MCDEW. One of the greatest threats that faces our Nation is our ability to deal with the cyberthreat. I will separate it slightly from the other discussion that you were having with General Selva, and focus on one that impacts Transportation Command and our network more readily today, and that is our ability to figure out how we will continue to work with commercial industry that we're required to work with, and need to work with. Ninety percent of our work is done on the commercial networks, and that is a threat that I have got to face, going forward, if confirmed.

Chairman MCCAIN. It's an interesting perspective. So, right now there is the possibility that adversarial nations could shut down your business?

General MCDEW. There is always that threat that adversarial nations could shut down our Nation. But, what I—and I think this is something that the entire Nation and a lot of folks in the whole-of-government——

Chairman MCCAIN. But, particularly, your ability to get things to the warfighters.

General MCDEW. Senator, that threat is there. I believe that TRANSCOM has put some things in place to make that less likely. But, as we go forward, the threat only gets worse. Our ability to deal with it must evolve, and we have to find ways to do better with it, going forward.

Chairman MCCAIN. Thank you very much.

Senator Reed.

Senator REED. Well, thank you very much, Mr. Chairman.

Thank you both, gentlemen, for your testimony.

And, General Selva, getting to one of your specific roles as Vice Chairman—that's the Council of—for the Command and Control—National Leadership Command and Control Council of Nuclear Weapons—can you comment about that? It appears that this issue, particularly over the last several years with our land-based forces, has become even more prominent with respect to not just aging infrastructure, but leadership issues, a whole host of issues. Can you just comment upon how you perceive your role and what you will do?

General SELVA. Senator, I believe the statutory roles that are defined for the Vice Chairman with respect to management of the Nuclear Weapons stockpile, the Nuclear Leadership Command and Control Network, as well as the National Deterrence Oversight Panel, are fairly clear. They require me to be able to assert with confidence that we have a safe, secure, and reliable arsenal that is connected to our leadership by a reliable, secure, and resilient command-and-control network, and that that puts the President of the United States, as the authority for use of those weapons, in direct control of the decisions that would accrue to our nuclear weapons inventory. And so, I look forward to working with this committee, if confirmed, to make sure that all the legs of our nuclear triad and all of the capabilities that make our nuclear deterrent believable and ready are in place to give us that capability.

Senator REED. Looking forward, there's going to have to be a significant recapitalization of the nuclear enterprise, both land, air, and sea bases. Do you think we're fully prepared for that, in terms of—particularly in terms of the issues the Chairman raised about sequestration and these budgets?

General SELVA. Senator Reed, I've only been recently studying the issues that accrue to the nuclear weapons enterprise as it relates to the nominations for this new position. To be honest, I haven't had the time to look at all of the detail that would be required to answer that question. I would look forward to answering it in a classified environment with a lot more detail.

Senator REED. But, I would assume your initial impression is that we have a big bill to pay, going forward, to maintain our current strategic dominance.

General SELVA. Yes, sir. My understanding is that the current weapons stockpile and the current delivery platforms require significant maintenance and upgrades. But, I'm also aware of the requirement to invest in the long-range strike bomber, the *Ohio*-class replacement, and potentially a follow-on intercontinental ballistic missile, to keep all three legs of our nuclear triad viable.

Senator REED. Let me switch gears, General McDew. You've really, I think, in your questions with the Chairman and your opening statement, put your finger on the cyber issue. It seems to me that that's the first stage of any conflict today, which would be a cyberattack. In fact, it's unclear when you cross the line into something that's a probing action or an act of war. Not only do you have to maintain the infrastructure of DOD, but you have numerous contractors. Can you comment on the challenge that you have with some of your contractors to maintain their cybersecurity, and the steps you're taking to ensure that, if they were compromised, it wouldn't cascade into your system?

General MCDEW. Senator, I am beginning to understand the vastness of the network. I am more familiar with the Air Mobility Command portion and its contractors. However, in some of the study that I've done so far, which has not been in great depth, I see that TRANSCOM has put some things in place in their contracting system to allow the contractor to show assuredness of their network and to provide for requirements to report intrusions in their network. Those are, I think, very beneficial. I think, if confirmed, I will want to look deeper into that and to see where we can strengthen those places where we can.

Senator REED. Thank you.

General Selva, a final question. And just—you will also, as the JROC Chair, have a great deal to do about acquisition policy. Can you—general comments about the efforts underway to engage the Services more actively in acquisition?

General SELVA. Senator, I'm aware that there is an active effort inside the Joint Requirements Oversight Council to reinvigorate the relationship with the stakeholders who bring requirements to the table, and to look at the authorities and responsibilities for actually delivering the military capabilities as an outcome. If confirmed, I look forward to working with that body and with this committee as we continue the process of looking at the duplication of effort that might exist across the enterprise, and to come back to you with any potential legislative proposals that might be required to remove requirements that are currently articulated in statute. That is the extent to which I've studied that process.

Senator REED. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Let me mention something that's not very often talked about. I have briefly mentioned it to each one of you. The fact that the airlines are anticipating hiring about 20,000 pilots over the next 7 years due to the mandated retirement age of 65. In fact, I authored

the amendment that raised it from 60 to 65. Maybe we should have put it at 70. It would have maybe put off that problem. But, it is a serious thing. RAND [Research and Development Corporation] did a release—a study that the airlines have an average of 2,000 per year over the next 10 years, and that they will be upwards of 5,000 after that. That compares, over the last 10 years, to 1,500. So, this is something that's out there. And it's something that we—first of all, I'd like to ask each one of you, consider this a problem, do you have any ideas right now that might help alleviate it?

General SELVA. Senator, the problem of pilot inventory in this Nation, I believe, is going to become a readiness issue over time. It's—it is not upon us, but it is approaching quickly.

Three dynamics play out that cause that to happen. First is the exponential expansion of the airline industry, internationally, which places a huge demand on the pilot inventory in the United States as the preference to have an English-speaking pilot in the cockpits is internationally known. The second, as you mentioned, is the approaching age of retirement for many of our pilots. The third is the decline in production of military pilots that are a preference across the network. And so, each of those three will conspire over time to place heavier demands by the industry on the military inventory of pilots that are their preference.

And so, working with the airlines on innovative ways to bring civilian-educated pilots out of our higher learning institutions directly into commercial air service is one of the initiatives that we've begun working with the airline industry.

Senator INHOFE. Well, yes. I understand. This is not—right now, we're putting out the fires that are burning today, but this is something that we know is coming. I've talked to General Welsh about this several times, and he agrees that the logical place for them to go is going to be going to the military. We spend the money training them. The—I guess, the cost of getting a pilot to an F–22 capability is about $9 million. And so, this is a huge issue that's—it's—I'd suggest it's here. Any further thoughts on that, General McDew?

General MCDEW. Senator, the one thing I would add is that, although the numbers don't say that it's here with us today, the discussion is in our cockpits today. There is not a pilot that serves anywhere in any capacity across our Nation that doesn't understand—

Senator INHOFE. But——

General MCDEW.—the demand.

Senator INHOFE. Yes. We tried something a year ago, when we stood down 17 combat-coded squadrons. That was supposed to be til the end of the year, which would have been 6 months. Then, 3 months later, they changed their mind and then stood them up again. It's my understanding that that actually costs more than what was saved during that 3-month period. I don't—I'm not asking you if you were aware of that, but, nonetheless, it's something I believe.

I—let me throw out three ideas here and just have you, maybe for the record, comment on each one of them.

First of all, the idea the—of the cost of the training, $9 million to get a pilot up to that—those standards, and the fact that, with

their aviation bonuses over the next 9 years amount to $225,000. So, those are two things that we have to face as a reality.

The second thing that, to me, from my personal conversations with pilots, is the fact that they're not flying the sorties that they were flying before. They want to fly. And it used to average about six sorties a week, and now it's down to about three, from what we've found out. And then the additional duties, since we've downsized, a lot of the pilots are doing things that were heretofore not done by pilots.

So, on those three issues, any comments you want to make now are fine, but why don't you—for the record, if the two of you would respond to those as problems that are there.

[The information referred to follows:]

SENATOR INHOFE. What are we doing to address the upcoming pilot shortage—both within DOD and outside DOD?

GENERAL SELVA AND GENERAL MCDEW. In 2014, the AF stood up a Total Force Aircrew Management division to seek efficiencies and ways to better utilize Active Duty, Air National Guard and AF Reserve aircrew. Additionally, the Air Force developed the Total Force Aircrew Management Amplified Affiliation Program, which was implemented in March 2015 to encourage separating pilots to affiliate with the ANG and AF Reserve.

Working outside of the DOD, the Air Force developed the National Pilot Sourcing Forum (NSPF) to foster collaboration between the Total Force and Major Airlines on a quarterly basis. This Forum works to find ways to best utilize this "National Asset" from recruitment to production through retirement.

SENATOR INHOFE. What factors will lead to pilots departing the service—pay, training, flying hours, deployments, family, etc.?

GENERAL SELVA AND GENERAL MCDEW. Pilots leave the service for many of the same reasons as other career fields. One of the biggest reasons we see them leaving today is the increased OPTEMPO of a smaller force. As the administrative and personnel functions of the military have been reduced, increased additional duties and non-flying duties have been added. More non-flying duties coupled with insufficient flying/training opportunities and increased deployments (which restrict training to all mission sets) make job satisfaction and quality of life reduced. Finally, the outside active duty opportunities are growing every day to include flying for the airlines.

SENATOR INHOFE. Are bonuses enough to keep our pilots in our military?

GENERAL SELVA AND GENERAL MCDEW. No. Bonuses alone are not enough. The Aviator Bonus has historically proven to be an effective tool to assist with pilot retention, but monetary compensation is not the only factor for separating from the military. The new dynamics of increased OPSTEMPO, manpower shortages, an improving economy, and major airline hiring, all influence servicemember retention decisions. Current bonus caps also restrict the services from increasing incentives, which limits flexibility in reducing the influence of greater compensation outside of the service. Bonuses themselves are not a sole solution, but can reduce some of the causal factors for separation.

SENATOR INHOFE. How do the flying hours our pilots are getting today compare a decade ago? How do they compare with our Allies and adversaries?

GENERAL SELVA AND GENERAL MCDEW. The United States Air Force currently flies approximately 2.0 million flying hours per year, including all training and operational missions. However, these flying hours vary a great deal depending on weapon system type, pilot end-strength, numbers of squadrons/aircraft, and operations tempo.

In fiscal year 2004, the Total Force "peacetime training hours" were programmed at 1.7 million flying hours. The same Total Force "peacetime training hours" in fiscal year 2014 were programmed at 1.2 million flying hours.

The table below provides a breakdown of these averages by requested weapon system type and provides the average of annual flying hours per pilot from fiscal year 2004 and fiscal year 2014:

	FY04	FY14
Mobility:	360	230
Tanker:	405	200
Bombers:	200	225
Fighters:	205	160

Current Average Flying Hours per Pilot USAF:
Average 223
European Allies:
Average 183
Russia:
Average 120
China:
Average 110

SENATOR INHOFE. Are our pilots getting enough flight hours and training to remain fully combat ready in all the mission areas?

GENERAL SELVA AND GENERAL MCDEW. Yes. There are many factors that influence a pilot being fully combat ready. Our peace time flight hours are designed to provide training opportunities to achieve full spectrum readiness, while deployed contingency flying may provide only a partial opportunity to train to the designed capability of the weapon system and crew. A balance of training opportunities, and adequate resources, in relation to peacetime and contingency flying is necessary for the Air Force to improve readiness.

SENATOR INHOFE. Are you also going to have issues with aircraft maintenance manning shortfalls?

GENERAL SELVA AND GENERAL MCDEW. The United States Air Force requires approximately 3,000 additional maintainers to meet readiness requirements based on current force structure projections. Retention of legacy aircraft is driving additive maintenance manpower requirements to beddown the F–35 and support legacy maintenance shortfalls. F–35 Phase I Manning Plan meets Initial Operational Capability requirements; however, subsequent F–35 growth (new unit standups) are at risk. Additive force structure requirements vice unit conversions compound the challenge of providing experienced maintainers to meet F–35 and legacy maintenance manning requirements.

Completed actions to date to alleviate the maintenance manning shortfall include:

- Moved 39 Active Association Active Duty (AD) maintenance personnel to F–35 bases.
- Transferred 18 A–10s to Backup Aircraft Inventory, enabling 130 A–10 maintenance personnel to move to F–35 bases.
- Established 2-year contract maintenance for F–35 Aircraft Maintenance Unit (AMU) at Luke AFB.
- Converting F–16 maintainers to F–35 at Hill AFB, UT in fiscal year 2015/2016.

Then the last thing I wanted to mention is—General McDew, in your written testimony, you talked about infrastructure shortfalls, and you didn't say anything about that in your abbreviated testimony. Is there anything you want to mention about the infrastructure problems that we're having right now?

General MCDEW. Senator, I have to get a little bit more depth, but one of the concerns I have is the ability to recapitalize the infrastructure, both on the sea, air, and land. There are considerable things that will need to be addressed over the next 5 to 10 years that will be problematic if we hit sequestration as we know it.

[The information referred to follows:]

I am aware of several infrastructure issues that could impact TRANSCOM, and if confirmed, I will continue efforts across the Combatant Commands, the Services, other agencies as applicable, and industry to find long term solutions.

In terms of port infrastructure, my biggest concern is Military Ocean Terminal—Concord (MOTCO). As the main strategic seaport for shipping ammunition to the Pacific Command (PACOM) area of responsibility (AOR), no other port on the West

Coast can meet MOTCO's ammunition throughput capacity. Much of MOTCO's infrastructure dates back to World War II. Although substantial funding has been programmed to address major deficiencies, additional infrastructure projects are still needed to address remaining deferred maintenance issues and maintain operational readiness.

Additionally, while en route infrastructure has improved over the last few years, there remain key infrastructure shortfalls in the European Command (EUCOM) and PACOM AOR which could hinder strategic mobility operations. My intent is to advance efforts underway to highlight these shortfalls in the posture planning efforts and budgetary processes in order to enhance the ability to rapidly respond globally.

I am also concerned with continuation of aircraft modernization efforts to replace aging components in the existing organic fleet. The vast majority of the air refueling fleet is over 50 years old and vulnerable to potential fleet wide maintenance issues due to aging. Bringing the new KC–46 on line as scheduled is essential to help mitigate this vulnerability.

With respect to sealift, the Ready Reserve Force (RRF), the key first response strategic sealift component for moving U.S. Army and U.S. Marine Corps units to the fight, must also remain ready to meet the needs of Geographic Combatant Commands. As 1.6 million square feet of RRF roll-on/roll-off capacity ages out of service in the next 10 years, an executable recapitalization plan must be in place to ensure long-term viability of surge sealift.

DOD uses a combination of self-deployment, trucks, and rail to get equipment to ports of embarkation. The primary issue with surface moves supporting full scale deployment operation is a large portion of the current fleet of commercial chain tie-down railcars is facing age-mandated retirement before 2020.

Finally, one of the greatest challenges to our Nation is the existing cyber threat to logistics and mobility systems including supporting infrastructure. The ever present risk posed by our cybersecurity vulnerabilities across this complex and interdependent enterprise requires responsive, reliable and resilient joint deployment and distribution command and control capabilities. These essential capabilities enable TRANSCOM the freedom to operate as needed on all networks across the joint deployment and distribution enterprise to meet mission objectives.

Senator INHOFE. Yes. Appreciate that very much.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

General Selva and your family, thank you very much. General McDew and your family, thank you very much. Both of you are very lucky guys to have such wonderful families.

General Selva, last week a new study showed that suicide attempts are most common in the newest enlisted soldiers who have never been deployed. In June, the Los Angeles Times brought attention to an unbelievable statistic. For women ages 18 to 29, women veterans have committed suicide at a rate nearly 12 times the rate of women non-veterans of the same age. And so, this—these are folks who were Active Duty not too long before that time. And I want to know, if you're confirms, will you prioritize mental health as a critical readiness issue?

General SELVA. I will, Senator, and I look forward to working with this committee to make sure that we have the mental health providers that are available to our soldiers, sailors, airmen, and marines, particularly those in crisis. So, subject to your confirmation, I commit to doing so.

Senator DONNELLY. And how will you work to reach female servicemembers who face unique stressors, as well as also young enlisted troops who confront and worry about things like stigma regarding mental health care?

General SELVA. Senator, I believe that there should be no stigma attached to a soldier, sailor, airmen, or marine who has the courage to seek mental health care when they're in crisis. I will do ev-

erything in my power, in this job and any other job, to make sure that we try to remove that stigma from our military.

Senator DONNELLY. Okay. I would also encourage you to keep in mind some of the unique challenges that our female servicemembers face every single day.

In regards to what Senator McCain said before about General Dunford's testimony regarding Russia as perhaps the most dangerous threat to our country, there's recent reports that just came out about a directed energy weapon they've developed. This is incredibly troubling. It can disable sophisticated guidance systems, navigation systems, communications systems. And I was wondering if there has been any discussion as to how to counter this threat at this time?

General SELVA. Sir, in the position I hold at TRANSCOM, I'm not aware of any conversations, but I will endeavor, if confirmed, to get briefed up on any——

Senator DONNELLY. If you could, that would be very, very helpful, because it, from the description, seems to be an incredibly troubling and dangerous weapon that is being worked on right now.

Second is—and you're with Transportation Command—but, second is in regards to North Korea. I was recently there, and—not in North Korea, but in South Korea—met with the leadership there and met with some of the leaders in China to talk about this threat. And I'd like to get your perspective of how you assess that threat from North Korea, and what plans you're aware of right now to deal with it.

General SELVA. Senator, North Korea represents one of those opaque governments that we have very little visibility into. So, assessing the intentions of the North Korean government is something that requires a very careful intelligence analysis of what we can learn about the country. If confirmed, I look forward to working with the Office of Defense Intelligence, as well as the interagency and the Intelligence Community, to try to unpack the threat that is North Korea, not only from a perspective of their capabilities, but of their intentions.

Senator DONNELLY. General McDew, I was in Iraq a few weeks ago with a group led by Senator Kaine, who's sitting next to me. And one of the things we talked about was with some Sunni tribal leaders. And one of them was from Haditha. And he said that his city was surrounded, at the present time, by ISIS, that many of the people who live there were eating grass because there is no food coming in, that babies were not able to get milk, and that the population was in an extraordinarily dire situation. We had discussed with the military there about having an airlift come in to Haditha. It was mentioned, in testimony here about a week or so ago by one of the witnesses, that, "Well, the Iraqi air force has the ability to put a C–130 in there, but they have not." And you will be in TRANSCOM. And so, I would ask you to take a look at this particular problem. I would love to discuss it further with you in the next few days. But, we have people who are starving, in effect, and we have the ability to try to do something about it.

Last, I would like to mention to you, General McDew, about the breach that we saw at OPM [the Office of Personnel Management]. It began in May 2014 with hackers using a contractor's com-

promised username and password. And you had mentioned about working with our commercial partners and civilian partners. I think it's critical, in your position coming up, to make sure to work with them to harden their networks, to harden their abilities. And I was wondering if you could talk to me a little bit about appropriate measures you think we need to take, moving forward.

General MCDEW. Senator, if confirmed, I will do all the things that you suggest. It is a threat that we must deal with. And I believe TRANSCOM has done some things to date that are foundational. We would just try to extend those and strengthen them.

Senator DONNELLY. Thank you very much.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Fischer.

Senator FISCHER. Thank you, Mr. Chairman.

General Selva, as you know, the Department is currently building a cyber mission force of about 6,000. Overall, how do you measure things like readiness or force structure adequacy when we're largely unable to do those conventional net assessments of our adversaries' capabilities?

General SELVA. Senator, I think the first measure of our readiness in the cyberdomain is our ability to defend the networks that allow us to provide command and control of our military. And, as a result of that work, the cyber mission teams and the cyber protection teams have been put in place to protect those networks that our combatant commanders depend on to execute command and control over their fielded forces.

I think three things have to accrue to cyber on a broader sense. The first is our ability to attribute whether or not the cyberintrusion is criminal activity, amateur hackers, or sponsored nation-state activity, because that then will condition the response of the Nation. Will we respond to the Nation-state, will we respond to the criminal threat, or will we respond to the amateur hacker? And I think that will ultimately be the measure of the wisdom of how we have put together the cyberprotection teams on the cyber mission force.

Putting a number of 6,000 against it may or may not be the right measure. If confirmed, I look forward to working with Admiral Mike Rogers, in his roles in the National Security Agency as well as U.S. Cyber Command, to try to get to that definition and continue to advocate the capability that will allow us to defend our cybernetworks.

Senator FISCHER. And as you look at those different threats and the sources of the—those different threats, how are you willing to step forward, I guess, to look at developing a policy in what our response should be to each of those threats? And again, when you look at the size of the force, with 6,000, do you differentiate within that cyber mission force the direction that each of those members will take once the threat is identified, the source of that threat is identified?

General SELVA. Senator, I think——

Senator FISCHER. But, my real question is, What are we going to do with policy?

General SELVA. Senator, that was exactly where I was headed, which is, in the absence of statutes that define the responsibilities and authorities of our law enforcement agencies and our military capability to react in cyber, we run into those policy questions as a consequence of the nature of the threat. And so, I think one of the more powerful things we can do is to put the power of statute behind those authorities and responsibilities so that we can define the lanes in the road and allow law enforcement to work those issues that are uniquely law enforcement, and allow the military to respond to those military threats that emerge in cyber. And I look forward to be—to working with the committee on those kinds of policies as we move forward on this issue.

Senator FISCHER. I look forward to working with you on those issues, as well, because I think cybersecurity in all realms is a priority of this country, and should be, and we need to take action on it.

When General Rodriguez stated that Libya-based threats to the U.S. interests are growing and that Libya is emerging as a safe haven where terrorists are able to train, where they're able to rebuild with impunity, I think all of us on the panel realize that was the case, but my question to you is, Do you think that we are doing enough to prevent those terrorist groups from establishing these safe havens in Libya? And, down the road, what are the lessons that we've learned from our experiences in Syria with regards to what is now happening in Libya?

General SELVA. Senator, I'm aware of the work we're doing with our allies, partners, and friends across all of North Africa to look at the growing threat from al Qaeda and al Qaeda-related terrorist organizations. I have not had an opportunity to dive into some of other issues that are going on right now in the ungoverned regions in Libya, specifically. But, I think the lesson of the last decade and a half is, in areas that are poorly governed or ungoverned, those radical elements are given the freedom to develop their violent capabilities and to inflict damage on U.S. interests and our citizens abroad. And the extent to which those areas are left ungoverned, they have the freedom to do that. So, I look forward to working with Dave Rodriguez and his team in AFRICOM [United States Africa Command], and Congress and the committee, to look at opportunities to continue to counter those threats across North Africa.

Senator FISCHER. When we look at the time that we've watched Syria fall into chaos and again become a training ground for terrorists, and we compare that to what's happening in Libya, though, what—at what point do you say, "Enough. This is—it is time now for the United States to step forward?" What have we learned in Syria?

General SELVA. Senator, I think the policy of the United States is an issue that we ought to discuss about our position in the—in regards to all of the parties that are fighting in Syria. And we have to make a decision. And that decision shouldn't be the consequence of one person's opinion, but the collected opinions of the people who have studied the area. And so, I worry a little bit that we not jump to a conclusion on what the best outcome would be for Syria, that—but we take a reasoned approach to our national interests in the

region and to the stability of the region, writ large, with respect to all of the parties that are now fighting in Syria.

Senator FISCHER. I know you served at SAC [Strategic Air Command], and you've recently been at STRATCOM [United States Strategic Command]. I welcome you back anytime so we can continue our discussion on the need for modernization of our triad.

General SELVA. Thank you, Senator.

Senator FISCHER. Thank you, sir.

Chairman MCCAIN. Senator Selva, the conflict in Syria has been going on for 4 years.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chairman.

And thank you to our witnesses. Congratulations on your nominations.

Just to pick up on Senator Fischer, I also agree that the policies around cyber is really important for us to continue to dialogue about. We had testimony within the last year, I think it was from Admiral Rogers—it was somebody connected with Cyber Command—and the testimony was, with respect to a particular cyberattack, if there was this kind of cyberattack, it could lead to war. And so, my followup question is, Well, so then a cyberattack, in and of itself, is not war? It's some prewar kind of an attack? And then the answer to that was pretty hazy. I have been on this committee for 2½ years now. I don't really have an understanding for what our cyberstrategy is. Do we have a line by which we would say a cyberattack constitutes war? Do we have a clear doctrine for the kind of response that we should make to cyberattack? What is the policy with respect to cyberdeterrence, cyberdefense, and then offensive use of cyber so that—this is not really sort of TRANSCOM. I'm not directing a question to you. But, it's more to colleagues on the committee. I think we need to educate ourselves more and challenge our military brass to understand what the current dimension of cyberstrategy is. I appreciate Senator Fischer's questions in that regard.

A compliment to each of you with respect to TRANSCOM. I think TRANSCOM is a great example of integration. I mean, TRANSCOM is cross-service. It is public and private. You probably do as good a job of—at balancing Active, Reserve, and Guard as any of the components of the military. Senator Donnelly and I were in Iraq, and the folks flying us around in C–130s were—I think they were Pennsylvania air reservists on a 4-month stint. And that's pretty common. I hope that, in your new role, General McDew, as the head of TRANSCOM, and General Selva, taking that lesson from TRANSCOM to the Vice position with the Joint Chiefs, I hope you'll take that—the lessons of that kind of integration—public/private, cross-service, Guard/Active/Reserve—and spread how that can be done more generally throughout the DOD [Department of Defense]. If you want to just comment upon that, I'd love to hear what you have to say.

General SELVA. Senator, I appreciate the compliment to TRANSCOM. It is true that the Command absolutely depends on the total force and the contribution of our commercial partners to our strategic lift around the world. If confirmed for the job as Vice Chairman, I look forward to bringing some of those lessons into the

Joint Staff and into the interagency. And I look forward to working with this committee and finding ways to make that possible.

Senator KAINE. General McDew?

General MCDEW. If you allow me, Senator, just to brag on the men and women of the—my current command, Air Mobility Command, they do it better than anyone, because they've lived through this together since 1968. We have had these bonds and these alliances and—with the Guard and Reserve—and we cannot operate without them.

Senator KAINE. General Selva, the military leadership at the Pentagon that gets over the finish line on audited financial statements, they'll have a star put on the sidewalk up here. I hope that you're going to be part of the team that gets us there. We've got a 2017 date by which we're supposed to be there. This is a question that Senator Manchin has been a real bird-dog about, always asking about it. Talk to us about the status of the move toward audited financial statements for the Department of Defense (DOD). Because it sure makes it a lot easier for us to advocate, for example, about sequester relief if we know that we are on a path to be able to do that.

General SELVA. Senator, from my position at TRANSCOM, we are one of the combatant commands that will have to assert our audit readiness as a consequence of managing a working capital fund that moves all of our equipment and personnel around the world. From that perspective, I can tell you, we're making significant progress towards audit readiness: towards being able to account for every dollar that we spend.

Across the Department, I'm going to need some time to take a look at where each of the individual Services are, but I will continue to be an advocate, across the enterprise, that we be prepared for our audit readiness deadline of October 2017. If confirmed, I look forward to working with all of the Service Chiefs and Secretaries to make that happen.

Senator KAINE. Thank you.

And just one last comment. I think we're about 24 hours into the Ramadi campaign in Iraq, and it's going to be a real test of the training and the work we've done with the Iraqi military and Sunni leaders in the last year, the success of this campaign. And I just know that we're all thinking about that and monitoring the success of that mission carefully.

Thank you for your service.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Rounds.

Senator ROUNDS. Thank you, Mr. Chairman.

Gentlemen, thank you both for your service. Thank you also to your families for their backing of you, and their sacrifice. It is greatly appreciated, and it does not go unnoticed.

Let me just begin. I find it interesting that both of you have—or that you have identified, General Selva, in your opening comments or in response to the Chairman, the list of where you see our greatest threats. I'm just going to identify that, in the new national military strategy, General Martin Dempsey, current Chairman, describes the need to counter revisionist states that threaten international peace and security. The strategy identifies Russia,

China, Iran, and North Korea as the four principal revisionist states. General Dempsey also writes that the U.S. military advantage has begun to erode and that future conflicts will come more rapidly, last longer, and take place on a more technically challenging battlefield.

In which areas—General Selva, in which areas has the U.S. military advantage begun to erode, if you agree with his statement? Where would you recommend that DOD focus its investments in response to this erosion?

General SELVA. Senator, I think there are four principal areas where that erosion has started to take place. The first is space. Up until the turn of this decade, the United States had pretty much dominance in space. That's no longer true. Across the networks of cyberspace, we see intruders and nation-states acting to counter our capability to provide the command and control for our military that gives us the speed of decision on the modern battlefield. Then, I'd—it wouldn't be fair not to highlight the fact that our opponents are look—and our potential adversaries are looking for asymmetries across our conventional and nuclear capabilities. As they detect and act against those asymmetries, they erode the capability that we have within our current force structure to react to threats that might emerge.

So, I would place the four in about that order.

Senator ROUNDS. Okay.

General McDew, you identified cyber as being an item of major concern. I agree with your assessment. I'm just curious, though, it—with regard to whether we're talking about policy or as we talk about statutory assistance, if you've looked at, and you've begun, the process, where do you see the most important statutory changes, if any, that DOD would be required to make recommendations with regard to cyber capabilities and operations? Are there specific statutes that you've identified yet in your review?

General MCDEW. Senator, I have not had that level of depth to have specific statutes. But, if confirmed, I will endeavor to do so.

Senator ROUNDS. General Selva?

General SELVA. Senator, the only area that, as the TRANSCOM commander, that I looked for increasing capabilities is the ability—having looked into contract law and the imposition of specific requirements for reporting on intrusions to work across the interagency, to make sure that any location, any organization that received a notification of an intrusion into a commercial or military network had an affirmative obligation to report that intrusion so that we could defend the networks that make us successful. That authority is tied up in a variety of statutes that prevent agencies from speaking to each other clearly across law enforcement and the military.

Beyond that, I have not spent the time and effort yet to work with Admiral Rodgers at Cyber Command to look at the broader national issue of cyberdefense.

Senator ROUNDS. Okay.

You identified, as one of those four existential threats, the country of Iran. In your view, is Iran still the leading state sponsor of terror?

General SELVA. Yes, sir, they are.

With the proposed nuclear treaty or nuclear agreement which was announced this morning, if Iran is provided economic sanctions relief, do you believe Tehran would use some of these funds to enhance its military capabilities in support for terrorist organizations?

General SELVA. Senator, I haven't yet had the opportunity to study the entire agreement, but, on its face, what I've heard from the press, the immediate lifting of sanctions or the sequential lifting of sanctions will give Iran the access to more economic assets with which to sponsor state terrorism, should they choose to do so. And I think we need to be alert to that possibility. And, as the military, we have an obligation to provide the President with a full range of options to respond. So, if confirmed, I look forward to working with the Department to examine those issues more deeply.

Senator ROUNDS. How do you respond to any additional Iranian aggression that may be forthcoming with their additional capabilities for procuring weapons?

General SELVA. Senator, absent the actual context of that specific intervention and that specific sponsorship of terrorism or other malign activities, it's difficult me—for me to actually give you an answer to that question, other than to say we need to have a range of available options with which to respond, whether it's militarily, diplomatically, economically, or otherwise.

Senator ROUNDS. But, you clearly recognize that the additional threat would now exist.

General SELVA. Absolutely.

Senator ROUNDS. Thank you, sir.

Chairman MCCAIN. Senator Manchin.

Senator MANCHIN. Thank you very much, Mr. Chairman.

And thanks, both of you all, for your service. And also, congratulations on your nominations. And I'm looking forward to working with you in the future.

Let me just say—and maybe, General Selva, if I may ask this question, because I think both of you have answered, and General Dunford answered the question I asked last week and Senator McCain just asked again—the greatest threat—and I think you all identified Russia—is that opinion held by most of our military higher echelon, if you will?

General SELVA. Senator, I believe it is, but I would actually quote an article I read early this morning from Dr. Andy Krepinevich. A quote in the article said that, over the better part of the last decade and a half, and in the years that preceded it, this Nation was able to look at the threats to our security through a periscope. And today we find ourselves having to analyze them through a kaleidoscope. And so, as each facet of the threat becomes apparent to us, we have to have the capability to react. And so, my reaction to the four major threats to the security of the United States comes from a military perspective. I'm not necessarily indicating that any of those states has a current intent to attack the United States.

Senator MANCHIN. Sure.

General SELVA. But, all of them have the capability. And so, we need to be ready to respond.

Senator MANCHIN. I've had the opportunity to have some dialogue with some of the people that were concerned about the relationships of the United States and Russia. And with that being said, could you comment on the state of the relationships, the dialogue going on, and what you would do to either improve, change, or have a different direction?

General SELVA. Senator, I haven't personally been involved in the dialogue, so it wouldn't be fair for me to comment on the dialogue itself, but what I will say to you——

Senator MANCHIN. Do we have one, of your knowledge?

General SELVA. Yes, sir. And what I will say to you and the committee is, if confirmed for the position of Vice Chairman, I think it is very important that our senior military leaders maintain an open dialogue with the senior military leaders of competitor nations so that we can minimize the chance of miscalculation or missteps in any military operation anywhere in the world. That goes for Russia and China, specifically, and for any other country that might wish us ill. We need to open those dialogues to make sure that we—

Senator MANCHIN. What I'm—and we're speaking about Russia being our greatest challenge right now, and the greatest threat, or possible threat, because of their capabilities. With that being said, I've spoken to some people from that arena, and they're telling me that the Cold War is colder today than it was when it declared.

General SELVA. Senator, I don't know that to be true or false, other than that they have said it. But, what I will tell you is that my experience is that the dialogue between senior leaders across our militaries has been open and frank. That helps us avoid miscalculation, and—

Senator MANCHIN. I'm just saying we're not hearing an awful lot of dialogue about this relationship or lack of a relationship. And now, when two of our top people who basically are on the verge of being nominated to lead our military forces have identified it, and not hearing anything before, I think it kind of caught a lot of us by surprise, if you will—

General SELVA. Yes, sir.

Senator MANCHIN.—that that would be your direction.

With that being said, I know the Iran nuclear deal we just talked about, it was revealed today that we have tentative agreement on that. I think, when we asked for your response on policy, you said—when we asked what would be a good deal for the U.S. from a security standpoint, your response was "Important outcomes includes rolling back Iran's nuclear program, providing the international community with necessary access and transparency while preserving the sanctions imposed on conventional arms and ballistic missiles." And I believe some of those, conventional arms and ballistic missiles, have expired terms on them at time—do you consider that a concern or a problem?

General SELVA. Senator, my understanding is that those sanctions have a 5-year and an 8-year term, having read the open press this morning. I haven't seen the details of the agreement and how those sanctions will be rolled back. But, it is my understanding, within the agreement, that there are snap-back provisions, that if we find Iranian behavior not to comport with the agreement, that

we can snap back the original sanctions. What I don't know is whether that applies to the conventional weapons and the ballistic missile technologies. So, if confirmed, I'm committed to taking a much deeper look at the text of the agreement to determine where our maneuvering—

Senator MANCHIN. One final question I have. Shortly after the fall of Ramadi, Secretary Carter stated the Iraqi forces showed no will to fight despite vastly outnumbering ISIS fighters. There is at least one group in Iraq that I have no doubt has the will to fight, and that are the Kurds. And we've spoken about that. Are there ways to empower the Kurds and the Sunnis to engage and to help them without undermining, I guess, the one-country solution or one-state solution, if that's our policy?—which I'm not certain I agree with, but, for the sake of discussion, if you would have any comment on that.

General SELVA. Senator, our policy is to continue to work through the government in Iraq to empower all of the parties in Iraq that are willing to fight against ISIL and to defend Iraqi sovereignty. I would need more time to be able to examine the issue of whether or not supporting one party over the other makes more sense, or not. If confirmed, I look forward to doing so.

Senator MANCHIN. Thank you, sir.

My time is expired.

General SELVA. Thank you, sir.

Chairman MCCAIN. Senator Ernst.

Senator ERNST. Thank you, Mr. Chair.

And thank you, gentlemen, for being here today. TRANSCOM is always very exciting to me. I am a transporter and a logistician, so I appreciate your service, especially in that area, very, very much.

General McDew, I'd like to start with you. Senator Kaine had pointed out the fact that TRANSCOM does work between the National Guard, the U.S. Army Reserves, Active Duty component, and many, many contractors, wonderful civilians who fill in those gaps. So, I would just like to visit with you a little bit about your thoughts on the role of the National Guard in supporting TRANSCOM's mission to provide full-spectrum mobility solutions and enabling capabilities. And, obviously, I have strong opinions there, but I'd like to hear yours, General McDew.

General MCDEW. Senator, I believe we may share the same opinion.

Senator ERNST. I think so.

General MCDEW. I am a strong supporter, and I am a huge fan, of our National Guard and Air Force Reserves. We could not operate without them. It is vital to the defense of this Nation and vital to everything we do in the transportation business. I can't imagine doing it without them.

Senator ERNST. Thank you. And do you see that there are ways that we could further enhance working with our Reserve and our National Guard units? Is there a way to complete that bridge that we have existing out there?

General MCDEW. I believe, Senator, that we need to continue to look at the authorities which our guardsmen and reservists come to work under, look at the different statuses they work in, and see

where those can be streamlined. We also need to be very careful, though, that we understand and fully appreciate the differences between the Active Duty, the Guard, and the Reserves, and work with employers to ensure that that remains as strong as we think it ought to be.

Senator ERNST. That's exceptional. I appreciate that very much. And you brought up a great point that we don't often discuss is our employees that do see us gone for an extremely long periods of time, whether it's just from a 2-week annual training period or an IDT [inactive duty training] weekend to the year-long deployments that we have seen overseas. But, I do believe that the National Guard and Reserve components within transportation are essential to supporting any mission that we have overseas. And so, I thank you for that. I'd like to thank our employers out there for being willing to support our men and women that serve in uniform in a Reserve and Guard status.

General Selva, of course, let's go back to U.S. TRANSCOM, as well. And what lessons learned, significant events, are you taking forward from TRANSCOM into the Vice Chair's position? What are some of the greatest assets that you will bring forward, having those types of responsibilities with TRANSCOM?

General SELVA. Senator, I think the greatest lesson I carry forward into any job is the dedication of our soldiers, sailors, airmen, and marines, and coastguardsmen, and all of their civilian counterparts, both in and out of government, to get the job done. They depend on us for sound leadership and for advocacy. And so, what I will take into the position as Vice Chairman, if confirmed, is that—that undying obligation to be an advocate for the soldiers, sailors, airmen, marines, and coastguardsmen who lay their lives on the line for all of us every day.

Senator ERNST. Thank you very much.

I just want to score again—or underscore again what some of the conversation has been today with regards to the Iran deal. And while we continue as legislators to work through what this deal entails, as well, I did hear you say, General Selva, that you do believe that Iran with potential nuclear capabilities is a great threat to the United States. Is that correct?

General SELVA. Iran with nuclear capabilities would be a threat to our regional partners, to our allies, our friends, and to the United States. And so, the extent to which this agreement forestalls their ability to build a nuclear weapon, I think we ought to look at all of the provisions therein to make sure that we're ready to respond for whatever else might come.

Senator ERNST. Thank you.

And again, as well, with sanctions relief providing approximately $100 billion to Iran, I also believe that this would serve Iran's purpose of funding proxies throughout that region and being a state sponsor of terrorism. So, I do have great concerns with this deal. I have great concerns with Iran, overall, as well as a number of issues that we have worldwide. But, that's for yet another day.

Thank you, General Selva. Thank you, General McDew. I appreciate your service very much to our Nation.

Thank you.

Chairman MCCAIN. Senator King.

Senator KING. Thank you, Mr. Chair.

I want to thank our witnesses for their service.

And, General Selva, you and I have met before. You are a extraordinarily thoughtful and straightforward officer, and I hope to encourage you, in your new position, which is one of the most important in our government, where you will be directly advising the President, particularly the—being on the Deputies Committee of the National Security Council. Will you be straightforward, honest, and courageous in providing your best advice, and not be intimidated by the circumstances that surround your being in that position?

General SELVA. I will, Senator. That's the only person I know how to be.

Senator KING. Well, I certainly hope so, because in situations like this, policymakers don't need "yes" men, they need criticism and straightforward advice. And I certainly hope that you're prepared to provide that. That, to me, is really the fundamental responsibility of this position.

To go to a more specific question, we had a—an explosion in Afghanistan a few days ago. Apparently over 30 people were killed. Do you have a view of the security situation in Afghanistan, and what we can and should do in order to maintain the progress that's been made in that country?

General SELVA. Senator, it's been some time since I traveled to Afghanistan, but my overall impression is that the Afghan national security services, both their military and their national police, are making progress. And they are confronting the Taliban, insurgents, and terrorists where they present themselves. And so, my view is that we need to empower them to continue that work. They have taken ownership of the sovereignty of the country of Afghanistan, and that is the place where we want them to be. And so, I think we need to be careful about the assumptions we made, relative to the timelines for their willingness and ability to manage their own sovereignty. And that goes to the stability of the government and the central government's command and control over those forces. And I think that's the place we need to go, it's to think that through in that domain.

Senator KING. So, I take it your advice would be that our disengagement should be based upon conditions on the ground and not arbitrary dates in a calendar.

General SELVA. Senator, I believe that's true.

Senator KING. Thank you. I hope you will pass that advice on in the strongest possible terms.

We've talked a lot about cyber this morning. And I think there's plenty of responsibility to be spread around. I think it's one of the great disappointments of my 2½ years here that we have not yet brought significant cyber legislation to the floor of the U.S. Senate. And when we have a catastrophic breach, to go home to our constituents and say, "Well, we couldn't do it because four different committees had authority, and we really just couldn't get our act together," that's not going to be satisfactory to the people of the United States. So, certainly there needs to be action here in Congress. And hopefully that will be forthcoming this year.

On the other hand, it seems to me that we need to be thinking about doctrine and the development of a doctrine of cyber, which we don't seem to have now, other than defense. And in my view, the—there has to be an offensive capability which our adversaries understand, and understand will be applied. The only good thing about the theory of deterrence and the mutually assured destruction which applied to our nuclear posture for 70 years is that it worked. And it just seems to me logical that if our policy is strictly defensive, we're like a guy in a fight who won't be allowed to punch. Eventually, you're going to lose that fight. I would urge you to think about this. And I'd appreciate your thoughts. Assuming we can identify it's a state actor, not an amateur hacker or a criminal conspiracy, but a state actor, it seems to me there has to be some price to be paid. Would you agree, General?

General SELVA. I do agree, Senator, and I look forward to working with the committee, if confirmed, to examine the doctrine for the offensive use of cyber capabilities, both as a deterrent and as an offensive weapon in warfare.

Senator KING. And I hope not only with the committee and with Congress, but also with that all-important Deputies Committee of the National Security Council. That's where it seems to me this policy has to emanate, and then we can work it over here.

General McDew, I assume you agree?

General MCDEW. I do agree, Senator, in that the role of attribution—the interesting part, for me, as I evolve my knowledge of the cyberthreat, is that it is such a low cost of entry, and so much damage can be wielded from it.

Senator KING. Without consequence.

General MCDEW. Right.

Senator KING. And we need to be talking about—there need to be consequences.

Well, I hope you gentlemen will pursue that, because right now we're playing defense, and we're not winning very—we're not getting very far. We're getting—it's getting more and more serious, and we are facing a catastrophic attack, in my view, akin to the next Pearl Harbor. Both we in Congress and the administration have to be thinking about a more comprehensive doctrine and not just talking about how do we work together for defensive purposes.

Again, gentlemen, thank you very much.

General McDew, I understand your early flying career took place at Loring Air Force Base in northern Maine, and delighted to have you before us.

Congratulations on your nominations. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Sullivan.

Senator SULLIVAN. Thank you, Mr. Chair.

Gentlemen, thank you for your service, and congratulations on your nomination.

General McDew, I just want to add a compliment. At least in my career, I've had the opportunity to work with some of the TRANSCOM military members and, you're correct, I think, in many ways, unheralded workhorse for the U.S. military in many ways behind the scenes. So, I just want to commend all of your

members on a great job, and want to commend your families for their service, as well.

General Selva, I just wanted to touch briefly—it's obviously getting a lot of press right now—on Iran. And in one of the most powerful testimonies we had in front of this committee in the last half year was Henry Kissinger, who came in and talked to this committee about devising strategy. And one of the things he mentioned, that one of the most important things we need to ask ourselves as we're putting together strategy is, What do we seek to prevent as a country, no matter how it happens, and, if necessary, alone? Kind of his top strategic thought for this committee.

I had asked Secretary Carter, during his confirmation hearing, if he thought preventing Iran from obtaining a nuclear weapon would fall into that category? What do we seek to prevent, no matter how it happens, and, if necessary, alone? He said yes, absolutely. Preventing Iran from obtaining a nuclear weapon. Now, that was during his confirmation testimony. It'll be interesting to see if he still believes that, given the agreement that's been announced. If—do you agree with him on that?

General SELVA. I agree with Dr. Kissinger, that if we can find no allies, partners, and friends to help us achieve the results that we believe are important, we have to be willing and able to go it alone.

Senator SULLIVAN. But, do you think that preventing Iran from obtaining a nuclear weapon falls into that category, like Secretary Carter did in his confirmation hearing?

General SELVA. Senator, I agree that preventing the Iranians from getting a nuclear weapon is a critical national interest.

Senator SULLIVAN. So, if this agreement, once we unpack it, allows for a pathway to develop a nuclear weapon after 10 or 15 years, would you disagree with it——

General SELVA. I will reserve——

Senator SULLIVAN.—in your personal view?

General SELVA. I will reserve judgment until I've had the opportunity to look at the entire agreement.

Senator SULLIVAN. Well, I'm just posing a hypothetical. In your personal view, if the agreement, in 10 to 15 years, allow the Iranians to have a pathway to obtain a nuclear weapon, do you think that's in the national interest of the United States?

General SELVA. Then we will have to have the capability to address that eventuality when it's presented, Senator.

Senator SULLIVAN. You're not answering my question, General.

General SELVA. Sir, I am opposed to the Iranians possessing a nuclear weapon.

Senator SULLIVAN. In 15 years?

General SELVA. Ever.

Senator SULLIVAN. Okay.

General SELVA. Because—

Senator SULLIVAN. So, if this agreement allows that in 15 years, you would think that's not in the interest of the United States?

General SELVA. Correct.

Senator SULLIVAN. Thank you.

Let me ask a question. You know, you've spent a lot of time, in your career, in the Asia-Pacific. This committee's been very inter-

ested in the rebalance strategy. The NDAA [National Defense Authorization Act] that just passed with bipartisan numbers had a strong provision in supporting the President's Asia-Pacific rebalance. The countries that you actually mentioned as the top threats are all in the Asia-Pacific. And what we were trying to do in that—in the NDAA is provide additional credibility to the President. In that kind of defense guidance from Congress, should DOD be listening to Congress?

General SELVA. Senator, I think the Department always has an obligation to listen to the will of Congress.

Senator SULLIVAN. So, if there's provisions in the NDAA that say we should not be decreasing, but increasing our force posture in the Asia-Pacific to enhance and provide credibility to the President's Asia-Pacific rebalance strategy, the DOD should be doing that?

General SELVA. To the extent that supports our national objectives globally, yes, sir.

Senator SULLIVAN. If it seems that we're not doing this, if you're confirmed, will you work with this committee to make sure that DOD is implementing Congress' defense guidance to increase forces in the Asia-Pacific?

General SELVA. Senator, I will commit to you and to any Member of Congress to work with Congress to make sure that we have a balanced approach to the reaction that we have to have to the fiscal environment we live in. If that means we have to adjust our force structure on any part of the globe, I'll make sure that I articulate the position that the Services and the combatant commanders have taken in making that happen.

Senator SULLIVAN. But, Congress said we need to be increasing forces in the Asia-Pacific. Should DOD be doing that, given that that's what we're saying here, in terms of our constitutional oversight role for the defense of the Nation?

General SELVA. Sir, the extent to which Congress funds the capabilities and provides the Department the flexibility within those funds to make the will of Congress happen, yes, sir, we should.

Senator SULLIVAN. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

And thank you both for being here today and for your willingness to continue to serve.

I want to just follow up a little bit on the cyber comments—discussion that has been made this morning, because I notice that we are opening a Silicon Valley outreach office, called the Defense Innovation Unit, experimental. I wonder if you could speak to what the goal of that office is.

General SELVA. Senator, I'm not aware of the detail of that specific office, but I am aware of broad outreach across the Department to try and examine opportunities to better understand our capacity to defend and protect the networks that are represented across all of our infrastructure, commercial and military, in cyber. I look forward to actually digging into that particular issue a little bit, if confirmed for the position of Vice Chairman.

Senator SHAHEEN. Thank you.

I appreciated the opportunity for us to talk a little bit before this hearing. And one of the things that we talked about when we met,

General Selva, is the challenge that we're facing from Russia, and that one of the areas where it's a real problem is the Russian propaganda campaign that, particularly in eastern Europe, in the Baltics, they are dealing with. So, can you tell me what we're doing to respond to that Russia propaganda campaign, and whether you believe the DOD is coordinating as—in the best way to address that with the Department of State?

General SELVA. Senator, subject to our meeting, I did a good bit more research on that subject, and it is my understanding that there is an operational and tactical-level capability inside the Department to react to propaganda campaigns against our allies, partners, and friends. But, that is done in close collaboration with the Department of State and their broader responsibility for public diplomacy.

Senator SHAHEEN. And so, do you have thoughts about whether there are more efforts that can be undertaken, where we can, not only cooperate more closely, but be more proactive in our response to what Russia is doing?

General SELVA. Senator, I think we need to evaluate each of the situations where the Russians are imposing their will on their close neighbors, some of whom are our allies, and make sure that we are, in fact, telling the truth when Russian intervention threatens the security of those sovereign states.

Senator SHAHEEN. General Selva and General McDew, as you're both aware, one of the real costs within DOD is for energy. And, as you're—you have an overlapping responsibility for TRANSCOM, can you talk—I guess, General McDew, I will go to you first—about efforts to reduce energy use across the Department and why that's important?

General MCDEW. As the largest user of energy in the Federal Government, it is very important that we get our act together on how we do that. Our chief scientist and several people in my command, in Air Mobility Command, have worked with TRANSCOM and the Department of Transportation at a lot of—a number of initiatives, from how we fly our routes, how we configure our airplanes. We have done a number of initiatives to take weight off airplanes. It seems like not a big deal, but if you talk about 1 or 2 percent on an airplane that flies as often as we fly, it becomes actually significant. Flying in formation with another airplane, and all the things we can do to take the guesswork out of some of the things we do, there's more than that.

Senator SHAHEEN. Well, talk, if you will, about the targeted savings that we're looking for—that we saw last year, that we're looking for this year, and what potential you think there is in the future.

General Selva?

General SELVA. Senator, I would point out two within the transportation enterprise. First is an initiative to more effectively package the commodities that we ship over the ocean. The normal process, years ago, had us at about a 55-percent utilization rate of the space in the containers that travel over ocean. We have raised that metric to 85 percent, and are on a pathway to raise it to 90 percent, by volume. The same has been applied to our aircraft, where we build the cargo loads to a higher density. We have combined

that with an algorithm that tells us where it's the cheapest to buy the fuel that we carry. All in combination, those initiatives, have yielded about a billion and a half in savings over the last 18 months.

Senator SHAHEEN. So, it's significant to the Department.

General SELVA. Yes, ma'am.

Senator SHAHEEN. Let me also—I only have a little time left, but I understand, General McDew, that you have experience flying the KC–135s, and you may be aware that Pease Air Base in New Hampshire is the first base to receive the new KC–46A aerial refueling tankers. We are a lot proud of that. I wonder if you could talk about the importance of that program and also its future role in supporting military operations around the world.

General MCDEW. Absolutely, Senator. The unit at Pease has a strong history in air refueling and will be a valuable partner for decades to come. I have personally been to that unit. I have flown with members of that unit, and I've known that unit for a long time. The KC–135 has been the backbone of our air-refueling fleet for decades, and will be for decades to come. The KC–46 will bring new capabilities and a younger airplane to the fight. And it is great to have Pease partner. You have embraced our airmen, our Active Duty airmen who have joined that unit, and we can't thank you enough for the work that's done at Pease to bring on that airplane.

Senator SHAHEEN. Well, thank you. I think it's a great model for integration between Active Duty and the Guard. And hopefully we will continue to see the role of the KC–46 be more prominent as we look at what's happening around the world.

Thank you both very much.

Chairman MCCAIN. Thank you for that commercial, General McDew.

Senator Ayotte.

Senator AYOTTE. I want to thank both of you for being here and for your service to the Nation.

Following up on that commercial very much, I wanted to ask you right now, as I understand, with Pease and the 157th receiving the first National Guard unit to receive the basing of the KC–46A, there actually is the Site Activation Task Force right now at Pease, today, and that means approximately 60 subject-matter experts from the National Guard Bureau Air Mobility Command and the Program Office at Wright-Patterson are at Pease to prepare for the arrival of the KC–46A. I just want to ask both of you—General Selva, General McDew—is Pease still scheduled to receive 12 primary aircraft in December 2017?

General MCDEW. Absolutely.

[The information referred to follows:]

Pease ANGB is still programmed to receive the first KC–46 aircraft in February 2018. Barring any further changes to the aircraft delivery schedule, Pease is slated to receive its 12th aircraft by the end of fiscal year 2018.

General SELVA. I will echo my colleague. Yes, ma'am.

Senator AYOTTE. Well, that's terrific. And they're ready to receive them, and looking forward to it. So, we're glad that the Site Activation Task Force is there today.

In addition to that, you've spoken, General McDew, about having actually flown with the 157th and the outstanding work that

they've done for the Nation. And one of the things that's important is the strategic location of Pease in the Northeast, and the ability that we've been able to provide that support for TRANSCOM. And so, one of the things that I think makes it strategic is also the facilities that we have there.

General Selva and General McDew, do you believe it's important to maintain the existing facilities, including specifically the aircraft parking ramps, to support the day-to-day operations and contingency operations supporting TRANSCOM in the Northeast from Pease?

General SELVA. Senator, as the combatant commander responsible for managing air refueling, the ability to deploy from, and employ from, sufficient ramp space that has hydrant refueling capable of handling tankers is a strategic asset up and down the eastern seaboard. Pease is one of several locations that has that capability, but it is one we use significantly.

Senator AYOTTE. General McDew, do you think it's important that we maintain that, especially with the basing of the new KC–46A at Pease?

General MCDEW. I do, Senator.

Senator AYOTTE. Thank you. I appreciate it, General.

I also wanted to follow up on some of the cyber questions that you've been asked. And what is it that we're seeing, in terms of TRANSCOM, with additional cyberattacks? What do you believe are the biggest challenges for this area of command which is so critical to everything else we do in our ability, obviously, to defend the Nation?

General SELVA. Being in the awkward position of having the sitting TRANSCOM Commander and the nominated TRANSCOM Commander at the table, let me open.

As a consequence of the work that this committee did in addition to work that the Intelligence Community had been—had ongoing on the threats to TRANSCOM, we've actually completely rewired the way we do cyberdefense and cyberhygiene within the Command. So, we have put our forces, essentially, on the offense, looking for people that are intruding into the network. And the extent to which those are in law enforcement issue, we have a liaison from the FBI and local law enforcement in our headquarters that attends to those parts of the issues. We have members of the intelligence community that provide the liaison into the interagency intelligence community if it's an intelligence issue. And then we have the capacity to turn those intrusions over to Cyber Command for our cyber mission team to begin defensive, and potentially offensive, action, if required. We exercised that in a recent exercise. Without getting into the classified results, we had a pretty good outcome with the Red Team trying to attack our networks. So, management of our cybercapability to do the command and control work that we do across such a broad network is incredibly important to us.

Senator AYOTTE. Is that model that you've talked, which sounds like a very important model, and obviously I'm glad to hear you're seeing some success with it—is that something that we're going to see, now that you're nominated to be the Vice Chairman, being implemented in other commands?

General SELVA. Senator, we've taken all the benchmarks from that set of lessons learned and shared them with all the other combatant commanders and with CYBERCOM. I will commit, if confirmed to becoming the Vice Chairman, to make sure that all the combatant commanders continue to share those kinds of lessons learned and improve our cyberdefense capability.

Senator AYOTTE. Well, I think that's really important. I appreciate it. And I want to thank both of you for your service—and your family—to the Nation. We deeply appreciate it.

General SELVA. Thank you, Senator.

Chairman MCCAIN. Would the Senator from Maine have any additional comments about the criticality of Pease Air Force Base to western civilization as we know it?

[Laughter.]

Senator KING. I was just going to comment that if I were running out of fuel over the North Atlantic, I would want the Maniacs from 101st Air Refueling Wing in Bangor to come and——

Chairman MCCAIN. Ah, I see. I thank the Senator from Maine.

Senator KING. There are other air refueling wings in New England. I'm glad—I appreciate the chairman's opportunity to make that point.

Chairman MCCAIN. Thank you.

Senator Blumenthal.

Senator BLUMENTHAL. Thanks, Mr. Chairman.

Thank you for your service, and thank you to your families, as well, for their extraordinarily valuable support and service.

I want to talk about a subject that has not been covered so far, small business set-asides. I'm a strong supporter of small business set-asides and the American shipping industry and our country's domestic merchant marine sector. A number of constituents of mine have raised this issue with me, saying that DOD has moved away from the dedicated service contract model, and started using a new system, called Universal Service Contracts, to transport goods via ocean from the U.S. mainland to U.S. military installations around the globe. My constituent has raised concerns with TRANSCOM regarding the statutory requirement to use small businesses and mandatory small business preferences, but those concerns have not been met. I suspect others have raised similar kinds of concerns from other States. And so, I'm going to ask you whether, if you're confirmed, you will work with my office to ensure that the statutory requirement to use small business and mandatory small business preferences is complied with.

General MCDEW. Senator, I will do so, if confirmed.

Senator BLUMENTHAL. Are you aware of this change of policy?

General MCDEW. I am not aware of that one, Senator, specifically.

Senator BLUMENTHAL. Could you look into it and get back to me?

General MCDEW. I can, Senator.

[The information referred to follows:]

USTRANSCOM is an advocate for small business utilization and as of the end of the fiscal year 2015 second quarter, has already surpassed the fiscal year 2015 Small Business goal of 15 percent (of prime contracts), established by the Department of Defense and as required by the Small Business Act, by achieving 22.17 percent small business utilization. Additionally, USTRANSCOM is fully compliant with Federal Acquisition Regulation (FAR) small business requirements, as evidenced by

the "Highly Satisfactory" rating assigned following a May 2014 Small Business Administration (SBA) Surveillance Review.

USTRANSCOM's number one priority is readiness and the readiness of the global distribution enterprise to extend America's helping hand or project combat power, anywhere, anytime. USTRANSCOM has moved some efforts previously accomplished under a dedicated service model to the USC–7 contract when circumstances warranted, such as where a significant change in cargo volume occurred and dedicated service was no longer feasible. The work performed under the USC–7 contract is in full accordance with the Small Business Act (15 U.S.C. § 644(a)), the FAR, and all other laws and regulations. USTRANSCOM will continue to evaluate whether requirements are appropriate for set aside under the USC–7 contract in accordance with the Small Business Act.

If confirmed, I will look into how USTRANSCOM accomplishes small business awards and will ensure that USTRANSCOM continues to follow the law that applies to use of small businesses.

Senator BLUMENTHAL. And, if confirmed, what steps or policy changes can you take to ensure that small businesses, in fact, have a fair shot at doing business with TRANSCOM?

General MCDEW. Senator, I've been a proponent and advocate for small businesses for my entire career. I will pledge to you, if confirmed, I will look deeply into this. And I can't imagine us having a process that discounts small businesses, so I'll have to see how we can encounter small business.

Senator BLUMENTHAL. What changes or policies in the course of your commitment, your past commitment—and I welcome it—have you seen DOD undertake? What kinds of initiatives?

General MCDEW. I can—well, other than the fact that I can tell you DOD measures how often we actually contract with small businesses in several different categories, there is a grade for an organization inside, at least I'm familiar right now, the Department of the Air Force, on how we do with small businesses. So, I am very—I'm somewhat surprised by your comments right now, Senator.

Senator BLUMENTHAL. Well, I hope that it is a surprise that is based on a misunderstanding that can be easily corrected. And I welcome your comments. Thank you very much.

Thanks, Mr. Chairman.

Senator REED. [presiding]. Thank you, Senator Blumenthal.

Gentlemen, thank you for your service, along with your families.

On behalf of Chairman McCain, I would declare the hearing adjourned.

[Whereupon, at 11:09 a.m., the committee adjourned.]

[Prepared questions submitted to General Paul J. Selva, USAF by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. In connection with your recent nomination to be Commander, U.S. Transportation Command you answered the Committee's policy questions on the reforms brought about by the Goldwater-Nichols Act. You indicated that you did not see a need for modifications to Goldwater-Nichols Act provisions.

Has your view of the importance, implementation, and practice of these reforms changed since you testified before the Committee at your last confirmation hearing?

Answer. No.

Question. In light of your experience as Commander, U.S. Transportation Command, do you see any need for modifications to Goldwater-Nichols? If so, what modifications do you believe would be appropriate?

Answer. No. I do not presently foresee the need to make any modifications to the Goldwater-Nichols Act.

DUTIES

Question. Based on your experience as Commander, U.S. Transportation Command, what recommendations, if any, do you have for changes in the duties and functions set forth in section 154 of title 10, United States Code, and in regulations of the Department of Defense, that pertain to the Vice Chairman of the Joint Chiefs of Staff and the organization and operation of the Joint Staff in general?

Answer. At present, I do not recommend changes to the law or regulations.

JOINT REQUIREMENTS OVERSIGHT COUNCIL

Question. The Vice Chairman of the Joint Chiefs of Staff serves as the chairman of the Joint Requirements Oversight Council (JROC), which has the responsibility to review and validate Service requirements. Are there any recommendations that you would make to modify the JROC or its authority or the requirements process?

Answer. No, I do not believe any additional authorities or process changes required at this time.

Question. Has the 'trip-wire' process, to bring troubled programs back to the JROC for a review and to consider performance trade-offs to mitigate further cost growth and/or schedule delays before the program faced a Nunn-McCurdy review, been regularly employed on large programs that have experienced significant cost growth and schedule delays?

Answer. Yes. The JROC "trip-wire" process was put in place to address potential program difficulties prior to triggering a Nunn-McCurdy breach and subsequent review. A 2012 Joint Capabilities Integration and Development System (JCIDS) guidance update incorporated additional unit-cost criteria in order to address schedule and quantity trip-wire criteria. It has been employed on several occasions to review and adjust requirements on large programs when appropriate to avoid follow-on Nunn-McCurdy breach criteria.

Question. Has the JROC altered requirements, either for performance or procurement quantities, as a result of such reviews?

Answer. Yes, the JROC has altered or revalidated requirements as a result of such reviews. Example programs include the warfighter information network—tactical (WIN–T), advanced anti-radiation guided missile, and the E–6B Block 1.

Question. Weapon Systems Acquisition Reform Act of 2009 (WSARA) required the Secretary of Defense to ensure that trade-off analyses are conducted on cost, schedule, and performance as part of the requirements development and approval process. Such analyses enhance DOD's understanding of what performance factors are the critical ones driving costs and schedules. What is your view of the modifications to the JROC process made by WSARA?

Answer. The modifications resulting from the 2009 WSARA have benefited JROC deliberations and the supporting JCIDS process. The continuing refinements to JCIDS, the most recent review and update completed in February 2015, ensure the continued focus on trade-off discussions and resulting requirements validation decisions.

Question. What additional steps do you believe that Congress or DOD should take to ensure that trade-offs between cost, schedule, and performance objectives for major weapon systems are made at an appropriately early point in the acquisition process?

Answer. The Department routinely evaluates opportunities for trade-offs among cost, schedule, and performance for major weapons systems. As an example, in 2012 the Department revised the JCIDS instruction to ensure the JROC reviews a system's Analysis of Alternatives (AOA) to inform and shape Milestone A activities. As further steps are warranted, I will adjust the JCIDS policy and process and work with USD(AT&L) accordingly.

Question. Are there any other recommendations that you would make to modify the JROC or its authority or the requirements process?

Answer. No. At this time, I do not have any recommendations regarding modifications to the JROC or its authorities and the requirements process. If confirmed, I will continue to focus on the statutory responsibilities and authorities to ensure the appropriate rigor in validating realistic, technically achievable, prioritized, and cost informed requirements.

Question. How would you assess the effectiveness of the JROC in the DOD acquisition process?

Answer. I would judge the effectiveness of the JROC by how successfully it works in coordination and partnership with the leaders and primary stakeholders in the

requirements, acquisition, and resourcing processes to deliver capability to the warfighter within cost, schedule, and performance parameters. Over the past few years, the coordination between these processes and leaders has improved, and if confirmed, I intend to continue this close coordination.

Question. What is your vision for the role and priorities of the JROC in the future?

Answer. My vision is for the JROC to play a key role in developing the future joint force by providing a rigorous requirements basis, consistent with statutory responsibilities, to aid senior leader decision-making. If confirmed, I will ensure the development of a superior joint force remains a priority.

Question. Do you believe the JROC process is sufficient to understand and identify where there are opportunities for multi-service collaboration or where programs could or should be modified to take advantage of related acquisition programs?

Answer. Yes. One of the major responsibilities of the JROC process is to promote Service collaboration on joint requirements and raise awareness across the force on opportunities to modify or adapt related acquisition programs.

Question. What principles guide your approach to inviting, and helping ensure the sufficient participation of other stakeholders in the JROC?

Answer. Inclusiveness and frank discussions of key issues will guide my approach in my role as the chair of the JROC and requirements process leader. The recently updated JROC charter details roles and responsibilities of the Council, its subordinate boards, and other organizations with equity in JCIDS.

Question. The Senate Armed Services Committee's report to accompany the fiscal year 2016 NDAA directs the Secretary of Defense to revalidate the total program of record buy quantity of each variant of the F–35 Joint Strike Fighter. How do you see the JROC's role in this revalidation process?

Answer. If confirmed, I will work closely with the Service and Program Sponsor principals as well as the Department's acquisition professionals to assess and validate joint military requirements identified by combatant commanders. I will take a deliberate look at balancing the capacity and the capabilities of the future Joint Force, including the F–35 Joint Strike Fighter program.

JOINT CAPABILITIES INTEGRATION AND DEVELOPMENT SYSTEMS (JCIDS)

Question. What is your perspective on the responsiveness of the JCIDS process in addressing joint capabilities needs?

Answer. I believe JCIDS is very responsive when addressing joint capability needs, whether in the normal course of the deliberate review and validation lane or when evaluating joint urgent or joint emergent operational needs. In addition to having urgent/emergent lanes within the process, the requirements process is flexible and the timeline to review and validate requirements has been tailored for additional timeliness when necessary in the past. If confirmed, I will ensure it continues to be flexible in its execution when appropriate.

Question. What level of involvement in the joint requirements process and the JROC do you believe is appropriate for the COCOMs?

Answer. I believe the combatant commands are key customers of, and stakeholders in, the requirements process. Combatant commands participate at every level, to include the JROC, Joint Capability Board, Functional Capability Boards and associated working groups. The recently updated JROC charter details the roles and responsibilities of the JROC, its subordinate boards, and other organizations with equity in JCIDS. If confirmed, I will ensure that combatant commands continue to play the appropriate role in the requirements process.

Question. Do you think that JCIDS needs to be changed? If so, what are your views on the how it could be improved to make the process more responsive to users' needs while efficiently investing resources in a fiscally constrained budget environment?

Answer. No, not at this time. The Department recently updated JCIDS guidance documents and adjusted the JCIDDS process. If confirmed, I will monitor the changes put in place and adjust the process when and where necessary.

Question. The requirements development process is not a stand-alone process, but instead is required to work collaboratively with the acquisition and budgeting processes. What steps are needed to better align the requirements development process with the acquisition and budgeting processes to make for a more efficient and effective process for delivering capabilities?

Answer. Continued collaboration between the requirements' process stakeholders and DOD leadership will be needed to more efficiently and effectively deliver capabilities to the war fighter. There have been substantial improvements in recent

years, which if confirmed I intend to continue, such as quarterly leadership forums among the Vice Chairman, Under Secretary for AT&L, and Director of CAPE.

ACQUISITION REFORM AND ACQUISITION MANAGEMENT

Question. What is your view of the changes made by the Weapon Systems Acquisition Reform Act of 2009 (WSARA)?

Answer. The Weapon Systems Acquisition Reform Act (WSARA) of 2009 has been instrumental in avoiding the high cost of fixing problems late in the acquisition process. WSARA also jump-started acquisition reform within Department and initiated a mindset of continuous process improvement as exemplified by Secretary Carter's Better Buying Initiatives that I strongly endorse.

Question. What role, if any, do you believe the JROC should play in the oversight and management of acquisition programs after requirements have been established?

Answer. I believe that the JROC continues to play a key role in requirements oversight and portfolio management, maintaining visibility into acquisition programs developing capability solutions to meet validated/established requirements. There may be cases where validated requirements need to be reviewed and revalidated based on new conditions such as technology challenges, fiscal constraints, or changes in the threat environment. If confirmed, I will ensure the requirements process remains flexible and responsive to address requirements reviews as needed.

Question. What role if, any, do you believe the JROC should play in reviewing the progress of major defense acquisition programs or other acquisition programs?

Answer. The JROC already plays a role in reviewing the progress of major defense acquisition programs. The JROC considers the progress of programs in the yearly Chairman's Gap Assessment and Chairman's Program Recommendation. The JROC also receives yearly Portfolio Review assessments which include a review of major acquisition programs conducted by the Functional Capability Boards.

Question. Do you see a need for any change in the role of the Chairman or the Vice Chairman of the Joint Chiefs of Staff in the requirements determination, resource allocation, or acquisition management processes?

Answer. No, I do not see a need for any change.

Question. What is your view of the role played by Configuration Steering Boards in preventing cost growth due to requirements creep?

Answer. When proactively utilized by the Service Acquisition Executive, Configuration Steering Boards have been highly effective in preventing cost-growth and identifying opportunities for requirements relief.

Question. What do you see as the proper relationship between Configuration Steering Boards and the JROC in managing requirements for acquisition programs?

Answer. The Configuration Steering Boards (CSBs) are responsible for reviewing acquisition programs on a regular basis to address issues causing hurdles to their success in delivering capability to the warfighter. The CSBs should continue to propose requirements reviews/changes to the applicable requirements validation body, to include the JROC. If confirmed, I will ensure the requirements process remains flexible and responsive to address those CSB-recommended reviews/changes needing JROC validation in a timely manner.

Question. What is your view of the Nunn-McCurdy requirements for Major Defense Acquisition Programs that fail to meet cost, schedule, and performance objectives?

Answer. I believe that the Nunn-McCurdy requirements for designated programs provide the necessary review for cost, schedule, and performance issues as needed.

Question. What do you see as the proper relationship between the JROC and those DOD officials charged with implementing the Nunn-McCurdy requirements?

Answer. The JROC supports USD(AT&L) in the Nunn-McCurdy process as detailed in the statutory language. As the validation body, the JROC reviews the program requirements to determine whether program continuation is essential to national security. If confirmed, I will ensure the JROC and the JCIDS process continues to provide prompt and robust support to the Nunn-McCurdy process and the designated lead official.

URGENT NEEDS PROCESSES

Question. In your view, what specific steps should the Department take to better manage the joint urgent needs process?

Answer. I believe the Department has taken robust action over the past several years to better manage the joint urgent needs process. Examples are the updated JCIDS and acquisition guidance that governs the Joint Urgent Operational Needs (JUONs), Joint Emergent Operational Needs (JEONs), and component-specific urgent operational needs processes. Another example is the focus of the Warfighter

Senior Integration Group (W–SIG) to facilitate delivery of solutions to validated JUONs/JEONs/component-specific urgent operational needs.

Question. What is your sense of where the DOD might consolidate urgent needs entities and/or processes and how cost savings could be achieved through such consolidation?

Answer. My sense is that DOD is making good progress in consolidating urgent needs entities/processes and focusing remaining resources in improving delivery of validated urgent operational needs.

Question. Do you believe that the Joint Staff should take steps to integrate the Joint Urgent Needs process with the individual services' processes? If so, please explain?

Answer. No. I believe there is an appropriate distinction between a component-specific urgent operational need and a Joint Urgent/Emergent Operational Need. If confirmed, I will maintain awareness of the processes and propose changes when and where appropriate.

NUCLEAR WEAPONS COUNCIL

Question. If confirmed as Vice Chairman of the Joint Chiefs of Staff, you will to serve as a member of the Nuclear Weapons Council.

What would your priorities be for the Nuclear Weapons Council (NWC)?

Answer. Sustaining a safe, secure, and effective nuclear arsenal is vital to ensuring our Nation's survival and central to the responsibilities of the NWC. I will work closely with the other NWC members to develop a plan for the Nuclear Enterprise to ensure the appropriate capabilities are available to sustain our nuclear arsenal for the long term.

Additionally, I will work with the other NWC members to modernize our aging nuclear facilities, invest in human capital, accelerate dismantlement of retired warheads, and improve our understanding of foreign nuclear weapons activities.

Question. What changes if any would you recommend to the organization, structure, or function of the NWC?

Answer. USC Title 10 Section 179 sets forth the organization, structure and function of the NWC. While I am aware of the recent Congressional advisory panel that reported on this subject in detail, I have no recommendations at this time. However, if confirmed, I will work with the NWC chairman and other members to assess the organization, structure and function of the NWC, and where warranted, provide recommendations for change to increase effectiveness and value in support of the nuclear mission for national security.

SPACE PROGRAM MANAGEMENT

Question. In many instances the military and intelligence space programs have experienced technical, budget, and schedule difficulties. In some instances these difficulties can be traced to problems with establishing realistic, clear, requirements and then maintaining control over the integrity of the requirements once established. If confirmed as chairman of the JROC you will be involved in determining these requirements. How in your view can or should the space systems requirements process be improved?

Answer. It is my understanding that in order to address the specific issue of space systems the Joint Capabilities Integration Development System (JCIDS) has been updated to allow for more trades between cost, performance, technology, and risk. If confirmed, I will continue to work with my

counterparts in the Office of the Director of National Intelligence and the Office of the Secretary of Defense to ensure future space systems have robust and achievable requirements.

Question. In general, space programs take many years to move from conception to launch. The result is that the technology in the satellites is significantly outdated by the time the satellites are launched and operational, which in turn, can lead to a decision to terminate a program early, and look to a newer technology. This vicious cycle results in significantly increased costs for space systems as sunk costs are never fully amortized. How in your view can this cycle be addressed?

Answer. I believe one means of minimizing the use of outdated technology is to allow for technology insertion points into the acquisition process, balanced with limits on any requirements creep that could possibly derail the capability from achieving its core functionality. This allows for newer technology to influence the development program at specific points in the procurement of the space system enterprise.

NUCLEAR WEAPONS

Question. If confirmed you will continue to be a member of the Nuclear Weapons Council, and work closely with the National Nuclear Security Administration and its Stockpile Stewardship Program.

What, in your view, are the longer-term Stockpile Stewardship Program goals and what are the key elements that should be addressed from a DOD perspective?

Answer. Congress established the Stockpile Stewardship Program with the aim of creating the computational capabilities and experimental tools needed to enable the continued certification of the nuclear weapons stockpile as safe, secure, and reliable without the need for nuclear weapons explosive testing. The Secretaries of Defense and Energy are required by statute to certify annually to the Congress the safety, security, and reliability of the nuclear weapons stockpile.

I believe these goals are appropriate and the program is effective, as evidenced by our ability to certify the stockpile for over 20 years without the need for underground testing. That said, while the National Nuclear Security Administration has made significant investments in the tools and facilities that have made this possible, we must now leverage those investments and turn our attention to executing Life Extension Programs so we can sustain a safe, secure, and effective stockpile for the future. If confirmed, I will work across the interagency to ensure an appropriate balance between Life Extension Programs and science-based stockpile stewardship.

Question. In your view is the Stockpile Stewardship Program providing the tools to ensure the safety, reliability, and security of the nuclear weapons stockpile without testing and if not what tools are needed?

Answer. Yes. I believe the Stockpile Stewardship Program provides the requisite tools, as attested to by the directors of the nuclear weapons design laboratories in their annual assessment letters.

Question. Do you believe the Administration's 1251 report sets forth an appropriate road map for the modernization of the nuclear weapons complex and the strategic delivery systems?

Answer. Yes, the Administration's section 1251 report describes an appropriate roadmap for ensuring the future safety, security, and reliability of the nuclear stockpile and associated delivery platforms, including the steps necessary to modernize the aging infrastructure of the nuclear weapons complex. This plan represents a strong commitment to the nuclear mission and is an important element of assurance that the U.S. deterrent remains strong. Additionally, this plan reflects the work of the Nuclear Weapons Council in developing a responsible and affordable long-term plan for the Nuclear Enterprise.

Question. Do you agree that the full funding of the President's plan for modernizing the nuclear weapons complex, commonly referred to as the 1251 report, is a critical national security priority?

Answer. Yes, full funding of the 1251 report is a critical national security priority. The President's fiscal year 2016 Budget Request includes a significant commitment from the Department of Defense to modernize the nuclear weapons complex and support the long-term plan for extending the life of our enduring stockpile. If confirmed, I will support the continued modernization and sustainment of our nuclear weapons delivery systems, stockpile, and infrastructure.

Question. Prior to completing this modernization effort do you believe it would be prudent to consider reductions below New START Treaty limits for either the deployed or nondeployed stockpile of nuclear weapons?

Answer. It is my view that any reductions in the numbers of deployed and nondeployed nuclear weapons, either strategic or non-strategic, would need to be negotiated in a manner that strengthens deterrence of potential adversaries, maintains strategic stability with Russia and China, and assures our allies and partners. The timing and size of reductions, if any, would have to be closely coupled to the status of the modernization effort. If confirmed, I will support the Department's continuing assessment of the proper force size and capabilities required for an effective nuclear deterrent.

CYBERSECURITY

Question. The Senate Armed Services Committee's inquiry into U.S. Transportation Command (TRANSCOM) determined that TRANSCOM was subjected to many cyber intrusions that were not reported. TRANSCOM also suffered from a lack of awareness by other law enforcement and national security agencies regarding cyber intrusions on TRANSCOM contractors as well as misunderstandings by TRANSCOM personnel on the rules and processes for sharing cyber intrusion-related information with necessary officials.

Have you reviewed this report?

Answer. Yes, I have reviewed the report. Cybersecurity has long been a high priority for USTRANSCOM, and we immediately went to work to address the findings identified in the report.

Question. What actions did TRANSCOM take in response to the Senate Armed Services Committee report's findings?

Answer. TRANSCOM worked with OSD and the Joint Staff to implement the recommendations. We established a Cyber Mission Analysis Task Force which used incident scenarios to refine the implementation actions. These actions included updating our critical contractors list and sharing it with the Defense Cyber Crime Center; enhancing our relationship with key mission partners, including the FBI and the DHS; encouraging our commercial partners to participate in the Defense Industrial Base Cybersecurity and Information Assurance Program; and engaging in professional associations, such as the National Defense Transportation Association. In addition, the command standardized cyber defense contracting language according to DOD acquisition guidelines and adopted widely-recognized standards from the National Institutes of Standards and Technology.

Question. Do you feel that the Department of Defense is responding appropriately given recent events such as the threat nation intrusions into databases on U.S. personnel including DOD employees?

Answer. Yes, I do. We continue to support key interagency partners in recovery and mitigation actions and we have increased our internal focus on strengthening cyber readiness and enforcing basic cyber hygiene. Additionally, protection of personal information has been part of our recurring operations security training for many years now. With respect to the recent intrusions, the Department has used a variety of means, including town hall meetings, to proactively inform our people how they can protect themselves from possible identity theft.

Question. What actions do you plan to take, if confirmed, as the Vice Chairman of the Joint Chiefs of Staff to ensure that DOD reduces the risk of cyber intrusions?

Answer. If confirmed, I will continue the Department's partnership with other U.S. agencies to defend the U.S. Homeland and U.S. interests from cyber-attack. Foremost, the DOD must continue to implement current initiatives in the DOD Cyber Strategy, including developing a ready and capable Cyber Mission Force and associated cyber workforce. Next, we must continue to improve our network security architecture and shift the focus from protecting service-specific networks to securing the DOD enterprise in a unified manner through the deployment of the Joint Information Environment. Additionally, I will focus on requirements for new weapon systems to be designed and developed to operate and survive against capable cyber adversaries. Finally, because the DOD cannot guarantee that every cyberattack will be denied successfully, I will ensure our forces train to operate within a degraded cyber environment.

Question. Do you believe that the current posture of the Department of Defense is sufficient to deter adversaries in cyberspace?

Answer. Cyber deterrence is complex and challenged by the number of actors and diversity of their capabilities and motivations. Effective cyber deterrence requires both policies and capabilities that are aligned with all the elements of our national power. The Department must continue to develop capabilities to attribute and deter cyberattacks from both state and non-state actors.

Question. Do you believe a robust offensive cyber capability is required to counter the activities of our adversaries and hold their cyber-enabled capabilities at risk?

Answer. Yes. One of the tenets of the Department's cyber strategy is the ability to provide the President a variety of cyber options, to include offensive options when directed. The Department, in conjunction with other interagency partners, must provide those capabilities should the need arise.

RELATIONSHIPS

Question. Other sections of law and traditional practice establish important relationships between the Vice Chairman and other officials. Please describe your understanding of the relationship of the Vice Chairman of the Joint Chiefs of Staff to the following officials:

The Secretary of Defense.

Answer. The Vice Chairman performs duties assigned to him and other duties as assigned by the Chairman, with the approval of the Secretary of Defense. In the absence or disability of the Chairman, the Vice Chairman acts as the Chairman and performs the duties of the Chairman until a successor is appointed or until the absence or disability ceases. These duties include providing military advice to the Secretary of Defense. The Vice Chairman may also provide the Secretary of Defense advice upon the Secretary's request in his capacity as a military adviser.

Question. The National Security Advisor.

Answer. The Vice Chairman works closely with the Chairman and the National Security Advisor to ensure that military efforts and options are synchronized with other department and agency efforts across the government. When performing the duties of the Chairman, the Vice Chairman serves as an advisor to the National Security Council and works with the National Security Advisor to inform and implement Presidential decisions.

Question. The Deputy Secretary of Defense.

Answer. The relationship of the Vice Chairman with the Deputy Secretary is similar to that with the Secretary. The Deputy Secretary of Defense has been delegated full power and authority to act for the Secretary of Defense on any matters upon which the Secretary is authorized to act.

Question. The Under Secretaries of Defense.

Answer. The Under Secretaries of Defense are the principal staff assistants and advisers to the Secretary regarding matters related to their functional areas, and they exercise policy and oversight functions within their respective areas. In carrying out their duties, the Under Secretaries issue instructions and directive memoranda to implement the Secretary's approved policies. When carrying out their responsibilities as directed by the President and Secretary of Defense, Under Secretaries typically transmit communications to commanders of the unified and specified commands through the Chairman of the Joint Chiefs of Staff. If the Chairman is absent or disabled, they can communicate through the Vice Chairman as necessary.

Question. The General Counsel of the Department of Defense.

Answer. The DOD General Counsel serves as the chief legal officer of the Department of Defense, and generally is responsible to oversee legal services, establish policy, and administer the DOD Standards of Conduct Program. The DOD General Counsel also establishes policy on specific legal issues and provides advice on significant international law issues raised in relation to major military operations, the DOD Law of War Program, or the legality of weapons reviews. Communications between the combatant commanders and the DOD General Counsel are normally transmitted through the Chairman of the Joint Chiefs of Staff. The office of the DOD General Counsel works closely with the Office of Legal Counsel to the Chairman of the Joint Chiefs of Staff.

Question. The Department of Defense Inspector General.

Answer. The Department of Defense Inspector General performs the duties, has the responsibilities, and exercises the powers specified in the Inspector General Act of 1978.

The Vice Chairman must cooperate with and provide support to the Department of Defense Inspector General as required.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman performs the duties assigned to him as a member of the Joint Chiefs of Staff and such other duties as assigned by the Chairman, with the approval of the Secretary of Defense. When there is a vacancy in the office of the Chairman, or during the absence or disability of the Chairman, the Vice Chairman acts as Chairman and performs the duties of the Chairman until a successor is appointed or the absence or disability ceases. If confirmed, I look forward to a close working relationship with the Chairman.

Question. The Secretaries of the Military Departments.

Answer. The Secretaries are the heads of their respective military Departments and are responsible for, and have the authority necessary to conduct, all affairs of their respective Departments. Subject to the authority, direction and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Secretaries of Military Departments are responsible for administration and support of forces that are assigned to unified and specified commands. When the Chairman is absent or his office is vacant, the Vice Chairman advises the Secretary of Defense on the extent to which program recommendations and budget proposals of the Military Departments conform to priorities in strategic plans and with the priorities established for requirements of the Combatant Commands. The Secretaries of the Military Departments also are responsible for such other activities as may be prescribed by law or by the President or Secretary of Defense.

Question. The Chiefs of Staff of the Services.

Answer. The Vice Chairman has a close, collaborative relationship with the Service Chiefs. As a result of the Goldwater-Nichols Act, the Service Chiefs are not in the operational chain of command. However, this change does not diminish their importance with respect to their Title 10 responsibilities. The Chiefs of Staff of the Services serve two primary roles. First, they are responsible for the organization, training, and equipping of their respective Services. They cooperate with and support the combatant commanders to assure the preparedness of assigned forces for

missions as directed by the Secretary of Defense and the President. Second, as members of the Joint Chiefs of Staff, the Chiefs are advisers to the President, National Security Council, and the Secretary of Defense as the senior uniformed leaders of their respective Services. In this function, they play a critically important role in shaping military advice and developing our joint capabilities. The Vice Chairman works closely with the Service Chiefs to fulfill war-fighting and operational requirements.

Question. The Combatant Commanders.

Answer. The commander of a combatant command is responsible to the President and to the Secretary of Defense for the performance of missions assigned to that command by the President or by the Secretary with the approval of the President. Additionally, the Chairman serves as the means of communication between the combatant commanders and the President or Secretary of Defense when directed by the President. When there is a vacancy in the office of Chairman or in the absence or disability of the Chairman, the Vice Chairman acts as Chairman when interacting with the combatant commanders. The Vice Chairman should work closely with the combatant commanders to enable their war-fighting capabilities and provide other support and coordination as required.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard heads a joint activity of the Department of Defense and is the senior uniformed National Guard officer responsible for formulating, developing and coordinating all policies, programs and plans affecting Army and Air National Guard personnel. Through the Chairman of the Joint Chiefs of Staff, the Chief of the National Guard Bureau is the principal adviser to the Secretary of Defense on National Guard matters. He also serves as the principal adviser to the Secretary and Chief of Staff of the Army and the Secretary and Chief of Staff of the Air Force on all National Guard and Air National Guard issues. The National Guard Bureau Chief also serves as the department's official channel of communication with both the Governors and Adjutants General. As a member of the Joint Chiefs of Staff, the Chief of the National Guard Bureau has the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of homeland defense and civil support missions. The Vice Chairman works closely with the Chief of the National Guard Bureau to provide support as required.

Question. The Commander, U.S. Forces–Afghanistan.

Answer. The Chairman and the Vice Chairman are not in the chain of command of the Commander, U.S. Forces–Afghanistan (USFOR–A). The Commander, USFOR–A reports to the Commander, USCENTCOM, who, in turn, reports directly to the Secretary of Defense. The Commander, USFOR–A does not have a formal command relationship with the Chairman or the Vice Chairman of the Joint Chiefs of Staff, but he coordinates with the Chairman through the Commander, USCENTCOM on a regular basis. The Commander, USFOR–A sends his advice and opinions related to Operation Resolute Support to the Commander, USCENTCOM, who, in turn, presents them to the Chairman. When there is a vacancy in the office of Chairman or in the absence or disability of the Chairman, the Vice Chairman acts as Chairman when interacting with the Commander, U.S. Forces—Afghanistan.

MAJOR CHALLENGES

Question. What do you consider to be the most significant challenges you expect to face if you are confirmed?

Answer. The most significant challenge I expect to face, if confirmed, is the combination of a highly complex and volatile security environment, a Joint Force coming off a fourteen year war footing, and continued fiscal uncertainty. We must simultaneously contend with both near-peer (and rising near-peer) states as well as with increasingly capable and global non-state actors who seek to threaten the U.S. homeland, our interests, and our allies. Meanwhile we are working to rebuild the capacity, capability, and readiness of our Joint Force. Furthermore we must do this with one hand tied behind our back without the predictability of an annual base budget and without the authority to implement necessary and cost-saving reforms within the Department.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work with the Department and interagency leadership and with the Congress to identify, communicate, and manage the operational and fiscal risks while continuing to advocate for the authorities and resources needed to develop and field a Joint Force capable of meeting the demands of the Nation today as well as prepare for future threats.

PRIORITIES

Question. Recognizing that challenges, anticipated and unforeseen, will drive your priorities to a substantial degree, if confirmed, what other priorities, beyond those associated with the major challenges you identified in the section above, would you set for your term as Vice Chairman?

Answer. My priorities will be focused on developing necessary capabilities, concepts, and forces to defend the Nation in the 21st Century. This includes modernizing our aging nuclear enterprise, protecting our assured access to space, protecting DOD cyber networks and developing offensive cyber options for the President. It also includes supporting the Defense Innovation Initiative and supporting Secretary Carter's Force of the Future Initiative to develop and care for the best All Volunteer Force the world has ever seen.

CHAIN OF COMMAND

Question. Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Section 163(a) of title 10 further provides that the President may direct communications to combatant commanders be transmitted through the Chairman of the Joint Chiefs of Staff and may assign duties to the Chairman to assist the President and the Secretary of Defense in performing their command function.

Do you believe that these provisions facilitate a clear and effective chain of command?

Answer. Yes. The law is clear that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the commanders of the combatant commands. Military doctrine reflects these command relationships. If confirmed, I will enable the decision-making process and transmit orders as directed.

Question. Are there circumstances in which you believe it is appropriate for U.S. military forces to be under the operational command or control of an authority outside the chain of command established under title 10, United States Code?

Answer. U.S. military forces should normally operate under the chain of command established in Title 10. There may be times, such as in the case of certain sensitive military operations, where it may be appropriate for the President to direct other temporary command relationships. However, in all cases U.S. armed forces supporting such operations remain bound by the law of armed conflict, are accountable to the Title 10 chain of command, and are subject to the Uniform Code of Military Justice for disciplinary matters.

Question. What is your understanding and assessment of the authorities and agreements which are in place to allow U.S. military personnel to carry out missions under the authorities contained in title 50, United States Code? Do you believe any modifications to these authorities are necessary?

Answer. Under Title 50, the Secretary of Defense is charged with ensuring that the military departments maintain sufficient capabilities to collect and produce intelligence to meet requirements of the DNI, Secretary of Defense, CJCS, and COCOMs. Title 50 further authorizes the Secretary to use such elements of the DOD as may be appropriate for the execution of the national intelligence program functions described in section 3038 of title 50. As a general rule, our military forces are most effective when they operate under a military chain of command. However, there are circumstances in which exceptions to this general rule would permit our forces to be employed more effectively. There are existing authorities and agreements to facilitate the review and approval of such exceptions. I have no recommendations for changes to this framework at this time.

ADVICE OF THE SERVICE CHIEFS, COMBATANT COMMANDERS, AND CHIEF OF THE NATIONAL GUARD BUREAU

Question. Section 163 of title 10, United States Code, provides that the Chairman of the Joint Chiefs of Staff serves as the spokesman for the combatant commanders, especially on the operational requirements of their commands. Section 151 of title 10 provides for the other members of the Joint Chiefs of Staff to submit their advice or opinion, in disagreement with or in addition to the advice or opinion of the Chairman, and requires the Chairman to provide that advice at the same time that he presents his own advice to the President, National Security Council, or Secretary of Defense.

What changes to section 151 or 163, if any, do you think may be necessary to ensure that the views of the individual Service Chiefs, combatant commanders, and the Chief of the National Guard Bureau are presented and considered?

Answer. I presently do not see a need to change section 151 or 163.

OFFICER MANAGEMENT ISSUES

Question. As the Vice Chairman of the Joint Chiefs of Staff you would have significant responsibilities with regard to joint officer management policies.

If confirmed, what modifications would you make to provide the Department of Defense and the military services the force management tools necessary to meet the needs of the 21st century joint, all-volunteer force?

Answer. The Department, the Joint Staff, and the Services have worked over the past 10 years to develop force management tools to meet the challenges of the 21st century joint force. If confirmed, I will take every opportunity to examine the strategic environment to ensure that the tools remain relevant.

Question. Do you believe the current DOD and service procedures and practices for reviewing the records of officers pending nomination by the President are sufficient to ensure the Secretaries of the military departments, the Secretary of Defense, and the President can make informed decisions?

Answer. The current procedures and practices provide the Department and the Services the policies and procedures to identify officers for future leadership positions. The Services' evaluations of the qualifications, previous performance, and potential of their officers provides the information to make informed decisions regarding the promotion and utilization of the Services' officers.

Question. In your view, are these procedures and practices fair and reasonable for the officers involved?

Answer. I believe the procedures and practices are fair and reasonable for the officers involved.

Question. What modifications, if any, to the requirements for joint officer qualifications are necessary to ensure that military officers are able to attain meaningful joint and service-specific leadership experience and professional development?

Answer. I believe the requirement for officers to be educated, trained and oriented in joint matters through challenging joint experiences appropriately prepares officers for the challenges at both the strategic and operational level. I currently do not recommend any modifications to the joint officer qualification requirement.

Question. In your view, what is the impact of joint qualification requirements on the ability of the services to select the best qualified officers for promotion and to enable officer assignments that will satisfy service-specific officer professional development requirements?

Answer. Although there is limited time to meet the developmental requirements, the Services have proven they are able to develop their officers' and provide a cadre of well-rounded and competitive officers capable of integrating service functions at both the strategic and operational level. I believe the end result provides the Department with officers who possess the greatest opportunity in senior leadership positions.

Question. In 2008, Congress created the requirement that the Legal Counsel to the Chairman of the Joint Chiefs of Staff be selected by a board of officers convened by the Secretary of Defense. This process remains the only joint duty officer position specifically selected by a selection board from among qualified officers of the armed forces.

Do you consider the selection process required by section 156 of title 10, United States Code, to be an efficient and effective process for selecting officers from among the services to serve in this joint position?

Answer. Yes. The selection process for this unique statutory position is efficient and effective.

Question. What lessons, if any, have been captured from this joint officer selection board process that could improve the processes for selection of officers in the military services?

Answer. My understanding is the lessons gleaned from the joint board process are specific to the joint environment and therefore would not apply to Services' officer selection.

Question. Would you support expanding the process used to select the Legal Counsel to the Chairman of the Joint Chiefs of Staff to other joint billets? Why or why not?

Answer. We have a codified process which allows the Department to select qualified officers into established joint positions. Expanding our selection process, at this time, is unnecessary. Established processes used to select general/flag officers to

joint positions are sound. The process for identifying officers gives the Combatant Commander and the Chairman flexibility. We can select from across the Services (to include the Coast Guard); Active, Guard, and Reserve Component, to ensure we get the right individual with the right skills and experience. The process also gives the commander and leadership an opportunity to quickly review a slate of nominated officers, and conduct interviews as necessary. Finally, the process is extremely responsive to emerging or unexpected requirements. We can quickly alert the Services to identify eligible personnel, select, nominate and have them in position in as little as 90 days if necessary.

HEADQUARTERS STREAMLINING

Question. The Senate reported Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the military departments.

Answer. If confirmed, and if the provisions in the bill become law, what would be your role in identifying and implementing streamlining and reductions in the Joint Staff?

If confirmed, I will engage with the Chairman and Joint Staff to consider organizational streamlining by reducing, realigning, or eliminating redundant or conflicting requirements.

Question. What Joint Staff areas, specifically and if any, do you consider to be the priorities for possible consolidation or reductions?

Answer. An example of consolidation efforts that I would consider, if confirmed, is the potential consolidation of IT services and maintenance activities within the Pentagon to reduce costs and unnecessary redundancies. The Joint Staff J6 is currently working with U.S. Army Information Technology Agency (ITA), Washington Headquarters Services (WHS) and Defense Information Systems Agency (DISA) to identify potential consolidation options. Additional potential areas for consolidation or reduction that I would consider, if confirmed, include the consolidation of support functions within Joint Staff directorates and the elimination of duplicative functions accomplished by the OSD, Joint Staff and Defense Activities.

Question. To the extent that the Joint Staff has functions that overlap with the Department of Defense and the military departments, what would be your approach to consolidating and reducing redundancy?

Answer. First we will have to determine if duplicative or redundant functions are directed by statute. Some duplicative responsibilities are laid out in law with some portions executed by the Department, some by the Joint Staff and some by the military departments. Legislative changes may be required to consolidate and reduce redundancies. A combined review by the OSD, Services and the Joint Staff may be the best course of action to identify duplicative functions to reduce, realign, or eliminate.

TRAINING AND ASSIGNMENT OF GENERAL AND FLAG OFFICERS

Question. In your view, do a sufficient number of general and flag officers have advanced training and degrees in scientific and technical disciplines?

Answer. Yes. The Joint Staff continues to work closely with the Service Chiefs and other leaders to ensure an appropriate pipeline of specialized, technical officer talent is available with the right-skilled and experienced leadership. We also have a rigorous and deliberate Service accession, training and development processes generate the technical and scientific capability needed in sufficient numbers to meet DOD mission needs.

Question. Are the career paths for officers with technical skills appropriate to ensure that the Department and the services can execute complex acquisition programs, adapt to a rapidly changing technological threat environment, and make informed investment decisions? If not, what will you do to address this deficiency?

Answer. While the Services vary with respect to the use of military in acquisition, each Service tailors officer career paths to meet Service mission priorities, which includes successfully executing critical major acquisition programs. I believe the Department has, and continues to grow, world-class, technically astute officers ready to take on the challenges of a rapidly changing technical and acquisition environment. Each Service has career path models that are appropriate and aligned with their force management process.

Question. In your view do current general and flag officer assignment policies provide and incentivize qualified officers to serve in acquisition programs? Do tour lengths for those assignments enable and empower such officers to effectively manage acquisition programs? If not, what changes do you believe are necessary to improve the effectiveness of senior officers assigned those duties?

Answer. Yes. If confirmed, I will work to strengthen communication processes between Vice Service Chiefs, Service Acquisition Executives and OSD leadership to make sure we continuously improve our policy, development and assignment of top motivated, qualified military personnel in Defense Acquisition. Senior officers are assigned with adequate tenure to effectively manage their programs and the Services demonstrate flexibility in adjusting tour lengths to logical progression points in acquisition programs.

Question. Are you satisfied that the Department of Defense, the Joint Staff, and the military services have in place sufficient training and resources to provide general and flag officers, and Senior Executive Service employees the training they need to make informed, ethical decisions? If not, what actions would you take, if confirmed, to address your concerns?

Answer. Yes. The ability to make ethical decisions based on the shared values of the profession of arms is identified as a specific Desired Leader Attribute for leaders throughout the military and is

common to all Joint and Service developmental efforts. The ethical foundation is laid at the outset of an officer's career and is further developed and reinforced in formal education and training settings throughout their progression through the ranks. If confirmed, I will ensure these high standards are upheld.

Question. It has been observed that despite numerous changes in the law, the requirements and the process for attaining joint officer qualifications is still beset by systemic challenges. Some of these challenges appear to force the services to make officer assignments to "check the box" for joint qualifications at the cost of depriving the services of flexibility to assign officers to other career enhancing and professional development opportunities. Officers not assigned to a designated joint billet on an operational staff receive joint credit while other officers supporting the same joint commander do not receive joint credit unless they submit a package to have their assignments qualify for joint service. As operational tempo remains high and as end strength continues to decline to historically low levels, some exceptionally qualified officers will be unable to serve in qualifying assignments to earn joint credit because the Nation demands they perform other critical duties. As a result those officers may be disadvantaged professionally as compared to their peers for promotion eligibility. Given the substantial resources invested in the developing officers to serve successfully in, and to support or lead joint forces, more must be done to improve the joint qualification system or to replace it with a system that is more effective.

If confirmed, what steps would you take to review the joint qualification requirements to ensure that the qualification process is matched to the increasingly joint service environment in which many officers serve throughout their careers?

Answer. Developing officers to successfully serve in or lead joint forces is very important and worth the resources invested. Services must actively manage the officers' careers to ensure the most talented officers obtain the joint qualification. Officers who do not develop these skills, no matter how exceptional their performance at the tactical level, are not adequately prepared to accept challenging joint assignments when compared to their peers. The joint officer qualification process provides a tested and flexible means to ensure officers develop the skills necessary for successful service at the operational and strategic levels. The current process also already includes the means for officers in non-joint operational assignments to receive credit toward joint qualification if their duties lead to the acquisition of significant experience in joint matters. If confirmed, I will work to ensure the joint officer qualification requirements, process, and resource investments continue to deliver the Joint Force necessary to meet the demands of the Nation.

Question. Should the formal requirement for joint qualifications be eliminated as a consideration for promotions and assignments?

Answer. No. I believe we need to continue to ensure our future senior leaders are well-prepared to operate in challenging joint environments. The promotion requirement incentivizes both the Service and the officer to obtain joint experience.

SECURITY STRATEGIES AND GUIDANCE

Question. How would you characterize current trends in the range and diversity of threats to national security we face today to national security?

Answer. The range and diversity of threats are increasing. Both potential state and non-state adversaries are projected to possess increased military capabilities, and will continue to benefit from the rapid diffusion of technology. Likewise, future adversaries are also developing new ways to counter our traditional military advantages.

Question. The Defense Strategic Guidance issued January 2012 took into account a $487 billion dollar reduction in defense resources.

With the additional $500 billion in cuts to the Department of Defense as a result of sequestration, is the Defense Strategic Guidance still valid?

Answer. If sequestration proceeds we receive less funding, then we will be forced to make further decisions with regard to capabilities, capacity and readiness—which will result in increased risk for our combatant commanders. Sequestration will have a direct impact on the readiness of the Joint Force to execute operations and support the goals outlined in the Defense Strategic Guidance.

Question. In your view, as Russian aggression and the emergence of ISIL have occurred since the Defense Strategic Guidance was issued in January 2012, is that strategic guidance still appropriate for the threats we face today or do you think an update is warranted?

Answer. The 2012 Defense Strategic Guidance and the 2014 Quadrennial Defense Review provide broad guidance to meet the full range of potential threats, from high-end state adversaries to non-state organizations. As threats evolve, it is appropriate to review the assumptions made in formulating a strategy. If confirmed, I will work with the Joint Staff and the Department to determine the necessity for an update to the strategic guidance.

Question. In your view, are our defense strategy and current establishment optimally structured, with the roles and missions of the military departments appropriately distributed, and U.S. forces properly armed, trained, and equipped to meet security challenges the Nation faces today and into the next decade?

Answer. With planned, stable funding, I am confident we will be able to balance capability, capacity, and readiness. If BCA returns, the Services will have to make additional cuts to their forces, impacting capabilities, capacity and readiness, leading to increased risk to meeting current and future security challenges.

Question. If confirmed, what changes, if any, would you propose to the capabilities, structure, roles, and missions of the defense establishment?

Answer. If confirmed as Vice Chairman, I would focus on finding the balance between capacity, capabilities, and readiness for the Joint Force in order to best prepare for current and future threats. Our cyber, space, and nuclear capabilities will be an area of particular emphasis.

STRATEGIC RISK

Question. How and over what periods of time, if at all, will reductions to Army and Marine Corps end strength increase strategic risk?

Answer. Army and Marine Corps forces are an important part of our ability to respond to multiple, simultaneous, or near-simultaneous, crises and to deter conflicts. Our soldiers and Marines also play a key role in reassuring our allies and shaping conditions overseas through security cooperation activities. End strength levels must be considered in light of these missions, the strategic environment, readiness levels, and operational tempo.

Question. What is your understanding and assessment of the Army and Marine Corps' decision to reduce active end strength to 450,000 and 182,000 soldiers respectively by the end of 2017?

Answer. I believe that any change in end strength needs to be understood in terms of risk. Reducing our Army and Marine Corps end strength increases risk and may impact our ability to shape world conditions, assure allies, and deter conflicts. However, I believe our current strategy is still achievable at these end strengths, though at increased risk. Any further cuts though, would dramatically increase our strategic risk.

Question. If confirmed, what additional actions would you take, if any, to reduce or mitigate this strategic risk?

Answer. I believe we would have to prioritize what we are asking our forces to do on a daily basis. For some missions, we should look to our allies and partners to help mitigate risk. In other missions, we would need to look for different ways to operate. Ultimately, consistent with our funding levels, we need to align resources to counter our most dangerous threats.

Question. Upon issuance of the 2014 Quadrennial Defense Review, the fiscal year 2015 budget reduced projected defense budgets by $113 billion over five years. What was the incurred strategic risk of this reduction relative to the 2012 Defense Strategic Guidance?

Answer. A reduction on defense resources in an increasingly complex strategic environment will introduce strategic risk to our defense strategy (both the QDR and DSG). I am happy to discuss further details in a classified venue.

CHAIRMAN'S RISK ASSESSMENT

Question. In his 2013 risk assessment, Chairman Dempsey identified for the first time six National Security Interests that were derived from four enduring interests contained in the 2010 National Security Strategy. The April 2013 assessment identified several areas of broad and significant risk to national security as a result of current budget issues.

How would you characterize the trends of risk in these areas (whether they are increasing or decreasing)?

Answer. Overall, strategic and military risk trends are increasing. I would be happy to discuss risk in a classified venue.

Question. What is your current assessment of the risk to combatant commanders in their ability to successfully execute their operational plans?

Answer. In an unclassified forum I am reluctant to go into much detail. Generally, our combatant commanders face increasing risk, especially if BCA goes back into effect. We ask a lot of our commanders, and we must be prepared to resource them appropriately. I will say that all military operations entail risk, but we are committed to providing the President a range of options given any threat to U.S. interests.

TRANSFORMATION

Question. Military "transformation" has been a broad objective of the Armed Forces since the end of the Cold War. In your view, what does military "transformation" mean?

Answer. Military transformation means building a Joint Force that is intellectually and organizationally capable of seizing and capitalizing on emerging technological or organizational opportunities, not just adapting or reacting to conditions that the world presents. Military transformation is realized over time through constant innovation in our organizational structures, doctrine, education, leader development and material capabilities.

Question. What is your understanding and assessment of the progress made by the Department, including the Joint Chiefs of Staff and the Joint Staff, toward transforming the Armed Forces?

Answer. My understanding is that we are making progress, but there is more work to be done. We are continuing the implementation of the Joint Operational Access Concept, a concept that provides a framework to ensure the Joint Force can continue to conduct operations to gain access based on the requirements of the broader mission despite growth of anti-access and area-denial threats. We're also making progress in the Joint Information Environment, implementing innovation change across the Department that enhance mission effectiveness and cyber security. Ultimately, our goal is a versatile, responsive, decisive, and affordable Joint Force.

Question. If confirmed, what goals, if any, would you establish during your term as Vice Chairman regarding military transformation in the future?

Answer. If confirmed, I believe we should be selective in the capabilities we choose to reconstitute as we draw down in Afghanistan, while ensuring that lessons learned over a decade of war are retained. As we get smaller, we must become increasingly versatile, agile and opportunity-seeking. I intend to use my role in the JROC and innovation initiatives to advance this transformation.

Question. Do you believe the Joint Staff should play a larger role in transformation? If so, in what ways?

Answer. I believe the Joint Staff has an increasingly important role to play in developing a common understanding of future challenges and how the Joint Force must evolve for success in the future operating environment. To this end, the Joint Staff has a number of useful and unique mechanisms at its disposal. These include military strategy development, joint concepts, war gaming, future joint force requirements, and joint training. I see the Joint Staff increasingly as an aligning mechanism across all the different Joint Force development processes in the department.

MILITARY CAPABILITIES IN SUPPORT OF DEFENSE STRATEGY

Question. In your opinion, do current military plans include the necessary capabilities to meet the defense strategy stated in the 2014 QDR? Where are areas of higher risk?

Answer. In an unclassified forum I am reluctant to go into much detail. The Joint Staff and the Services constantly review our capability portfolios in order to ensure

we can achieve our objectives against potential adversaries. The committee receives a quarterly classified report that details gaps in our current military plans.

Question. Does the 2014 QDR specify the correct set of capabilities to decisively win in future high-end engagements?

Answer. I believe future engagements may be characterized by increasingly sophisticated adversaries employing advanced weapons and challenging the access and advantages in space and cyberspace that U.S. forces currently enjoy. The 2014 QDR calls for continued investment in new systems and development of operational concepts to address these evolving threats. The recently released National Military Strategy reinforces the QDR's guidance; prioritizing investments to counter anti-access area denial threats, as well as space, cyber, and hybrid threats.

Question. According to the force sizing construct in the 2014 QDR, American forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region."

In your opinion, does the Department's force sizing construct provide adequate capability to address the country's current threat environment?

Answer. Yes, the force sizing construct, with its emphasis on a range of military options, provides adequate capability to address the country's current threat environment. This particular excerpt applies to situations where deterrence has failed. The first portion of the force sizing construct states that the U.S. military will be "capable of simultaneously defending the homeland; conducting sustained, distributed counterterrorist operations; and in multiple regions, deterring aggression and assuring allies through forward presence and engagement." The construct involves more than just capability, it also provides a framework to evaluate capacity and readiness. To this end, we need support from Congress to ensure that we have sufficient resources to conduct a wide spectrum of missions globally, while maintaining a thoughtful balance of capability, capacity and readiness to respond to a crisis and win decisively.

Question. According to the force sizing construct in the 2014 QDR, American forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region." Are the services adequately sized to meet this construct?

Answer. I believe the Services are able to provide forces to meet the construct. Resource constraints have eroded the readiness of the joint force, however, and extended the timelines to make forces available to respond to combatant commander needs. Lack of reliable funding levels hinders our ability to field trained, read forces to meet combatant commander demand.

Question. What will you advise if the Department cannot meet the demands placed on it?

Answer. I would advise that we carefully prioritize the most important missions necessary for meeting our military and defense objectives and for protecting our national security interests. I would also advise that we consistently work with Congress to ensure the Department has sufficient resources to meet the demands the Nation places upon it.

FUTURE ARMY

Question. The Defense Strategic Guidance (DSG) of January 2012 articulated the need to shift strategic emphasis toward the Asia-Pacific region while continuing to engage in the Middle East. Do you agree that future high-end military operations, as envisioned by the DSG, will primarily be naval and air engagements such that the Army will have difficulty justifying the size, structure, and cost of the number and equipment its combat formations?

Answer. Looking only at current threats in a particular region as a way to justify force structure is unwise. We must have a robust and capable military ready to respond to multiple threats. The Army has, and will always have, an essential role in the Asia-Pacific region as well as in the rest of the world. If confirmed as Vice Chairman, I would support the Chairman in seeking a fully-trained joint force ready to defend our national security wherever it is threatened.

Question. In your view, what are the most important considerations or criteria for aligning the Army's size, structure, and cost with strategy and resources?

Answer. Our Nation needs an Army that conducts full spectrum operations as part of the joint force. It must be appropriately sized, structured, and equipped to in order to defend the Nation and defeat our adversaries. The Quadrennial Defense Review deemphasized long duration stability operations and reinforced the importance of defeating and denying the objectives of an adversary. The Army continues realigning and resizing consistent with this guidance.

Question. If confirmed, what actions, if any, would you propose to properly align the Army's size and structure with the requirements of security strategies and the likely availability of resources?

Answer. The Department has assessed our ability of all Services to execute the defense strategy with their programmed force structure, including the Army. We can execute our strategy at current funding levels with acceptable risk. With the Army, and all of the Services, we must continually assess threats and make adjustments to ensure we have a healthy force, with the right mix between the active and reserve components.

DEFENSE REDUCTION

Question. In your view, what have been/will be the impacts of the following budget reductions on the military, their capability, capacity, and readiness?

Initial Budget Control Act reduction of $487 billion

Answer. The initial Budget Control Act resulted in an immediate and substantial reduction to the Department's topline and forced our military to make difficult resource decisions, such that we now have a strategy with little to no margin for surprise. The BCA reduction translates to increased risk to our strategy, across the board.

Question. Sequestration in fiscal year 2013

Answer. Due to the nature of sequestration, the fiscal year 2013 cuts reduced already-strained readiness. To date, sequestration has resulted in cuts to training, exercises, deployments and maintenance, all of which have a negative impact on force morale. Further, the sequester reductions disrupted modernization efforts and resulted in civilian furloughs and a hiring freeze.

Question. Reduction of $115 billion in projected spending in the fiscal year 2015 budget, in line with the 2014 Quadrennial Defense Review

Answer. The fiscal year 2015 budget request assumes higher risks in some areas, but this budget helps us to remain a modern and capable military even while transitioning to a smaller force and resetting readiness over time. The $115 billion reduction refers to the difference between the PB15 (FYDP) submission and the BCA sequestration levels across fiscal year 2015–19. Funding to the sequester levels would result in reduced force structure, decreased readiness funding, exacerbating the existing readiness shortfalls, and reductions to modernization efforts. It would erode our ability to respond to emergent challenges (i.e., increasingly contested space and cyber domains, a resurgent Russia, the Ebola response, and the rise of ISIL), and our ability to execute the defense strategy.

Question. Sequestered Budget Control Act discretionary caps starting in fiscal year 2016 onward

Answer. If sequester level cuts return in fiscal year 2016, then we will see increased risks and fewer military options to defend our Nation and its interests. The impact of sequestration and other budget constraints will further reduce unit readiness and disrupt modernization. The effects caused by deferred maintenance, and lost training will impose significant strain on long-term institutional readiness. Ultimately, reduced readiness (i.e., reduced training cycles, deferred maintenance, and the continuing pace of current operations) will damage the effectiveness, credibility and the morale of our military. Continued sequester cuts will create a situation where our defense strategy may no longer be viable.

Question. The fiscal year 2016 budget request assumes that the Budget Control Act will be amended in fiscal year 2016. The fiscal year 2016 budget resolution passed by the Senate and House of Representatives do not assume this but instead provides $38 billion of the necessary spending through OCO budget. Should this funding not be available, what recommendations would you have, if confirmed, for how the Department of Defense should manage the $35 billion in cuts for fiscal year 2016?

Answer. We remain hopeful that Congress can halt the abrupt, deep, and blunt cuts of sequestration and we will continue to reduce costs through increased efficiency and reforms, some requiring Congressional support. But an fiscal year 2016 budget at BCA cap levels will create risks requiring us to revisit the defense strategy. With a $35 billion cut in fiscal year 2016, we will be forced to further reduce the size of the force, delay readiness restoration, and reduce modernization and investment programs.

Question. What are your views on the impact that these cuts could have on readiness?

Answer. The loss of $35 billion from the fiscal year 2016 defense budget would gravely undercut the Department's readiness and future force generation capability. We would be forced to mortgage readiness recovery, equipment recapitalization, and

force modernization in order to support currently deployed and next-to-deploy forces. Placing all of this in the context of expanding global threats, we would be unable execute the defense strategy. Sufficient and predictable resourcing is critical in our ability to maintain both military readiness and to meet additional operational demands.

Question. What are your views on the impact that these cuts could have to military capabilities?

Answer. Because of the nature of the sequester mechanism, funding for operations and maintenance, procurement, RDT&E, and military construction suffer disproportionately. The result of these cuts would be a military that is smaller and less capable. While our military would continue to provide presence and respond to crises, the fiscal year 2016 BCA cuts would increase risk, prolong readiness recovery, and delay necessary modernization for hundreds of programs, large and small. Cuts in funding for research and development would erode the technological superiority enjoyed by U.S. forces and increase risk in future conflicts.

READINESS FUNDING

Question. Given the reductions in readiness funding, what is your assessment of the current readiness of the Armed Forces to meet national security requirements across the full spectrum of military operations?

Answer. The current readiness of the Joint Force poses significant risk to our ability to execute the National Military Strategy. Sequestration exacerbated the existing state of poor readiness as a result of over a decade of exceptional demand in defense of the Nation. The Bipartisan Budget Act restored some resources, and provided much needed fiscal certainty and stability, thereby inhibiting any further readiness decline. Fully restoring readiness of the Armed Forces to meet national security requirements across the full spectrum of military operations requires readiness recovery time coupled with sufficient and predictable resourcing.

Question. What is your assessment of the near term trend in the readiness of the Armed Forces?

Answer. Near-term trends will remain significantly-less-than-optimal for the foreseeable future unless and until Congress provides sufficient and predicable funding and the authorities for the Department to implement critical cost-saving reforms. The loss of additional resourcing and/or the advent of increased operational demands would introduce a significant amount of additional risk to ongoing military operations.

Question. How critical is it to find a solution to sequestration given the impacts we have already seen to DOD readiness in fiscal year 2014?

Answer. It is critical to find a permanent solution to sequestration and to provide the Department with sufficient and predictable resourcing in order to restore the Joint Forces' ability to provide the full range of sufficient military capabilities. The present approach of augmenting base budget with OCO funds is unsustainable and will prevent the Department from fully recovering, meeting additional commitments, and restoring our comparative advantage through modernization. Without a sufficient and predictable funding profile, current operations can only continue at the expense of long term development and sustainment efforts, further complicating existing readiness challenges.

Question. What is your understanding and assessment of the methods currently used for estimating the funding needed for the maintenance of military equipment?

Answer. Service methods for funding equipment maintenance continually assesses the requirements of post-conflict reset— a combination of balancing reset, unit readiness and the sustainment of core capabilities—and developing detailed maintenance plans that balance operational availability with maintenance requirements. However, starts and stops in the budget process and funding uncertainties have a negative effect on the workload scheduling at Service depots. These negative effects ripple beyond the current year and can extend for months and even years.

Question. Given the backlog in equipment maintenance over the last several years, do you believe that we need an increased investment to reduce this backlog?

Answer. Without consistent and predictable base budget funding at requested levels, the Services will continue to rely on OCO to maintain equipment readiness. Inadequate funding of enduring and contingency sustainment requirements results in increased maintenance backlog. Equipment maintenance funding is driven by unit readiness requirements and based on a variety of factors to include force structure, operations tempo, schedule, nature and usage rate of the equipment, and safety. The Services used OCO funding for reset of equipment in support of OIF and OEF combat operations. In the past, this resulted in funding of baseline sustainment accounts at levels below Service enduring requirements.

Question. How important is it to reduce the materiel maintenance backlog in order to improve readiness?

Answer. It requires continuous attention to ensure the accumulation of backlog does not grow beyond what is manageable. Excessive backlog can eventually lead to reduced equipment availability rates, less reliable systems, and potentially shortened service life. OCO funding, beyond the end of combat operations, and adequate funding of Service baseline budget levels are important if we are to improve the trend in equipment readiness.

Question. How important is it to receive OCO funding two or three years after the end of combat operations in order to ensure all equipment is reset?

Answer. It remains critically important to maintain funding levels well beyond cessation of current operations to fully restore equipment readiness and support the National Security Strategy. In the near to mid-term, OCO dollars for enduring requirements and equipment reset is necessary for Joint Force readiness. OCO is still required to adequately address maintenance, repair and overhaul requirements.

Question. In years past, Congress has based additional readiness funding decisions on the Service Chief unfunded priorities lists. However, in recent years those lists have either not been provided or have arrived too late in our markup process. Do you agree to provide unfunded priorities lists to Congress in a timely manner beginning with the fiscal year 2017 budget request?

Answer. Should the Services have such priorities, the process allows the Joint Chiefs to make recommendations that are responsive to Congress after first informing the Secretary of Defense. Should I be confirmed, I will support the use of this process when warranted.

DEFENSE ACQUISITION REFORM

Question. Congress is considering a number of acquisition reform measures designed to reduce the costs and development timelines of major systems, and to streamline access to innovative commercial technologies and systems. What are your views regarding acquisition reform and the need for improvements in the Defense acquisition process?

Answer. I believe that acquisition reform in the Department should be based upon the following key principals:

a. The responsibility and authority for acquisition system outcomes should be clearly identified within the DOD;

b. The requirements' sponsor should be an integral part of delivering needed capability and remains accountable throughout the acquisition process, and;

c. The effort to reduce overhead and increase efficiencies across defense acquisition should be continued.

Question. If confirmed, how would you improve all three aspects of the acquisition process B requirements, acquisition, and budgeting?

Answer. The Department's acquisition processes are constantly evolving in order to reduce overhead, increase efficiencies, and remain agile and responsive to the needs of our warfighters. The Department regularly reviews and updates the Joint Capabilities Integration and Development System (JCIDS) and has recently incorporated many "Better Buying Power" initiatives. If confirmed, I would strongly support the Department's acquisition reform vision.

Question. Do you believe that the current investment budget for major systems is warranted given increasing historic cost growth in major systems, costs of current operations, and asset recapitalization?

Answer. It's my understanding that recent cost and schedule trends show improvement, but I am still concerned that acquisition, procurement, and operations and support costs will continue their historic growth profiles. This growth will further exacerbate shortfalls under a sequestered budget and threaten our ability to meet our partner and ally security guarantees.

Question. If confirmed, how do you plan to address this issue and guard against the potential impact of weapon systems cost growth?

Answer. If confirmed, I will use the JROC to scrub weapon system requirements and consider cost-informed performance tradeoffs early and often to drive out requirements-related weapon-system cost growth. I will also advocate for versatile future capabilities that are both affordable and sustainable as a hedge against legacy weapon systems' cost growth.

Question. If confirmed, what actions would you propose, if any, to ensure that requirements are realistic, technically achievable, and prioritized?

Answer. As the lead of the Department's senior validation body, I would ensure the JROC continues to make adjustments and improvements to the JCIDS process as appropriate. A major review and update was just completed in Feb 2015. The up-

date continues to focus appropriate rigor in validating realistic, technically achievable, prioritized, and cost-informed requirement.

Question. If confirmed, what actions would you propose, if any, to ensure that resources are programmed for acquisition programs that are consistent with their cost estimates and schedules?

Answer. If confirmed, I will advocate in the Department's resource allocation process for major system resource funding that is consistent with the Secretary's cost and schedule position.

Question. What should the role of the combatant commanders, Service Chiefs, Service Acquisition Executives, and Under Secretary for Acquisition, Technology, and Logistics be in the acquisition process?

Answer. Service Chiefs and combatant commanders play a vital role in requirements generation and are pivotal to acquisition process success. Their engagement with the Service and Defense Acquisition Executives during the acquisition life-cycle of a weapon system also prevents requirements growth. USD (AT&L)'s role in reviewing Service plans at discrete milestones associated with major Department resource commitments ensures programs are affordable and executable, and that they follow sound business and risk management practices.

Question. Are there specific new roles or responsibilities that should be assigned to the Service Chiefs or Service Secretaries in the acquisition process?

Answer. If confirmed, I will examine the idea of new roles and responsibilities. I believe that any change should not undermine the statutory responsibilities of the Secretary of Defense. However, I am supportive of changes that promote Service accountability in the acquisition process and further streamline the bureaucratic processes.

TACTICAL FIGHTER PROGRAMS

Question. The F–35 Joint Strike Fighter Program, which is the largest and most expensive acquisition program in the Department's history, was formally initiated as a program of record in 2002, with a total planned buy of 2,443 aircraft for the U.S. The program has not yet completed the System Development and Demonstration (SDD) phase, and is not due to enter full rate production until 2019, 17 years after its inception. At projected procurement rates, the aircraft will be procured by the Department well into the 2030 decade to reach its total quantity buy. The requirement for 2,443 aircraft was established nearly 20 years ago; do you believe that requirement is still valid in light of countervailing pressure to reduce force structure to conserve resources and to improve capability to respond to prospective adversary technological advances and increased capabilities with regard to establishing contested combat environments, combined with updated threat assessments and an evolving national defense strategy?

Answer. The F–35 remains an integral part of the Department's future capabilities portfolio as we prepare for contingencies. In many of the scenarios we may face, the advanced capabilities of the Joint Strike Fighter are essential. If confirmed, I will support ongoing analysis looking at whether 2,443 is the right number of aircraft, but I do not anticipate reductions to the required capacity at this time.

Question. Do you believe the Nation can afford to procure these aircraft at a cost of $12B to $15B per year for nearly the next 20 years for an aircraft design that will be 30 years old at the completion of the program procurement phase?

Answer. I believe the Department cannot allow shortfalls in fighter capability or capacity to develop. Fifth-generation fighter aircraft, including the F–35, are critical as we contend with the technological advancements of near-peer competitors. We have been working diligently to make the overall cost per F–35 more affordable. Additionally, there will continue to be critical updates throughout the life cycle of the F–35 that will ensure the platform maintains a tactical advantage.

Question. Do you believe the Department's current and planned force mix of short-range fighters and long-range strike aircraft, whether land- or maritime-based, is sufficient to meet current and future threats around the globe, and most especially in the Asia-Pacific theater of operations where the "tyranny of distance" is such a major factor?

Answer. If confirmed, I will support continual assessments to assure our ability to meet current and future threats, including those concerning short-range fighters and long-range strike aircraft. To ensure we are postured to address the "tyranny of distance" and succeed militarily, the DOD, over the past three years, has made significant progress in developing new alliance initiatives, securing new rotational access for U.S. forces, and enhancing both the quantity and quality of U.S. forces and capabilities in the Pacific region.

Question. The Senate Armed Services Committee report accompanying S. 1376, the National Defense Authorization Act for Fiscal Year 2016, would require the Secretary of Defense to assess the current requirement for the F–35 Joint Strike Fighter total program of record quantity, and then to revalidate that quantity or identify a new requirement for the total number of F–35 aircraft the Department would ultimately procure. What will be your role in assisting the Secretary to revalidate the F–35 total program quantity?

Answer. If confirmed, I will assist the Chairman, in consultation with the Joint Requirements Oversight Council (JROC), in advising the Secretary in the review of the level of capability and capacity required to fulfill the established joint military requirements. This advice will ensure the appropriate balance is struck consistent with the level of priorities identified by the defense strategy and combatant commander requirements.

Question. The Air Force has proposed several times over the last decades to retire the A–10 close air support aircraft fleet, but each time Congress has rejected the proposals due to lack of a sufficient replacement capability. The Air Force's latest proposals to retire the fleet in fiscal years 2015 and 2016 were again rejected by Congress. Do you believe a need exists for a dedicated capability to provide close air support for American troops in close quarters battles?

Answer. No. The interoperable underpinning of joint requirements enables effective close air support utilizing a range of multi-role aircraft. Lessons from the last fourteen years of combat have institutionalized tactics, techniques and procedures integrating a number of manned and unmanned systems supporting these missions. Translating these lessons into joint requirements continues to advance our ability to provide close air support with advanced sensors and precise lethality of our weapon systems.

Question. What will be your role in ensuring our land forces receive the air support they'll need to survive and succeed while fighting the nation's land battles?

Answer. If confirmed, in consultation with the advisors to the JROC, I will ensure the appropriate capabilities are identified, assessed, and approved to meet the requirements of our land forces. I will also recommend alternative program recommendations and budget proposals, where necessary, to achieve this end.

Question. The Secretary of the Navy recently remarked that he believed the F–35 would be the nation's last manned fighter aircraft. Do you believe this to be true?

Answer. Despite the rapid advance of robotic and autonomous technologies over the past decade, I believe that the intellect and judgment of the human pilot remain integral to the combat capability provided by fighter aircraft. Decisions about future platforms will be informed by human and systems capabilities as well as mission requirements.

Question. If so, what will be your role in leading capabilities and requirements development to increase the role of unmanned aerial combat systems in the Department?

Answer. If confirmed, in my role as Chairman of the JROC, I will identify, assess and approve opportunities for increased employment of unmanned systems across the Joint Force. This includes leveraging validated capabilities identified in the Joint Concept for Robotics and Autonomous Systems now in development. I will also work with industry, science and technology, and academia to identify emerging technologies and align them with Joint Force requirements.

Question. If not, how do you see the future balance developing between manned and unmanned combat aircraft for the Department's future force structure?

I believe that the continued growth in robotic and autonomous systems technology will significantly impact the ongoing development and fielding of all future weapons systems, not just combat aircraft. The Joint Concept for Robotic and Autonomous Systems currently under development will help incorporate these new technologies to maximize the effectiveness of the Joint Force.

SPACE

Question. China's test of an anti-satellite weapon in 2007 was a turning point for the United States in its policies and procedure to ensure access to space. As a Nation heavily dependent on space assets for both military and economic advantage, the United States has to make protection of space assets became a national priority.

Do you agree that space situational awareness and protection of space assets now has the appropriate level of national security priority?

Answer. Yes. Space situational awareness underpins our ability to operate safely in an increasingly congested space environment. It is vital that the U.S. protect national space assets to maintain the benefits and advantages dependent on our access to space.

Question. In your view, how should China's continued development of space systems inform U.S. space policy and programs?

Answer. China is rapidly developing space capabilities of its own that mirror U.S. capabilities and could threaten our access and use of space for national security purposes. If confirmed, I will review the U.S. Military's efforts to address China's developments in space, and will coordinate closely with the Secretary of Defense.

Question. If confirmed would you propose any changes to National Security space policy and programs?

Answer. The National Security Space Strategy clearly highlights the growing challenges in the space domain. If confirmed, I will insist on policies, programs, and other measures that ensure U.S. warfighters can continue to depend on having the advantages that space confers.

ACCESS TO RADIO FREQUENCY SPECTRUM

Question. What actions would you take to ensure that the Department continues to have access to radio frequency spectrum that is necessary to train and to conduct its operations?

Answer. If confirmed, I will work with Interagency and industry partners on spectrum sharing in order to maintain DOD's assured access to the spectrum necessary to train and conduct operations while also enabling access for commercial broadband. I will also continue to support Public Law 106–65 (National Defense Authorization Act for Fiscal Year 2000), which requires the Secretaries of Commerce and Defense and the Chairman of the Joint Chiefs of Staff to certify that any alternative band or bands to be substituted for spectrum currently used by DOD provide "comparable technical characteristics to restore essential military capability that will be lost as a result of the band of frequencies to be so surrendered." This provision is necessary to ensure that DOD maintains access to spectrum necessary to operate critical military capabilities.

STRATEGIC SYSTEMS

Question. Over the next 5 years DOD will begin to replace or begin studies to replace all of the strategic delivery systems. For the next 15 plus years, DOD will also have to sustain the current strategic nuclear enterprise. This will be a very expensive undertaking.

Do you have any concerns about the ability of the Department to afford the costs of nuclear systems modernization while meeting the rest of the DOD commitments?

Answer. Yes, I am concerned that in the current budget environment completing these modernization programs will be a challenge. If confirmed, I will give full attention to these programs as they develop and mature. Modernizing the strategic delivery systems and sustaining the strategic nuclear enterprise are vital to maintaining a safe, secure, and effective nuclear deterrent, which is essential to deterring potential adversaries and assuring our allies. As with any funding choices, we will make decisions that balance fiscal prudence with appropriate risk to provide the best possible capabilities.

Question. If confirmed will you review the modernization and replacement programs to ensure that they are cost effective?

Answer. Yes.

Question. Section 1052 of the fiscal year 2014 NDAA established a "Council on Oversight of the National Leadership Command, Control and Communications System".

What do you see as the most pressing challenges in nuclear command, control and communications from a policy and acquisition perspective?

Answer. Nuclear command, control, and communications (NC3) is an enduring priority where we face the challenge of sustaining existing capabilities until new, modernized capabilities can be fielded. We must provide an assured, survivable and enduring NC3 system that simultaneously takes advantage of modern communication capabilities while remaining secure and hardened against attacks ranging from cyber to the most extreme kinetic attacks.

Question. What do you see as the most pressing challenges in overall national leadership communications from a policy and acquisition perspective?

Answer. Providing our national leadership with secure, reliable voice, video and data communications is a critical capability. This capability must be assured, survivable and enduring; allowing senior defense advisors to communicate with the President, the Combatant Commands and strategic Allies during normal day-to-day operations and during national crises from a fixed, mobile or airborne location. The major challenge from both a policy and acquisition perspective is to sustain existing capabilities until new, modernized capabilities can be fielded.

Question. If confirmed will you actively support section 1052 and work with outgoing Vice Chairman Winnefeld to understand the importance of this Council in ensuring the President has at all times control of nuclear weapons?

Answer. Yes.

Question. If confirmed will you agree to attend meetings as a member listed in its statue?

Answer. Yes.

Question. In 2014 Secretary Hagel has conducted an assessment of the state of nuclear deterrence operations of the Department of Defense.

Do you agree with its findings?

Answer. Yes, I agree with the conclusion of both the internal and external reviews that while our nuclear forces are currently meeting the demands of the mission with dedication, significant changes are required to ensure the safety, security, and effectiveness of the force in the future.

Question. Will you actively support the findings and their implementation

Answer. Yes, if confirmed, I will devote significant attention to the state of our nuclear deterrence enterprise and will ensure the appropriate corrective actions are implemented.

MISSILE DEFENSE IN THE BOOST PHASE

Question. The Missile Defense Agency's (MDA) mission is to develop, test, and field an integrated, layered ballistic missile defense system to defend the United States and its allies against all ranges of enemy ballistic missiles in all phases of flight. While MDA is conducting research into next generation laser concepts that could be mounted on high altitude unmanned aerial vehicles, there is no program of record designed to intercept missiles during the boost phase of flight, when they are potentially most vulnerable. Do you agree with the Commander of Northern Command, when he said on April 7, 2015, referring to missile threats that "we need to be able to start knocking them down in the boost phase . . . and not rely on the midcourse phase where we are today?"

Answer. Yes. Ballistic missiles are easier to detect and track in their boost phase, and typically countermeasures such as decoys are not deployed until after booster burnout. These factors make boost-phase intercept an attractive option to investigate.

Question. Would you support an increase in the priority of technology investments to develop and deploy a boost phase airborne laser weapon system for missile defense in the next decade, if technically practicable?

Answer. MDA's budget supports design of a laser demonstrator that is potentially capable of acquiring, tracking, and even destroying an enemy missile. This is an approach that we've studied for many years and, if it proves out, could potentially, come at lower cost than the existing system of kinetic interceptors. However, leap-ahead technology must be paired with corresponding evolutions in doctrine, policy, concepts of operations, and other non-materiel considerations to be militarily useful.

DOD'S COOPERATIVE THREAT REDUCTION PROGRAM

Question. The Cooperative Threat Reduction (CTR) program, which is focused historically on accounting for, securing or eliminating Cold War era weapons of mass destruction (WMD) and materials in the states of the former Soviet Union, has started to expand its focus to other countries. With this expansion the CTR program is widening its focus to biological weapons and capabilities including biological surveillance and early warning; and encouraging development of capabilities to reduce proliferation threats.

Do you think the CTR program is well coordinated among the U.S. government agencies that engage in threat reduction efforts, e.g., the Department of Defense, the Department of Energy, and the State Department?

Answer. Yes. The Department of Defense Cooperative Threat Reduction (CTR) Program informally and formally coordinates on a regular basis with the Combatant Commands, other DOD partners, interagency partners including the Departments of State and Energy, and international partners on CTR Program WMD threat reduction efforts. Part of this interagency coordination includes placing Defense Threat Reduction Agency (DTRA) liaison officers at U.S. Embassies where programs are highly active to further enhance coordination of activities in country and in the immediate regions where engagements occur. Additionally, in order to eliminate duplication of efforts, ensure safety and security is being considered in health capacity building programs, and work together to develop effective and sustainable detection and reporting systems, CTR is working very closely with USG civilian agencies to

plan and execute efforts that both meet threat reduction goals and contribute to the Global Health Security Agenda objectives.

Question. About 60 percent of CTR resources are proposed for biological programs. With the very real threat of chemical weapons use and/or proliferation as we saw in Libya and are seeing in Syria, why is there such a large percentage of resources directed toward biological issues?

Answer. The DOD CTR Program is designed to posture the United States to eliminate state-based WMD programs, if and when opportunities emerge. At the same time, numerous scientific, economic and demographic trends are increasing the risks that infectious diseases outbreaks pose to U.S. and global security, to include through natural transmission, bioterror attacks or laboratory accidents. Such outbreaks challenge our ability to protect the health of U.S. armed forces, U.S. citizens at home and abroad, and U.S. allies, drain economic resources, and ultimately risk undermining geopolitical stability. The Ebola Virus Disease outbreak demonstrated how, in an interconnected global environment, a bio-incident anywhere in the world can lead to dangerous consequences when governments are unable to provide basic health and diagnostic Services for their population. This creates environments in which destabilizing outbreaks can potentially provide terrorists with opportunities to gain access to deadly pathogens for their purposes due to insecure storage. For this reason, the percentage of funding devoted by the CTR Program at this time to reduce biological threats in the most vulnerable locations worldwide is appropriate.

PROMPT GLOBAL STRIKE

Question. The 2010 Quadrennial Defense Review concluded that the United States will continue to experiment with prompt global strike prototypes. There has been no decision to field a prompt global strike capability as the effort is early in the technology and testing phase. In your view, what is the role for a conventional prompt global strike capability in addressing the key threats to U.S. national security in the near future?

Answer. The Joint requirements process has identified the emerging challenge of high value, time sensitive, and defended targets that exist outside the range of conventional weapons systems. I support the continued evaluation of alternative technology and concepts that balance the potential operational employment against costs and the priority of this capability requirement.

Question. What approach (e.g. land-based or sea-based or both) to implementation of this capability would you expect to pursue if confirmed?

Answer. If confirmed, I will assist acquisition officials in identifying the appropriate solutions to validated Joint military requirements. Unless an appropriate alternative is presented, I would expect to support a sea-based approach to fulfill this requirement as previously identified by the JROC.

Question. In your view what, if any, improvements in intelligence capabilities would be needed to support a prompt global strike capability?

Answer. If confirmed, I will lead periodic reviews of joint military requirements and assessments of Combatant Commander integrated priority lists to identify, assess, and approve the doctrine, organization, training, materiel, leadership and education, personnel, facilities, and policy improvements necessary to close any intelligence gaps discovered in the development this requirement.

NUCLEAR WEAPONS AND STOCKPILE STEWARDSHIP

Question. Congress established the Stockpile Stewardship Program with the aim of creating the computational capabilities and experimental tools needed to allow for the continued certification of the nuclear weapons stockpile as safe, secure, and reliable without the need for nuclear weapons testing. The Secretaries of Defense and Energy are statutorily required to certify annually to the Congress the continued safety, security, and reliability of the nuclear weapons stockpile.

As the stockpile continues to age, what do you view as the greatest challenges, if any, with respect to assuring the safety, security, and reliability of the stockpile?

Answer. Our ability to sustain a safe, secure, and effective stockpile rests largely on our people and our infrastructure. As a significant wave of personnel begins to retire over the next decade, we must recruit and retain the next-generation of nuclear weapons stewards capable of certifying the stockpile without underground testing. At the same time, we must remain vigilant about recapitalizing and modernizing the infrastructure we need to design and produce components required for our Life Extension Programs, even as we continue operations in aging facilities.

Question. If the technical conclusions and data from the Stockpile Stewardship Program could no longer confidently support the annual certification of the stockpile as safe, secure, and reliable, would you recommend the resumption of underground

nuclear testing? What considerations would guide your recommendation in this regard?

Answer. Our current nuclear stockpile is assessed as effective. It is certified and does not require further nuclear testing. I am committed to working with the Department of Energy to maintain the critical skills, capabilities, and infrastructure needed to ensure the safety, reliability, and security of the stockpile without underground testing if practicable.

However, the stockpile is aging. I understand there are, and will always be challenges in identifying and remedying the effects of aging on the stockpile. I would strongly consider recommendations from the Department of Energy and the National Laboratory Directors before making any recommendation to the Secretary and President regarding a need to resume underground testing.

Question. If confirmed, would you recommend any changes to the non-deployed hedge stockpile of nuclear weapons?

Answer. Our non-deployed nuclear weapons stockpile allows us to manage risks of technical failures in our stockpile and changes in the geopolitical environment. Implementation of the 3+2 Strategy for nuclear weapons modernization will enable further reductions in the number of hedge warheads required. Furthermore, modernization of key production facilities will improve the responsiveness of the nuclear weapons infrastructure and may provide opportunities to make additional adjustments to the non-deployed hedge stockpile. I am committed to reducing the size of the stockpile to the lowest level consistent with deterrence objectives and warfighter requirements.

COUNTERING THE ISLAMIC STATE OF IRAQ AND THE LEVANT IN IRAQ & SYRIA

Question. To "degrade and ultimately destroy the terrorist group known as ISIL" the Department of Defense seeks to deny ISIL safe-haven and build partner capacity.

If confirmed, what criteria would you use to evaluate ISIL degradation and what is your assessment of the progress to degrade ISIL in Iraq and in Syria?

Answer. I view degraded capability as an inability to hold key terrain and influence population centers. As anti-ISIL forces in both Iraq and Syria gain momentum and achieve tactical and operational successes, I would consider ISIL's failure to resupply or refit its fighters as additional indicators. Large groups of displaced persons returning to their homes in Tikrit and working to restore their former way of life serve as an example. By leveraging the resources of the U.S. Intelligence Community, the DOD will continue to analyze and assess ISIL capabilities, while identifying additional indicators of degradation.

Progress is being made. However, we must continue to exercise patience during the long campaign to degrade ISIL, and understand that our efforts cannot exceed those of our partnered ground forces in Iraq and Syria.

Question. A large part of the support for ISIL and other violent extremist groups like al Nusrah by the local Syrian population is based on the fact that these groups seek to remove President Assad from power.

What limitations, if any, do we face by failing to have the removal of Assad as an objective in Syria?

Answer. While seeking a negotiated political settlement is U.S. policy, the immediate objective is countering ISIL in both Syria and Iraq. Transition of power from the Assad regime may have implications and negative consequences on Syrian and regional stability, so it is important that we continue to work with our regional partners to counter both the threat of ISIL as well as sequencing an orderly transition from the Assad regime.

Question. In Iraq, what is the importance of arming the Sunni tribes in Anbar province to degrading ISIL and how do you assess progress to date? What is your understanding of the current plan to train and equip Sunni fighters to help in the campaign against ISIL?

Answer. Sunni tribal mobilization is an important component of the counter-ISIL fight. They are a credible ground force we have only begun to empower, and they are necessary to protect Iraqis in Anbar and other Sunni-dominant areas. I understand PM Abadi and the GOI continue to make marginal gains mobilizing Sunni tribes, but much work remains. We must continue to pressure the GOI to embrace the integration of these tribes into Iraqi Security Forces' efforts. U.S. and Coalition support at airbases like Al Asad and Al Taqaddum are enhancing these efforts.

Question. What is your assessment of the fall of Ramadi to ISIL last month and what recommendations, if any, would you have for the U.S. and coalition strategy, if you are confirmed?

Answer. Ramadi was a tactical setback, and I certainly expect setbacks, as well as gains, over the course of a 36-month campaign to degrade ISIL. Despite tactical or operational shifts in either direction, I believe our strategy remains the correct one. This is a whole-of-government strategy and, at times, may require an adjustment to the military campaign to allow the non-military aspects of the strategy the time and space required to succeed.

Question. What is your assessment of the coalition air campaign in Iraq and Syria and what recommendations, if any, would you have for the air campaign, if you are confirmed?

Answer. ISIL's critical enablers are its ability to move rapidly through ungoverned regions and their ability to generate revenue, both of which are degraded and disrupted by the Coalition air campaign. The air campaign also creates time and space for local ground forces to develop their capability as legitimate security forces. Anti-ISIL forces' successes, including the recapture of Tal Abyad, were enabled by Coalition strikes.

The legitimacy of the Coalition and the success of the air strikes are also dependent on our commitment to minimize collateral damage. I support tactical patience and commander's decisions to withhold munitions in situations where strike effects could be detrimental to local forces or civilian populations. We should continue to avoid the trap of pursuing short-term tactical gains over the long-term strategic effects of losing the support of our partners in both Syria and Iraq.

Question. Does the current troop limitation of 3,100 give U.S. commanders, in conjunction with Iraqi security forces, Kurdish Peshmerga, tribal and local security forces, and coalition partners, in Iraq enough capability to successfully degrade and ultimately destroy ISIL?

Answer. Yes, I believe our current troop levels are sufficient to advance the military lines of effort in the near term. I understand our strategy depends on a credible ground force in Iraq, and our commitments must align with the capability and pace of our Iraqi partners. Iraqis must own this fight, and we may require adjustments in our troop commitments to continue to enable their forces over the long term.

Question. What do you see as the principle role or roles of the Office of Security Cooperation within the U.S. Embassy in Iraq?

Answer. The Office of Security Cooperation is the Departments primary interlocutor for traditional security assistance and cooperation in support of the U.S. Embassy. OSC–I supports the development of military programs to improve the professionalization of the Iraqi Security Forces in concert with providing warfighting capability through the Foreign Military Sales program.

Question. What is your assessment of the success of the current strategy against ISIL?

Answer. We are seeing some successes, but we need to take a long view and understand that there will be both successes and failures early in the campaign. In both Iraq and Syria, ISIL's ability to conduct massed offensive operations is degraded, its leadership cells are pressured, and its command-and-control and supply lines are being severed. We have reduced ISIL's oil production, processing and transportation infrastructure. We continue to work the military lines effort with our coalition partners and in conjunction with all lines of effort in the strategy.

Question. Do you assess that the training and equipping of Syrian opposition fighters by the United States and coalition partners under section 1209 of the fiscal year 2015 NDAA will produce enough fighters to make a strategic difference on the battlefield in Syria?

Answer. From my understanding, it's too early to tell. The number of Syrians who are currently volunteering to participate in the Syria Train and Equip program is growing. The current number of trainees is small but are properly vetted and have objectives that match our own. Larger numbers of unknown or unqualified trainees would not necessarily be better and might work counter to our interests. It will take time to establish a credible partner on the ground in Syria and we are continuously making adjustments based on our lessons learned as we progress.

Question. In your view, what military support, if any, should the Syrian opposition fighters who receive support under section 1209 of the FY2015 NDAA need from the United States and coalition partners when they return to Syria?

Answer. The U. S. is committed to their success. We will be providing basic equipment such as military gear, mobility capabilities such as trucks and vehicles, and small arms and ammunition. If confirmed, I will examine the full range of support that we can provide our T&E forces as the program progresses.

Question. What are the lessons learned from the drawdown and post-combat operations in Iraq that should be applied to the drawdown and post-combat operations in Afghanistan?

Answer. I think an important lesson we can take from our Iraq and Afghanistan experiences is that withdrawal decisions must be conditions-based. I also think we have learned that a military solution alone does not guarantee success. Governance and economic development are required to sustain military and security gains. When security threats are fueled by underlying political or sectarian problems U.S. troops can only address the effects, not the cause.

AFGHANISTAN CAMPAIGN

Question. What is your assessment of the progress of the Resolute Support mission in Afghanistan?

Answer. Overall, the Afghanistan National Defense and Security Forces (ANDSF) continue to grow their tactical proficiency. However, the lack of a Minister of Defense has had a negative impact on the Resolute Support mission. Critical gaps still remain in aviation, intelligence, and special operations, all impacting the ANDSF's targeting capability. These gaps will remain for some time, even with the addition of key enablers. RS advisors continue to address developmental shortfalls in the areas of logistics, medical support, and counter-IED exploitation.

Question. In May of 2014 President Obama said " . . . by the end of 2016, our military will draw down to a normal embassy presence in Kabul . . . "

What is your understanding of what military forces comprise a "normal embassy presence"?

Answer. A normal embassy presence will have a counter-terrorism and security component consisting of a Defense Attach Office and a Security Cooperation Office under a Senior Defense Official with a military reporting chain through CENTCOM. CENTCOM is still planning for the Security Cooperation Office–Afghanistan. Its size will depend upon factors such as security force assistance objectives, ANDSF capabilities, Government of the Islamic Republic of Afghanistan (GIRoA) requests, and force protection concerns.

Question. What lessons should we learn from the experience the drawdown of U.S. troops in Iraq as applied to the drawdown of U.S. and international troops in Afghanistan?

Answer. The transfer of security cooperation activities should be deliberate and measured.

"Time" allows for the ownership of the tactical fight to be transferred from coalition forces to the ANDSF; allowing the coalition to focus on issues, critical to the long term viability of the force. The ANDSF continues to prove that they are capable of executing the tactical fight; however, sustainment and institutional development are critical to their long term success.

Question. If confirmed, are there changes you would recommend to the U.S. strategy in Afghanistan?

Answer. Not at this time, but if confirmed I will continually assess and offer recommendations as that strategy unfolds.

Question. What is the effect of ISIL operations in Afghanistan and/or coordination with the Taliban for the U.S. strategy for Afghanistan?

Answer. The coalition and the Afghan government have closely watched ISIL's attempt to expand its reach to Afghanistan and Pakistan. The potential emergence of ISIL has sharply focused the ANDSF, NDS, and Afghan political leadership, which are collaborating closely in order to prevent this threat from expanding. We will continue to support Afghanistan's security through our strategic partnership. It is important to note, ISIL is a competitor with other groups in Afghanistan, which may lead to increased violence between extremist groups.

Question. If security conditions on the ground in Afghanistan degrade in 2016, would you recommend to the President revisions to the size and pace of the drawdown plan in order to adequately address those security conditions?

Answer. We must be willing to reevaluate assumptions of previous recommendations and assess the conditions on the ground as the drawdown takes place. If confirmed, I will collaborate with CENTCOM to assess conditions on the ground and will modify my input to the Chairman's recommendations to the President accordingly.

Question. Should the authorities granted to the commander of U.S. forces in Afghanistan take into account the security conditions on the ground faced by U.S. troops?

Answer. Yes. Protecting the force is an inherent responsibility of command.

AFGHANISTAN NATIONAL SECURITY FORCES

Question. What is your assessment of the progress in developing a professional and effective Afghanistan National Security Force (ANSF) and what recommenda-

tions would you make to address challenges to building ANSF capacity, if confirmed?

Answer. Based on my interaction with the Joint Staff subject matter experts, it is my understanding that the ANDSF are tactically capable, but continue to be challenged at the Corps and Ministerial levels. We assess the ANDSF's capabilities, capacities, and morale will be sufficient to set the conditions for Afghan-led and Afghan-owned reconciliation talks. The ANDSF still need assistance with enablers and related systems and processes necessary to run a modern, professional army and police force. In particular, they need sustained support for capability gaps in aviation, intelligence, sustainment, and special operations. To address these gaps, our advisory mission and mentorship at the security ministries and at the corps and police zone level remain vital.

Question. Do you support plans for building and sustaining the ANSF at 352,000 personnel and, if so, what factors influence your recommendation about the proper size of the ANSF?

Answer. Yes, at least for the near term. Although we've made important gains, GIRoA and the ANDSF will continue to face threats from external regional actors and internal threats from a resilient insurgency. The current ANDSF Plan of Record supports the need for 352,000 ANDSF along with 30,000 ALP at least through 2018. Evaluating the security situation (and prior assumptions) is continual and drives my recommendations on ANDSF size. Committed contributions from partners are also important. Afghan and NATO goals remain generally congruent regarding the denial of terrorist safe havens.

RECONCILIATION

Question. In your view, what should be the role of the United States in any reconciliation negotiations with the Afghan Taliban and other insurgent groups?

Answer. The United States supports an Afghan-led political process to determine the future of their country. Our relationship with Pakistan as a key stakeholder in the region can also have a positive impact. As part of the outcome of any process, the Taliban and other armed Afghan opposition groups must end violence, break any associations with international terrorism, and accept Afghanistan's constitution, including its protections for women and minorities.

Question. What additional steps, if any, should the United States take to advance the reconciliation process?

Answer. We remain strongly supportive of an Afghan-led and Afghan-owned reconciliation process where the Taliban and the Afghans engage in direct talks to resolve the conflict in Afghanistan. In President Ghani's inauguration address, he called on the Taliban to enter political talks, and has made reconciliation central to his foreign policy. We can also continue to encourage stronger ties between Afghanistan and Pakistan—and have been pleased with their recent efforts to address their shared security concerns.

Question. In your view, what should be the role of Afghanistan's neighbors, in particular Pakistan, in the reconciliation process?

Answer. Regional partners have an important role to play in enabling a stable, democratic Afghanistan, and our relationship with Pakistan as a key stakeholder in the region can have a positive impact. We continue to encourage all regional partners to support President Ghani's reconciliation efforts. We are in close communication with President Ghani on these matters and we remain committed to supporting his efforts toward peace.

U.S. STRATEGIC RELATIONSHIP WITH PAKISTAN

Question. What in your view are the key U.S. strategic interests with regard to Pakistan?

Answer. Our strategic interests and national security goals remain to disrupt, dismantle, and defeat Al Qaeda (and other potential transnational insurgent threats) and to prevent the return of safe havens in Afghanistan and Pakistan. We also have an interest in a stable Pakistan and the non-proliferation of nuclear weapons and technology.

Question. What would you consider to be areas of shared strategic interest between the United States and Pakistan?

Answer. The U.S. and Pakistan share the common goals of eliminating Al Qaeda (and other potential transnational insurgent threats), promoting regional stability and the non-proliferation of nuclear weapons and technology.

Question. In what areas do you see U.S. and Pakistani strategic interests diverging?

Answer. We diverge from Pakistan in their policy on leveraging non-state, extremist proxies to attain their national security objectives and in their perception of Indian intentions in the region. Our bilateral interests with Pakistan can also be made more complex by Pakistan's deepening ties with China.

Question. If confirmed, what changes, if any, would you recommend for U.S. relations with Pakistan, particularly in terms of military-to-military relations?

Answer. The U.S.-Pakistan relationship is important to our vital national security interests in the region and will remain so for the foreseeable future. We will need to continue cooperating with Pakistan on defeating transnational insurgent threats, supporting Pakistan stability, and reaching a lasting peace in Afghanistan. We should continue mil-to-mil cooperation to improve on ways we can assist enhanced border security and stability, consistent with Leahy considerations.

U.S. ASSISTANCE TO PAKISTAN

Question. Since 2001, the United States has provided significant military assistance to Pakistan. In addition, the United States has provided significant funds to reimburse Pakistan for the costs associated with military operations conducted by Pakistan along the Afghanistan-Pakistan border.

As U.S. troop presence draws down in Afghanistan, what recommendations, if any, would you have regarding the reduction or cessation of Coalition Support Funds that currently reimburse Pakistan for military support in connection with U.S. military operations in Afghanistan?

Answer. It is in our best interest to have a long term strategic partnership with Pakistan. Coalition Support Funds are a mechanism to advance our security interests with and through Pakistan, however the funding needs to be tied to a broader set of expectations and outcomes, not just ongoing border operations in Pakistan.

Question. In your view, how effective has the assistance and other support that the United States has provided to Pakistan been in promoting U.S. interests?

Answer. U.S.-Pakistan mutually agreed security objectives include improving Pakistan's capacity to counter militancy, developing a stronger bilateral defense relationship, and fostering a better relationship between Pakistan, Afghanistan and India. In support of these objectives, U.S. security assistance has enhanced the Pakistan Military's ability to attack militants, terrorists groups, and other transnational threats. U.S. assistance has bolstered Pakistani capability while also preserving the mil-mil relationship that is a key component of the U.S.-Pakistan strategic partnership.

Question. Do you support conditioning U.S. assistance and other support to Pakistan on Pakistan's continued cooperation in areas of mutual security interest?

Answer. Yes. It is important that we maintain a strategic relationship with Pakistan, not a "transactional" one, as we condition our assistance.

Question. What is your assessment of the current relationship between Afghanistan and Pakistan?

Answer. There is some potential for a more constructive "new normal" going forward. Relations between Afghanistan and Pakistan have improved since the election of President Ghani in Afghanistan. Although gradual, the two sides continue to work to improve border coordination and establish standards for information sharing, communication, and complementary operations near the border.

Question. What is your assessment of Pakistan's cooperation with the United States in counterterrorism operations against militant extremist groups located in Pakistan?

Answer. Pakistan's cooperation on counterterrorism has not always met our expectations, particularly their policy of leveraging proxies to advance national security objectives. Since 2009, Pakistan has undertaken counterinsurgency operations against extremist organizations in the northwest, namely the Swat, North and South Waziristan, Mohmand, and Bajaur with mixed results. Security assistance, Coalition Support Funding reimbursements, and cross-border coordination with ISAF and Afghan forces have helped enable these operations. It is in our interest that Pakistan continues this campaign as effectively and comprehensively as possible.

Question. What is your assessment of Pakistan's efforts to maintain transit and provide security along the ground lines of communication (GLOCs) through Pakistan?

Answer. We have received support from Pakistan in the use of their GLOCs. Currently we rely on multiple GLOCs, including Pakistan's to support our operations in Afghanistan. We do not anticipate any GLOC problems in the foreseeable future.

Question. What is your assessment of Pakistan's efforts to counter the threat improvised explosive devices, including efforts to attack the network, go after known precursors and explosive materials?

Answer. Pakistan suffers significant casualties as a result of IED attacks. They are taking concrete steps to disrupt the networks, placing new restrictions on the distribution of precursor materials and providing Regional Leadership on the issue. We continue to encourage and pressure them to do more.

IRAN

Question. What is your assessment of the military and political threat posed by Iran?

Answer. Iran's authoritarian regime poses both a regional and global security threat. The world's foremost state sponsor of terrorism seeks to export its revolutionary ideology in the Middle East through a large conventional army; terrorist proxies; weapons trafficking; ballistic missile proliferation; and maritime weapons and threats to the Strait of Hormuz. Through its emergent nuclear and established cyber programs, Iran can threaten and undermine the international institutions and conventions that underpin global security. The Supreme Leader will continue to take advantage of opportunities to enable Iran's domestic, hardline political factions' malign policies that value regime survival over international integration.

Question. What is your assessment of the threat of Iran's influence in Iraq to U.S. interests?

Answer. Iran's ambitions in Iraq are not to help create a sovereign, functional government. Iran wants to influence Iraq through the lens of a Shia-dominated buffer state. Currently, Iran is using its influence vis-&-vis Shia militias to offset ISIL behavior. This comes with the risk that one day these militias could possibly threaten Iraqi or U.S. forces. In the future, expect Iran to utilize its political and military instruments of power to control Iraq along sectarian lines.

Question. In your view, what are the risks, if any, associated with reducing U. S. presence in the Middle East with respect to the threat posed by Iran?

Answer. Real or perceived U.S. disengagement from the Middle East could create opportunity for Iran to increase its support to terrorist organizations. Right-sized U.S. military presence in the Middle East demonstrates not only a commitment to the region, but a commitment to our regional security partners. As a result, a continued U.S. military presence in the region will further deter Iran from conducting nefarious activities such as blocking the Strait of Hormuz or threatening other Gulf States. Finally, a continued U.S. military presence in the region is the single most important indicator of our overall commitment to a secure, peaceful and prosperous Middle East.

Question. Negotiations on the Iran nuclear program have been extended with a deadline now of July 7, 2015 to finalize a comprehensive agreement.

What are the elements of a nuclear agreement with Iran that you consider critical to ensuring that it is a "good" deal for U.S. national security interests?

Answer. From a security standpoint, important outcomes include rolling back Iran's nuclear program providing the international community with necessary access and transparency, while preserving the sanctions imposed on conventional arms and ballistic missiles.

Question. If Iran is allowed to maintain a monitored and limited uranium enrichment program, do you believe that other states in the region may seek to develop enrichment programs of their own and why or why not?

Answer. Saudi Arabia's and other Gulf countries' decisions on whether or not to enrich uranium are not solely tied to a deal with Iran; under the Nuclear Nonproliferation Treaty (NPT) signatories are allowed enrichment programs as part of a peaceful nuclear program. Unlike Iran, which endures sanctions, isolation, and economic distress due to a covert attempt intent on developing nuclear weapons, our Gulf partners could choose to pursue nuclear energy in compliance with the NPT. The U.S. military will continue to provide options in support of the overall U.S. strategy.

Question. What role, if any, should DOD play in countering Iran's support of international terrorism?

Answer. DOD's role is to support an interagency and regional effort to deter and counter Iran's support of international terrorism. We deter Iran by maintaining a responsive military capability in the region and ensuring a robust defensive infrastructure for ourselves and our allies. To counter Iran, we work by, with, and through partner nations by conducting counter terrorism training, providing equipment sales, participating in multi-national exercises, and sharing information. When

combined, these efforts—along with those of our partners—help to weaken terrorist groups and hinder Iran's ability to support them.

THE 2001 AUTHORIZATION FOR USE OF MILITARY FORCE

Question. What is your understanding of the scope and duration of the 2001 Authorization for Use of Military Force (AUMF), including with respect to military operations against the Islamic State in Iraq and the Levant?

Answer. There is an ongoing armed conflict between the United States and Al Qaeda, including its associated forces. Al Qaeda's associated forces are those groups that (1) are an organized armed group that has entered the fight alongside Al Qaeda and, (2) is a co-belligerent with Al Qaeda in hostilities against the United States or its coalition partners. The AUMF enacted following the terrorist attacks of September 11, 2001 remains the legal basis under U.S. domestic law for use of military force against these threats. Since September 2014, the Administration has applied the 2001 AUMF for the use of military force against the Islamic State of Iraq and the Levant (ISIL, previously known as Al Qaeda in Iraq). ISIL has been subject to the use of force under the AUMF since at least 2004, when it entered the conflict against the United States as part of the Al Qaeda organization. Despite internal power struggles within ISIL and other factions of the Al Qaeda network, ISIL asserts that it is the true heir to bin Laden's legacy of global jihad, and continues its unlawful campaign against the United States, its citizens, and interests.

Question. Are you satisfied that current legal authorities, including the AUMF, enable the Department to carry out counterterrorism operations and activities at the level that you believe to be necessary and appropriate?

Answer. Yes. The 2001 AUMF provides the necessary authorities to counter Al Qaeda and its associated forces, including ISIL. With respect to ISIL, the 2002 AUMF provides additional statutory authority for the current operations against ISIL both in Iraq and, to extent necessary to achieve the purposes of that AUMF, in Syria.

ISLAMIC STATE IN IRAQ AND THE LEVANT (ISIL)

Question. What is your assessment of the threat posed by ISIL to the U.S. homeland, U.S. interests overseas, and Western interests more broadly?

Answer. ISIL does pose a threat to the homeland as well as to U.S and Western interests abroad. ISIL is focused on strengthening its self-declared caliphate in Iraq and Syria as well as expanding into other areas in the Middle East and Africa. In so doing, ISIL is integrating foreign fighters that could attempt to return to their countries as operatives. In addition, ISIL sympathizers pose a risk should they heed ISIL calls to conduct attacks against the U.S and the West.

Question. How would you describe the U.S. strategy to counter ISIL?

Answer. Our strategy is a whole-of-government and regional approach to degrade and ultimately defeat ISIL. Our strategy leverages capable ground partners supported by an International Coalition. The nine lines of effort serve as a guide to achieve this objective, and include: supporting effective governance in Iraq, disrupting ISIL's finances, disrupting the flow of foreign fighters, and protecting the homeland. DOD is only primarily responsible for the military campaign to deny ISIL safe haven and build partner capacity. Coalition kinetic strike operations, advise/assist operations, training/equipping efforts, and posture in the region combine to achieve these lines of efforts. The military campaign provides time and space for progress in the other lines of effort, particularly inclusive governance.

Question. What is your assessment of the effectiveness of that strategy in achieving its objectives?

Answer. We are seeing limited but steady success, and we need to be patient as there will be both successes and failures throughout the campaign. In both Iraq and Syria, ISIL's ability to conduct massed-offensive operations is degraded, its leadership cells are pressured, and its command-and-control and supply lines are being severed. We have degraded ISIL's oil producing, processing and transportation infrastructure. We continue to work with our coalition partners along several lines of effort to degrade and ultimately defeat ISIL. We must also be wary of ISIL's destabilizing potential outside of Iraq and Syria and leverage our regional partnerships accordingly.

Question. What do you assess to be the greatest impediments to implementing the strategy to counter ISIL?

Answer. Conflicting interests on the ground and rampant sectarianism combined with poor governance and disenfranchised populations are the greatest challenges to defeating ISIL. Only through governments that foster inclusive and legitimate

governance, as well as through robust commitments from regional and international stakeholders, will the strategy be successful.

Question. What modifications, if any, would you recommend be made to the strategy to counter ISIL, if confirmed?

Answer. If confirmed, I will support the Chairman's assessment of the military lines of effort to ensure that they are providing the time and space necessary for the non-military lines of effort to succeed. I also will work to identify additional opportunities to bolster our ongoing efforts to train and equip security forces operating in Iraq and Syria, and recommend adjustments to increase their effectiveness if necessary. Finally, I would look for opportunities to combat ISILs trans-regional reach and influence to complement the efforts in Iraq and Syria. Continued assessment and refinement are paramount to any strategy and its implementation.

AL QAEDA

Question. What is your assessment of the threat posed by al Qaeda and its affiliates to the U.S. homeland, U.S. interests overseas, and Western interests more broadly? Which affiliates are of most concern?

Answer. Despite ongoing counterterrorism (CT) pressure and competition from ISIL, Al Qaeda and its affiliates continue to threaten the U.S. homeland, U.S. interests overseas, and Western interests more broadly. Al Qaeda in the Arabian Peninsula (AQAP) remains the affiliate of most concern.

YEMEN AND AL QAEDA IN THE ARABIAN PENINSULA

Question. What are the U.S. national security interests in Yemen?

Answer. The 2015 National Security Strategy states "the U.S. has no greater responsibility than protecting the American people. Yet, our obligations do not end at our borders." The continued presence of AQAP in Yemen and the emergence of ISIL present threats to our homeland and to the American people. We act in Yemen in the interest of our security.

Question. What is your assessment of current U.S. strategy in Yemen?

Answer. I believe the U.S. should continue its policy of support to the Republic of Yemen Government (RoYG) in combatting terrorism and addressing instability within its borders. The U.S. requires a stable and reliable partner in order to accomplish its counterterrorism objective of countering AQAP and violent extremist organizations. We seek stability in Yemen through: 1) political transition, namely National Dialogue, Constitutional reform, and Elections; 2) continued economic and humanitarian assistance; and 3) security reform, specifically counterterrorism capacity building, border security, and critical infrastructure protection.

Question. What are the implications of recent events in Yemen for U.S. counterterrorism policy both in Yemen and globally?

Answer. I believe the current conflict in Yemen has hampered some CT operations, but the U.S. still maintains a capability, albeit diminished, to counter AQAP. AQAP remains an immediate threat to Yemen, the region, and the United States. When the political and security situation allows, I believe we should resume our previous partner-based DOD counterterrorism activities with the Yemeni government.

Question. What is your assessment of the effectiveness and capability of coalition operations led by Saudi Arabia in Yemen?

Answer. Saudi-led Coalition operations can be sustained at least in the near term. Airstrikes are slowing Huthi expansion in Yemen, but have not prevented Huthi attacks along the Saudi border nor forced the Huthis to withdraw from cities they captured earlier this year.

SOMALIA AND AL SHABAB

Question. What is your assessment of the threat posed by Al Shabab?

Answer. Al-Shabaab poses a threat to countries providing forces to AMISOM such as Kenya. The group also targets Somali government facilities and Western targets in and around Mogadishu.

Question. In your view, does al Shabab pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. Al-Shabaab does not currently directly threaten the U.S. Homeland or Europe. The group continues to pose a threat to U.S., Western, and allied interests in East Africa, to include Somalia and Kenya.

Question. What is your understanding of the current U.S. strategy in Somalia and the role of DOD in that strategy?

Answer. The U.S. strategy on Somalia was implemented in May 2014. It has two major security components: (1) Supporting the African Union Mission in Somalia to

stabilize security in the short term, and (2) Expanding support for the creation and training of the Somali National Army, which will provide long term stability and security. DOD contributes significant assets towards the U.S. strategy's success.

Question. What role should DOD play in building the capacity of the Somali national military forces?

Answer. The Department of State has been leading efforts to create Somali security services that are loyal to the federal government and representative of the ethnic and clan diversity in Somalia. I believe DOD should continue to support that effort through building partner capacity, logistics, and encouraging joint operations with the African Union Mission in Somalia.

AL QAEDA IN THE ISLAMIC MAGHREB (AQIM)

Question. What is your assessment of the threat posed by Al Qaeda in the Islamic Maghreb (AQIM)?

Answer. Al Qaeda in the Lands of the Islamic Maghreb (AQIM) and affiliated groups continue to target local and regional government and Western interests. The group poses a threat to the Malian government and military targets, and Multidimensional Integrated Stabilization in Mali (MINUSMA) forces and facilities, and U.S. and Western persons in Niger and Mali, who are vulnerable to kidnapping for ransom.

Question. In your view, does AQIM pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. AQIM does not pose a direct threat to the U.S. homeland. The group currently does not view conducting attacks outside North Africa and the Sahel as a priority.

Question. What capacity has AQIM demonstrated to plan and carry out actions threatening U.S. interests?

Answer. AQIM is able to threaten U.S. and Western interests within North and West Africa, where it has conducted or attempted attacks in several countries to include Mali, Niger, Algeria, and Mauritania. AQIM will likely strengthen its ties to other Al Qaeda-associated terrorist groups in the region to influence and support attack planning.

Question. In your view, what has been the impact of the recent expansion of AQIM's area of operations in northern Mali on the group's capacities and aims?

Answer. AQIM has increased freedom of movement throughout the region and implemented its own brand of sharia in the breakaway northern territories in Mali. AQIM uses small-scale improvised explosive device (IED), indirect fire (IDF), and mortar attacks to further conduct attacks in northern Mali to expel Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

LIBYA

Question. What is your assessment of the current security situation in Libya?

Answer. Libya currently has two governments competing for control, and their aligned militias are struggling to establish dominance of the country. However, at this point neither government is capable of providing domestic security or addressing transnational threats, such as terrorism or the ongoing migration crisis.

Question. What is your understanding of the U.S. strategy with regards to Libya and the role of DOD in that strategy?

Answer. I believe the U.S. maintains a national interest in stabilizing Libya and impeding extremists from using it as a refuge. The U.S. and our allies support the United Nations-led efforts to help the opposing Libyan groups reach a political resolution by establishing a national unity government. The role of DOD in the U.S. strategy is to use military relationships with regional partners to increase support for a political solution. Should diplomatic efforts to form a unity government succeed, I believe the U.S. should be prepared to revisit security assistance programs for legitimate Libyan security services.

Question. How would you assess its effectiveness in achieving its objectives?

Answer. Libya's political landscape is fragmented and the country is embroiled in a civil war. UN-led negotiations have yet to yield lasting results. I believe the DOD's role in a political solution is necessary, but alone it is not enough to drive resolution.

Question. What do you assess to be the greatest impediments to implementing the strategy and protecting U.S. interests in Libya?

Answer. I believe the greatest obstruction is the severe division of Libya's political and security landscape, which has seriously complicated negotiations. Libya has degenerated into a complex mix of competing political factions, tribes, militias and

other armed groups which are intermixed with local and foreign extremists. These influences continue to make protecting U.S. interests in Libya difficult.

Question. What is your assessment of the threat to the U.S. and our allies from terrorist groups, including ISIL, in Libya.

Answer. Extremists and terrorists from Al Qaeda -affiliated and allied groups are using Libya's permissive security environment as a safe haven to plot attacks, including against Western interests in Libya and the region. ISIL considers Libya a key part of its caliphate and ISIL-aligned extremists are trying to institute sharia law in parts of the country.

NORTH AFRICA

Question. In recent years, there has been a growth of terrorist networks, capabilities, operations, and safe havens throughout North and East Africa, including groups that have the intention to target U.S. and Western interests. In the face of growing instability and threats, the U.S. counterterrorism effort in the region has been described as an "economy of force" effort.

Do you agree with that characterization of the situation in North and East Africa and the U.S. counterterrorism efforts to combat the related threats?

Answer. Diverse and active terrorist networks in North and East Africa (as well as West Africa) are seeking to influence local resources and territory. Some have, at times, also demonstrated a willingness to target U.S. and Western interests. These groups threaten the stability of our regional partners and safety of local civilians. AFRICOM, in partnership with host nations and interagency partners, is working to identify, prioritize, and target these networks.

Question. What is your assessment of the current U.S. counterterrorism strategy in the region? In your view, is the U.S. military allocating adequate resources to effectively address the terrorism threat in the region?

Answer. I believe the U.S. military is allocating adequate resources based on the level of threat and the potential for collaboration with capable partner nations. If confirmed, I will continuously evaluate the adequacy of our strategy and allocation of resources, especially following changes in local threat levels and when new opportunities for potential collaboration with our partners arise.

Question. General Rodriguez noted in his March 2014 testimony that "North Africa is a significant source of foreign fighters in the current conflict in Syria." What is your understanding of the foreign fighter flow from North Africa to the conflict in Syria and Iraq?

Answer. The largest portion of foreign fighters entering Iraq and Syria come from North Africa, specifically Tunisia, Morocco, Libya and Algeria. Many of the fighters however are now choosing to stay in North Africa and join the ISIL affiliate in Libya instead.

Question. In your view, is it likely that many of these fighters will eventually return home from Syria and Iraq to North Africa and continue their fight against regional governments?

Answer. Yes, many Northern African foreign fighters will likely return home to conduct attacks in their home countries. We do not know if these fighters are being tasked by ISIL to attack Western of U.S. interests or whether, having been radicalized by ISIL are acting on their own accord.

RUSSIA

Question. Crimea was formally annexed when President Putin signed a bill to absorb Crimea into the Russian Federation on March 18, 2014, and Russia continues to fuel instability in eastern Ukraine despite signing ceasefire agreements in September 2014 and February 2015.

How effective do you assess the sanctions of the U.S. and the European Union have been in deterring additional aggression by Russia?

Answer. I believe sanctions by themselves are unlikely to deter future Russian aggression. Deterring combined Russian-separatists actions against Ukraine requires a whole of government approach in concert with Europe and NATO. Nevertheless, it's my understanding that U.S. and EU sanctions have impacted Russia's economy and I believe they send a clear signal to Moscow that aggression against Ukraine's sovereignty and territorial integrity entails costs. With the EU's recent decision to extend sanctions for an additional six months, the United States and EU have made clear that sanctions will not be lifted until Minsk is fully implemented. I believe these actions have contributed to deterrence.

Question. What other specific U.S. actions helped to deter additional Russian aggression in Eastern Europe?

Answer. Congressional support for the European Reassurance Initiative has enabled DOD, via Operation ATLANTIC RESOLVE (OAR), to conduct military exercises and training on land, in the air and at sea, while sustaining a rotational presence across Europe; and increase the responsiveness of U.S. forces to reinforce NATO by exploring initiatives such as prepositioning of equipment and enhancing reception facilities in Europe. Our bilateral efforts as well as our continued support of NATO adaptation measures all support the goal of deterring additional Russian aggression.

Question. What additional steps, if any, are likely to prove most effective at deterring Russian aggression in Eastern Europe?

Answer. If confirmed, I will continue to evaluate the effectiveness of our current measures and I will remain alert to potential adjustments. Of key concern to me is wisely channeling U.S. military efforts and resources to ensure our allies and partners are militarily capable and interoperable.

Question. Are you concerned that Moldova and Georgia may be at a heightened state of vulnerability given Russian willingness to take aggressive action in Ukraine?

Answer. Yes. Russia has demonstrated both in Georgia in 2008 and Ukraine today its willingness to use force and exploit the vulnerabilities of these fragile democracies to achieve its strategic objectives. Georgia, Moldova and Ukraine all contain Russian occupied separatist regions that Russia could potentially exploit for its own purposes.

Question. Russian tactics in eastern Ukraine have been called "hybrid" and combine hard power with soft power, including elements such as lethal security assistance to separatists, the use of special operations forces, extensive information operations, withholding energy supplies and economic pressure.

If confirmed, what steps would you recommend as part of a strategy to counter this "hybrid" approach?

Answer. I believe we must continue to take actions which deter Russian aggression, remain alert to its strategic capabilities, and most importantly help our allies and partners resist Russian coercion over the long term. I will continue to emphasize training activities, rotational presence, and capacity-building to make our partners more resilient against asymmetric threats and demonstrate U.S. resolve.

Question. In light of Russia's actions in 2014, what do you believe are appropriate objectives for U.S.-Russian security relations?

Answer. Although we disagree with Russia's recent conduct against its neighbors and will continue with our efforts to deter future actions, I will leave open the possibility for collaboration with Russia in areas of mutual national security interests. If confirmed, I will also keep lines of communication with my Russian counterpart open as a means for crisis management.

NATO ALLIANCE

Question. The reemergence of an aggressive Russia has resulted in the North Atlantic Treaty Organization (NATO) developing the Readiness Action Plan that NATO Secretary General

Jens Stoltenberg called "the biggest reinforcement of our collective defense since the end of the Cold War." NATO also continues to be central to our coalition operations in Afghanistan and elsewhere, even as many NATO members have significantly reduced their national defense budgets in response to economic and fiscal pressures.

How important is the NATO alliance to U.S. national security interests?

Answer. The Alliance is critical to our national security interests. This involves both Article 5 and other non-Article 5 related NATO operations. NATO maintains a persistent air, land, and maritime presence in and around the territories of our European allies, committed to defend its territory against any aggression. But it efforts extend beyond Article 5 with military operations supporting stability in Kosovo, Afghanistan, the Mediterranean Sea, and off the Horn of Africa. NATO is also assisting nations in North Africa and the Middle East to develop local capabilities to counter growing instability and transnational threats to prevent those threats from spreading to Europe.

Question. In light of the Russian Federation's aggression against Ukraine, what do you see as the major strategic objectives of the NATO Alliance in the coming years and what are the greatest challenges in meeting those objectives?

Answer. As a result of Russia's aggressive actions, NATO has refocused its attention on the Alliance's Article 5 responsibilities to protect and defend its territory and populations against attack. Concurrently, NATO must also continue to perform its other "core tasks" of crisis management and cooperative security. Among the chal-

lenges to achieving these objectives are: first, declining national defense budgets that result in capability shortfalls; and second, the required adaptation of NATO's institutional processes to the changing European security environment.

Question. What do you see as the proper role, if any, for NATO in addressing the threat posed by ISIL and in addressing the problem of illegal immigration across the Mediterranean Sea?

Answer. Due to its long-standing partnerships and experience with Defense Capacity Building missions, NATO has the potential to play a role in addressing both issues. Within Iraq, NATO could provide expert advice and capacity-building support to the Government of Iraq in areas such as security sector reform and the development of a national security strategy. To address illegal immigration across the Mediterranean Sea, NATO could potentially support efforts of the Mediterranean Allied nations and the European Union by sharing information gathered through its maritime operations in the Mediterranean Sea.

Question. The concept of defense cooperation among NATO members was emphasized at the NATO summit in Chicago in May 2012.

What areas or projects would you recommend, if confirmed, that NATO nations cooperate in to improve NATO alliance capabilities?

Answer. Cooperation among Allies on developing capabilities provides a cost effective approach to addressing global challenges. If confirmed, I would urge Allies to increase their defense investments in both national and multinational projects and areas that address Alliance capability needs, such as developing command and control and joint intelligence, surveillance and reconnaissance and maintaining and improving readiness and interoperability. In support of that objective, I would also encourage Allies to honor their recent Summit pledge to achieve the two percent defense spending target.

Question. Turkey continues to be a gateway for foreign fighters proceeding to and from Syria and Iraq.

What steps would you recommend to encourage Turkey to continue to address the threat posed by foreign fighters proceeding to and returning from Syria and Iraq?

Answer. If confirmed, I would support the Department's contributions to interagency support of Turkish efforts to enhance border security, to include strengthening critical information sharing with the Turkish military. Moreover, I would support international efforts to help source countries identify and disrupt foreign fighter transit to Turkey.

Question. At the NATO Summit in Wales in 2014, NATO leaders declared their "aim to move towards the 2 percent guideline [of GDP for defense spending] within a decade with a view to meeting their NATO Capability Targets and filling NATO's capability shortfalls."

In your view, what impact have national defense budget cuts had on the capabilities of the NATO alliance, and what do you believe needs to be done to address any capability shortfalls?

Answer. There is a direct correlation between national defense budget cuts and increased Alliance capability shortfalls, such as in joint intelligence, surveillance and reconnaissance. To arrest this negative trend, Allies need to be held to the Defense Investment Pledge they agreed to at the Wales Summit. If confirmed, I will work with Allies on defense planning to ensure they maintain or develop the specific capabilities that the Alliance is lacking.

Question. What are the greatest military capability shortfalls that you see in the NATO alliance?

Answer. The most significant shortfalls are in so-called enabling capabilities such as joint intelligence, surveillance and reconnaissance, air to air refueling and strategic lift. These limited capabilities are the ones that the Alliance places heavy reliance on the United States to provide. If confirmed, I would encourage Allies to invest in developing these capabilities through national and multinational efforts.

Question. In light of the reductions in national defense spending by some NATO members, are you concerned that the Alliance will lack critical military capabilities? If so, what steps, if any, would you recommend be taken to address potential shortfalls in Alliance capabilities?

Answer. I am concerned about continued reductions in defense investment by our Allies because Alliance capability shortfalls will increase as national defense spending decreases, thus requiring a greater reliance on U.S. capabilities. The most effective step to counter these potential capability shortfalls is to arrest the decline in national defense investment and move to meet the Defense Investment Pledge that was agreed upon at the NATO Summit in Wales.

Question. What are the greatest opportunities and challenges that you foresee for NATO in meeting its strategic objectives over the next five years?

Answer. NATO's evolving security environment, highlighted by the events witnessed in both the Middle East and Europe, has made it necessary for NATO to adapt its political, military and institutional processes and focus. Our President and other NATO leaders have committed to this adaptation that will make NATO more responsive and ready to face future challenges. This commitment to adaptation provides the greatest opportunity for NATO; gaining the consensus to do this in a focused, proactive manner will be the greatest challenge.

Question. In your view, is there a continuing requirement for U.S. nuclear weapons to be deployed in NATO countries?

Answer. The 2010 Strategic Concept for the Alliance states NATO will remain a nuclear alliance for as long as nuclear weapons exist. Allies reaffirmed this stance with both the 2012 NATO Deterrence and Defense Posture Review and the 2014 Wales Summit. I support NATO maintaining the full range of capabilities necessary to ensure Alliance security, based on an appropriate mix of nuclear, conventional, and missile defense capabilities.

U.S. FORCE POSTURE IN EUROPE

Question. The Department of Defense continues to review its force posture in Europe to determine what additional consolidations and reductions are necessary and consistent with U.S. strategic interests.

How would you define the U.S. strategic interests in the European area of responsibility (AOR)?

Answer. Europe is the home of most of our willing and capable Allies and partners. Our immediate security interests include helping Europe defend against potential security threats from Russia and violent extremists from the south as well as continued strategic interest in reassuring our Allies and partners of the United States' unquestionable commitment to NATO.

Question. Do you believe that additional consolidation and reductions of U.S. forces in Europe are consistent with U.S. strategic interests in that AOR given the increase in Russian aggression in the last 15 months?

Answer. Yes. Regarding facilities, we are maintaining a strong commitment to security and stability in Europe as the Department gains efficiencies through the Secretary's directed European Infrastructure Consolidation. Regarding forces, our focus on rotational presence is consistent with our strategic interests and existing resource constraints. However, the credibility and effectiveness of our response to Russian aggression in the East depend not only on the operational scale and geographic scope of our operations, but also on their persistence and longevity. If confirmed, I will seek to ensure the persistent, appropriate level of rotational presence is retained in Europe to effectively deter Russian aggression.

U.S. FORCE POSTURE IN THE ASIA-PACIFIC REGION

Question. The Department continues the effort to rebalance toward the Asia-Pacific as announced in the January 2012 Strategic Defense Guidance.

Are you satisfied with the rebalance efforts to date?

Answer. Yes. The rebalance to the Asia-Pacific region, as announced by the President, incorporated in the 2012 Defense Strategic Guidance, and reinforced by the 2014 Quadrennial Defense Review, has resulted in a significant rebalancing of U.S. force structure and capabilities to this region, commensurate with its vital importance to U.S. security interests and global peace and prosperity. As we look ahead, we will continue to prioritize the Asia-Pacific region for positioning our most advanced capabilities that are critical for the future operational environment. If confirmed, I will continue to support the ongoing efforts to increase the Department's presence in the region and invest in and deploy critical advanced capabilities.

Question. What do you see as the U.S. security priorities in the Asia-Pacific region over the next couple of years and what specific capabilities or enhancements are needed in to meet those priorities?

Answer. First and foremost, we must work tirelessly to protect security and stability in the Asia-Pacific region, which is vital to the prosperity of all Pacific nations. The U.S. faces a range of challenges in the Asia-Pacific region, including provocations by the DPRK and the growth of its ballistic missile programs, the emergence of new technologies intended to prevent open access to the air and maritime domain, widespread natural disasters and transnational threats, and territorial disputes.

To address these challenges, I believe the Department must continue to modernize U.S. alliances and partnerships, which provide a critical role in underwriting regional security. The Department should also continue to strengthen our ability to deter threats to the U.S. homeland and our allies and citizens overseas, enhance U.S. force posture and capabilities in the region, specifically in terms of intelligence

surveillance, and reconnaissance (ISR) and missile defense, work with China to encourage greater transparency about how it will use its growing military capabilities; and encourage the peaceful resolution of territorial disputes in accordance with international law.

Question. Do the budget cuts and resource constraints associated with sequestration threaten your ability to execute the rebalance to the Pacific?

Answer. Yes. As stated in the 2014 Quadrennial Defense Review, the United States has prioritized its ability to maintain peace and stability in the Asia-Pacific region through presence and power projection. The Department remains committed to the rebalance despite the challenges of fiscal uncertainty and ongoing operations in the Middle East. U.S. long-term economic and security interests are inextricably linked to developments in the Asia-Pacific region, and the Department will continue to prioritize investments in those capabilities most relevant to the region.

Question. As the United States realigns its forces in the Asia-Pacific Theater, do you believe we have the air and maritime lift required to support the distribution of Marines across North and Southeast Asia?

Answer. I believe we will need more lift in certain contingencies, but we have enough capacity for a range of scenarios. That said, it is critical for the U.S. military to evolve its forward presence in the Asia-Pacific region to respond to the changing strategic environment. If confirmed, I will continue to work with the Services and U.S. Pacific Command to address this challenge.

KOSOVO

Question. Approximately 700 U.S. troops remain in the Balkans as part of the Kosovo Force (KFOR) that first deployed to Kosovo in 1999 and today is comprised of over 4,600 personnel from 30 countries. Spikes in violence in 2011 required the deployment of the NATO operational Reserve Force battalion of approximately 600 soldiers to bolster KFOR and maintain a secure environment. Progress is required in both the military and political realms before further troop reductions can be made.

What major lines of effort do you think are required to further reduce or eliminate U.S. and NATO presence in Kosovo?

Answer. Continuation of the EU's implementation of the 2013 Brussels Accord between Serbia and Kosovo is a fundamental line of effort, necessary to stabilizing the Western Balkans and setting the conditions for improved security and follow-on troop reductions.

Question. In your view, can the European Union play a more significant role in Kosovo?

Answer. The EU already plays a significant role in fostering improved security and stability in Kosovo through its European Union Rule of Law Mission in Kosovo (EULEX–Kosovo). EULEX is part of the EU's broader effort to promote peace and stability in the Western Balkans and supports Kosovo, as they adopt and implement necessary reforms on its path toward a greater European integration.

SECURITY SITUATION ON THE KOREAN PENINSULA

Question. What is your assessment of the current security situation on the Korean peninsula and of the threat posed to the United States and its allies by the current state of North Korea's ballistic missile and nuclear weapons capabilities?

Answer. North Korea's ballistic missile and weapons of mass destruction (WMD) capabilities present a serious and direct threat to U.S. forces postured in the Asia-Pacific region as well as to our regional allies and partners. These capabilities could eventually pose a direct threat to United States territory. Moreover, North Korea's history of proliferation amplifies the dangers of its asymmetric programs. If confirmed, I will ensure that the U.S.-ROK Alliance continues to strengthen alliance capabilities to counter North Korea's increasing missile and nuclear threat. I will also ensure that we draw upon the full range of our capabilities to protect against and respond to North Korean ballistic missile and WMD threats.

Question. In your view, are there additional steps that DOD could take to ensure that North Korea does not proliferate missile and weapons technology to Syria, Iran and others?

Answer. If confirmed, I will continue efforts to strengthen our strong defense posture against North Korea. This includes supporting our current efforts to increase the number of ground-based interceptors in California and Alaska, enhancing the Department's ability to highlight and disrupt the illicit proliferation networks that North Korea uses, and promoting cooperation with partners to interdict vessels and aircraft suspected of transporting items of proliferation concern.

Question. What is your view regarding the timing of transfer of wartime operational control from the U.S. to the ROK?

Answer. At the 2013 U.S.-ROK Security Consultative Meeting, then-Secretary of Defense Hagel and ROK Minister of Defense Han decided that in light of the evolving security environment in the region, we will implement the ROK-proposed, conditions-based approach to the transition of wartime OPCON. The ROK will take wartime OPCON when critical ROK and alliance military capabilities are secured and the security environment in the region is conducive to a stable wartime OPCON transition.

CHINA ASSERTIVENESS

Question. How has China's aggressive assertion of territorial and maritime claims, particularly in the South China Sea and East China Sea, affected security and stability in the region?

Answer. China's actions are adding tension to the Asia-Pacific region, and subtly undermine the regional order that has sustained 70 years of security and prosperity in the Asia Pacific. For example, its claims to nearly the entire South China Sea are inconsistent with international law. The international community continues to call on China to settle such issues cooperatively and without coercion. China has responded with aggressive land reclamation efforts on a pace and scale far surpassing other claimants that will allow it to position military forces astride vital international sea lanes.

Through a persistent military and law enforcement presence and the announcement in November 2013 of a new Air Defense Identification Zone (ADIZ) over the East China Sea, China continues to engage in actions that appear designed to challenge Japan's administration of the Senkaku Islands.

CHINA MIL-MIL

Question. What is your assessment of the current state of the U.S.-China military relationship and your views regarding China's interest in and commitment to improving military relations with the United States?

Answer. Regarding our military-to-military (mil-mil) relations with China, it is profoundly in our shared interests that we find ways to increase cooperation where our interests overlap and to manage our differences where we disagree. In recent years, the Department's sustained and substantive dialogue with the Chinese People's Liberation Army (PLA) has enabled both the United States and China to reduce the risk of misperception and miscalculation, as well as to deepen practical cooperation in areas ranging from humanitarian assistance to military medicine. In addition to making investments that ensure our technological advantages in all domains, the military-to-military relationship is an important component in managing competition.

Question. What is your view of the purpose and relative importance of sustained military-to-military relations with China?

Answer. At their most basic level, U.S.-China defense contacts and exchanges provide opportunities to establish and maintain open lines of communication that will be essential to managing a crisis or preventing unintended escalation. The military-to-military relationship also allows us to explore and expand cooperation in areas of mutual interest, as well as manage security competition and other frictions in the relationship in a way that supports overall stability. Our high-level leadership and policy interactions have allowed us to address with China at the strategic-level differences in areas such as nuclear and strategic stability, operations and standards in the space, cyber and maritime domains, and regional security issues such as Afghanistan, North Korea, South and East China Seas, and others.

ANTI-ACCESS/AREA DENIAL

Question. Over the past few years, much has been made of the emerging anti-access and area denial capabilities of certain countries and the prospect that these capabilities may in the future limit the U.S. military's freedom of movement and action in certain regions. Do you believe emerging anti-access and area denial capabilities are a concern?

Answer. Emerging anti-access and area denial capabilities (A2AD) are a concern. China is developing missiles and other military technologies that are intended to limit U.S. military's freedom of movement in the Western Pacific. Russia is developing its A2AD capabilities, including missiles, in order to constrain U.S. and Allied freedom of movement on its periphery. Iran maintains a layered A2AD capability through the employment of road mobile ballistic missiles, an integrated air defense system, anti-ship cruise missiles, and naval assets stationed in the Persian Gulf.

Question. If so, what do you believe the U.S. armed forces need to be doing now and in the next few years to ensure continued access to all strategically important segments of the maritime domain?

Answer. As the President outlined in the 2015 National Security Strategy, the U.S. is committed to freedom of navigation and the safety and sustainability of maritime environment. The Department will therefore invest in critical personnel and technological advantages to meet the President's commitment, especially to counter anti-access and area denial capabilities of our potential enemies. Details of specific actions and investments are more appropriate for a classified discussion.

Question. If confirmed, you would play an important role in the process of transforming the U.S. armed forces' capability and capacity to meet new and emerging threats.

Concerning capability and capacity to meet new and emerging threats, what are your goals regarding transformation of the U.S. military?

Answer. My goals would include addressing emerging threats through capability and capacity advancement across the spectrum of defense activities. The Department is exploring new "offset strategies"—combinations of technologies, operational concepts, and organizational constructs to meet these challenges which we can discuss in a classified setting. If confirmed, I will also emphasize the development of a new model for deterrence in the 21st Century to ensure that emerging domains—such as cyber—are incorporated into our thinking.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES

Question. Despite the ongoing drawdown in Afghanistan, demand for intelligence, surveillance, and reconnaissance (ISR) capabilities of every kind remains very high due to the enhanced situational awareness and targeting capabilities they bring to our commanders. Almost all of the geographic combatant commands still have validated ISR requirements that are not being met.

What is your assessment of the Department's current disposition of ISR assets across the various combatant commands?

Answer. The Department has insufficient ISR assets to meet the global demand. Meeting new requests required reallocating assets from other Secretary of Defense-approved operations. The Department must therefore allocate ISR assets to meet our highest priorities. To support counter-terrorism operations, we have allocated 90 percent of our remotely-piloted full-motion video assets to USCENTCOM in support of our counter-terrorism operations, with the remaining sourced primarily to USAFRICOM. We are leveraging other assets with increased standoff ranges and enhanced defensive capabilities to support USEUCOM's indications and warning collection requirements and to support USPACOM's sensitive reconnaissance operations areas.

Question. As our forces are withdrawn from Afghanistan, should existing ISR assets be re-postured to support combatant command needs in other regions, or can we afford to reduce ISR capacity?

Answer. To ensure a balance across operational, force management, and institutional risks, the Department continually evaluates our capabilities against evolving combatant command requirements. When appropriate, we can reposition ISR assets to support emerging needs across other regions. For example, within the last year, we sourced nearly all of our current ISR for Syria and Iraq from operations in Afghanistan. Additionally, we made the tough decision to return Air Force MQ–1 and MQ–9 capacity to a steady-state 60 flights a day, reducing risk to the long-term sustainability of the USAF's unmanned pilot force.

Question. Most of the highest-value ISR assets acquired after 9/11 are aircraft that were not designed to be survivable in high-threat air defense environments, although in some cases unmanned aerial vehicles were designed to be deployed in large numbers in the expectation of substantial combat attrition.

Do you believe that the Department needs a major shift towards ISR platforms that are survivable in high-threat situations, or merely an augmentation of the capabilities we now have, with the assumption that air superiority can be gained rapidly enough to operate today's assets effectively?

Answer. I believe we should invest in ISR platforms, sensors, and communications capabilities designed to penetrate and survive in high-threat and denied environments, across all domains. It is faulty to assume we will rapidly gain superiority in the air or other domains in future conflicts. We must find the right balance of ISR capabilities. Future scenarios will require assets capable of penetrating and surviving in high-threat and denied areas. While these capabilities are expensive to develop and field, they are a necessary component of balanced efforts to maintain our strategic advantage.

AIRCRAFT CARRIER-LAUNCHED UNMANNED SYSTEMS

Question. The Navy's current plan for the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) system aircraft is to develop an airframe optimized for unrefueled endurance (14 hours) and the ISR mission. Given the combat radius of the planned carrier air wing, are you concerned the carrier will lack the ability to project power at relevant distances given emerging anti-access/area-denial threats?

Answer. Yes. That is why it is important for the Department to continue development of concepts and capabilities that allow us to project power when faced with an A2AD environment to maintain competitive advantage.

SPECIAL OPERATIONS FORCES

Question. The 2006 and 2010 QDRs mandated significant growth in our special operations forces (SOF) and enablers that directly support their operations. The most-recent QDR released in 2014 capped this growth at 69,500, approximately 2,500 below the originally planned growth. In light of the growing global terrorism threat, do you believe the currently planned end-strength for SOF is sufficient to meet global requirements?

Answer. Any changes to end-strength, whether conventional or special operations forces (SOF), require continual analysis to meet current and predicted threats while informed by fiscal realities.

Question. SOF are heavily reliant on enabling support from the general purpose force. In light of current fiscal challenges, do you believe sufficient enabling capabilities can be maintained within the general purpose forces and that such capabilities will remain available to special operations forces?

Answer. I firmly believe that we have trained general purpose forces for these missions and we will continue to have this capability going forward.

INTERNATIONAL PEACEKEEPING CONTRIBUTIONS

Question. In testimony before the House Committee on Foreign Affairs (July 29, 2009), Ambassador Susan Rice, then U.S. Ambassador to the United Nations, stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to UN peacekeeping operations."

What is your view on whether the U.S. should contribute more military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. The Department should focus its contributions to the UN in areas that will help make systemic changes to increasing the effectiveness and efficiency of UN peacekeeping operations. Select placements of personnel to key positions within the UN can help facilitate this objective.

Question. If confirmed, would you support identifying methods through which the DOD personnel system could be more responsive to requests for personnel support from multilateral institutions like the United Nations?

Answer. Over the past year we have provided multiple officers to the UN to include the head of the UN's military planning service. The recent administrative waiver extension provided by the UN to the U.S. facilitates future assignments. If confirmed, I will explore methods to be more responsive to requests for personnel support to multilateral institutions.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. The military element of national power will always be critical, but achieving lasting national security objectives requires an integrated whole of government approach. We have learned a great deal about this over the past decade and our capabilities for interagency collaboration have progressed substantially. If confirmed, I will work to ensure we do not lose that ability as we refocus on full spectrum proficiency.

Question. How do you believe these efforts can be improved?

Answer. If confirmed, my focus must remain on the military instrument of power but I will ensure the Joint Staff remains collaborative and engaged with the inter-

agency and private sector. I want to maximize interagency partners' integration into our training and education programs, in order to strengthen the relationships that are essential when facing a national security challenge.

Question. How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future contingency operations?

Answer. Joint Doctrine must adapt quickly to innovation in the dynamic environment of current operations. In turn, we must infuse doctrine quickly into the education and joint exercise programs. We have made great strides in this over the last decade. If confirmed, I will ensure the Department's Joint Force Development process analyzes lessons learned from operational practice, joint training and concept development and moves them rapidly into Joint Doctrine for the operational preparation and future employment of the force.

Question. Interagency collaboration on an operational or tactical level tends to address issues on a country-by-country basis rather than on a regional basis (e.g. international terrorists departing Mali for safe havens in Libya).

How do you believe regional strategies that link efforts in individual countries can best be coordinated in the interagency arena?

Answer. Our performance in crisis situations rests on how well we collaborate on a routine basis. Therefore, I support a whole-of-government planning, operations and resourcing framework to ensure our country plans are mutually-reinforcing. The military develops Theater Campaign Plans and Functional Campaign Plans that address regional and trans-regional issues. We seek input from interagency partners in the development of these plans to de-conflict and complement efforts. State is beginning to develop Joint Regional Strategies to address regional foreign policy priorities and drive country strategies. This new regional perspective will improve our ability to coordinate The Department's plans with State's plans.

RESPONSIBILITY TO PROTECT

Question. The U.S. Government has recognized the "responsibility to protect" (R2P)—that is, the responsibility of the international community to use appropriate means to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, by encouraging states to protect their own populations, by helping states build the capacity to do so, and by acting directly should national authorities fail to provide such protection. In its 2010 Quadrennial Defense Review, the Department of Defense names "preventing human suffering due to mass atrocities" as one of a long list of potential contingencies that DOD might be called on to address. DOD has begun to explore some of the implications of R2P, by considering "mass atrocity prevention and response operations" (MAPRO).

In your view, how high a priority should the "responsibility to protect" be for the U.S. Government as a whole?

Answer. The United States does not currently view the "responsibility to protect" as a legal basis for the use of military force. Without legal standing, it is not a practice to rank order by priority. However, the Department undertook an active role and remains prepared to act, if directed, to help prevent and respond to mass atrocity situations.

Question. In your view, what should be the role of DOD, if any, in fulfilling the responsibility to protect?

Answer. The use of military force is only one instrument of national power. The role of the Department is to support our government's decided response in any situation as part of a whole-of-government approach. The Department should provide options and provide the risk assessment of those options for our political leaders' use in their decision making.

In your view, what is the proper application of R2P doctrine with respect to the situation in Syria?

Answer. It would be a political vice military decision to use R2P as a basis for intervention. However, the U.S. Government continues working with its allies, partners, and with the Syrian opposition to provide humanitarian assistance within Syria and across the region. The United States already has provided over $4.4 billion in aid since fiscal year 2012 to help the victims of the conflict, including emergency medical care and supplies, food, and shelter. The U.S. Government has spent over three quarters of a billion dollars in fiscal year 2015.

OPERATION OBSERVANT COMPASS & THE LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces (UPDF) and efforts by U.S. Special Operations personnel to support them, elements of the Lord's Resistance Army (LRA)—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic

Republic of the Congo, and South Sudan. Some observers have identified operational concerns with this mission, including that: (1) supported forces are trying to find an elusive foe in an area roughly the size of California, much of which is covered in thick jungle; (2) technical support to U.S. forces and their UPDF partners from the defense and intelligence community continues to be inadequate; and (3) limitations continue to be placed on the ability of U.S. Special Operations personnel to accompany UPDF partners outside of main basing locations, thereby limiting the level of direct support they can provide.

In your view, what is the objective of Operation Observant Compass?

Answer. It is my understanding that Operation OBSERVANT COMPASS has four main objectives:

1) Increase protection of civilians affected by the LRA

2) Promote defection, disarmament, demobilization, and reintegration of LRA fighters

3) Remove Joseph Kony and LRA leaders from central Africa

4) Increase humanitarian access and provide relief

With U.S. government assistance, our African partners are making considerable progress achieving these mission objectives.

Question. Do you support the continuation of DOD's current level of support to this mission?

Answer. If confirmed, I will advocate for the Department to continue resourcing this operation at a level appropriate to the threat the LRA poses to our national interests in the region.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries" in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing Department of Defense support to U.S. law enforcement."

What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime integrates all elements of our national power to combat transnational organized crime and related threats to national security—and urges our partners to do the same. Ultimately, the strategy seeks to reduce transnational organized crime from a national security threat to a manageable public safety concern in the U.S. and in strategic regions abroad.

Question. What is your understanding of the Department's role within the President's strategy?

Answer. The Department of Defense provides a valuable supporting role to other U.S. government agencies with the lead to combat transnational organized crime.

Question. In your view, should DOD play a role in providing support to the U.S. law enforcement and the Intelligence Community on matters related to transnational organized crime?

Answer. The Department provides unique capabilities to address the national security threat of transnational criminal organizations by supporting U.S. law enforcement and the Intelligence Community as part of a whole of government approach, consistent with current and recently expanded authorities provided in the fiscal year 2015 NDAA. Intelligence support, counter-threat finance support, building partner capacity and detection and monitoring are specific Department capabilities which support the interagency and partner nations.

Question. President Obama identified the prevention of mass atrocities and genocide as a core U.S. national security interest, as well as a core moral interest, in August 2011 under Presidential Study Directive 10.

Among interagency partners, what is DOD's role in addressing atrocity threats, and what tools does DOD have for preventing or responding to atrocities?

Answer. The Department has developed Joint Doctrine for conducting Mass Atrocity Response Operations. Based on this doctrine, atrocity prevention and response is now incorporated into military plans and planning guidance. In addition, the Department has conducted a comprehensive review of training in this area and is

working to strengthen the capacity of UN peacekeeping operations to respond to atrocity events.

Question. Has DOD developed planning processes toward this effort so that it will be able to respond quickly in emergency situations?

Answer. Yes, the Department has developed planning processes toward this effort. All DOD components have been directed to integrate atrocity prevention and response into their policies and plans. Specific plans are further developed and implemented at the Geographic Combatant Command level, in coordination with the Office of the Secretary of Defense and the Joint Staff.

Question. In your view, is the situation in Syria a mass atrocity?

Answer. The situation in Syria is truly tragic considering the estimates of over two hundred thousand combatant and non-combatants deaths, with over four million displaced. There is no military solution in Syria when the violence occurs due to a brutal regime that attacks its own citizens. There can be no peace in Syria with Asad in power, only a negotiated political settlement will solve Syrian crisis.

COUNTER THREAT FINANCE

Question. DOD and the Intelligence Community (IC) have begun investing more resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking, but the opportunities for tracking and degrading illicit financing flows are not yet matched by the effort and resources devoted to them. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats.

What are your views on the role of DOD in counter threat finance activities?

Answer. The Department's policy is to work with other U.S. government entities and partner nations to effectively deny, disrupt, degrade, and defeat our adversaries' ability to access and utilize financial resources. If confirmed, I will work to further integrate our efforts with those of the interagency, intelligence community, and our foreign and institutional partners to more effectively counter threat finance activities and networks.

Question. Are you aware of any policy, legal authority, or resource shortfalls that may impair U.S. counter threat finance efforts?

Answer. Lack of sufficient insight and fidelity on the sources of corruption in partner nations can hinder our ability to achieve counter threat network goals. Additionally, in non-terrorism cases, there are still difficulties sharing timely and relevant information between law enforcement and intelligence elements.

Question. In your view, how should the Department of Defense coordinate and interface with other key agencies, including the Department of Treasury and the Intelligence Community, in conducting counter threat finance activities?

Answer. The Department should, and currently does, augment and support the efforts of other U.S. government entities, including the Department of Treasury and the Intelligence Community, with its unique capabilities to conduct counter threat finance capabilities. The result is a well-coordinated, capable, and robust counter threat finance posture. If confirmed, I will continue to remain fully engaged in the interagency process to diminish adversary use of both licit and illicit financial networks.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent bills, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your assessment of this authority?

Answer. Section 1208 funding is a good tool enabling the U.S. Government to leverage our foreign partners and reduces U.S. unilateral Direct Action operations to combat terrorism. 1208 funding allows the U.S. to quickly advance counterterrorism objectives in areas that would otherwise allow terrorism to go unchecked. The U.S. can build on programs to transition into building partner capacity so that foreign partners can deny terrorists a safe haven within their sovereign country.

ACTIVE-DUTY AND RESERVE COMPONENT END STRENGTH

Question. Last year DOD announced its 5-year plan to reduce active-duty end strengths by over 100,000 servicemembers by 2017 and the reserve components by another 21,000 over the same period. These cuts do not include any additional per-

sonnel reductions that could result from sequestration or any agreement to avoid sequestration.

What is your view of the role of the reserve components as the active components draw down?

Answer. As the total force draws down, the role of the Reserve Component will continue to be critical in meeting the requirements of our National Military Strategy. Because much of the Total Force's essential capabilities reside in the National Guard and Reserves, we simply cannot meet our global commitments without them. However, I cannot stress enough that we need both statutory authorities and a reliable funding stream to maintain the readiness of our active duty component and assured access to our trained and ready reserve components. Without assured access, we cannot adequately program and properly plan for integrating and employing this critical asset in support of our national interests.

Question. What additional military personnel reductions do you envision if the sequester continues?

Answer. The PB16 FYDP manning levels reflect the maximum acceptable risk in executing our defense strategy. If sequestration continues, we will further reduce total personnel end-strength consistent with the 2013 Strategic Choices Management Review and subsequent SASC testimony by the Service Chiefs.

Question. In your view, what tools do DOD and the Services need to get down to authorized strengths in the future, and which of these require Congressional authorization?

Answer. I believe the Department and Services' force management tools are flexible enough to drawn down to authorized Service end strengths. I know of no request for increased tools or authorities at this time.

RELIGIOUS GUIDELINES

Question. American military personnel routinely deploy to locations around the world where they must engage effectively with allies and with host-country nationals whose faiths and beliefs may be different than their own. For many other cultures, religious faith is not a purely personal and private matter; it is the foundation of their culture and society. Learning to respect the different faiths and beliefs of others, and to understand how accommodating different views can contribute to a diverse force is, some would argue, an essential skill for operational effectiveness.

In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes. The Department of Defense is committed to accommodating the free exercise of religion and other beliefs without impinging on those who have different beliefs or no religious belief.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Yes. Law and policy accommodate individual expressions of belief as long as they do not impact mission accomplishment, good order and discipline, and unit cohesion.

Question. In your view, does a military climate that welcomes and respects open and candid discussions about personal religious faith and beliefs in a garrison environment contribute in a positive way to preparing U.S. forces to be effective in overseas assignments? Would a policy that discourages open discussions about personal faith and beliefs be more or less effective at preparing servicemembers to work and operate in a pluralistic environment?

Answer. In my view, it is important to have a military climate that welcomes and respects open and candid discussion about personal religious faith. Expressing personal belief in a manner that is respectful of other's views helps strengthen cohesion within a unit. At the same time, it helps U.S. forces to develop a deeper awareness and understanding of other perspectives, which is important in overseas assignments. Policies that discourage open discussion would be short-sighted in their understanding of the world in which we live.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. In 2014, there was what the Department described as an "unprecedented 53 percent increase in victim reports of sexual assault. In fiscal year 2014, victims made 4,660 Unrestricted Reports and 1,840 initial Restricted Reports of sexual assault. Also in fiscal year 2014, the Department saw the number of victims who converted Restricted Reports to Unrestricted Reports increase from an average of

15 percent to 20 percent. According to the 2014 RAND Military Workplace Study approximately 72 percent of servicemember victims who indicated they made a sexual assault report said they would make the same decision to make a report if they had to do it over again. The Rand Study also indicated the percentages of active duty personnel who experienced unwanted sexual assault declined in 2014, from 6.1 percent to 4.3 percent for women and from 1.2 percent to 0.9 percent for men. The Department also concluded the estimated gap between reporting and prevalence of sexual assaults was at the narrowest point since the Department began tracking this data.

What is your assessment of the current DOD sexual assault prevention and response program?

Answer. We have taken strong action to address the climate within the military and to bring perpetrators to justice. We hold commanders accountable for both. We have made progress but must continue to work hard, particularly in reforms designed to improve victim confidence, enhance access to victim advocacy and legal support. The Secretary of Defense and the Joint Chiefs are committed to the safety of our men and women and will not relax our comprehensive efforts to combat sexual assault.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. The unrestricted and restricted reporting options were designed to assist victims. Because unrestricted reporting automatically initiates a criminal investigation, some victims were choosing to forego support services rather than initiate an investigation. The restricted reporting option allows a victim access to medical care and support services without initiating an investigation. Offering both forms of reporting provides a means to protect a victim's privacy and time to cope with the trauma of sexual assault.

Question. What is your understanding of the adequacy of DOD oversight of military service implementation of the DOD and service policies for the prevention of and response to sexual assaults?

Answer. The Department has provided close oversight and strong support to the Services. The collaboration between the OSD Sexual Assault Prevention and Response Office and Services led to many advancements, including the development of metrics which will not only improve oversight but will also help better understand the effectiveness of our response efforts.

Question. What is your view about the role of the chain of command in changing the military culture in which these observed changes in sexual assaults have occurred?

Answer. The chain of command is fundamental of our military culture. Our ability to effect institutional change rest with leaders at all levels but starts with the commander. Commanders are accountable for what happens in their units and must foster a command climate of dignity, respect and trust where sexist behavior, sexual harassment and sexual assault is not condoned or ignored.

Question. Surveys report that up to 62 percent of victims who report a sexual assault perceive professional or social retaliation for reporting. If confirmed, what will you do to address the issue of retaliation for reporting a sexual assault?

Answer. Any form of retaliation goes against our core values. The Department is focused on this issue and working to understand what causes this problem and develop solutions. If confirmed, I will work with the OSD and the Services to ensure our servicemembers understand that our culture fosters dignity and respect and retaliation is not tolerated.

Question. Sexual assault is a significantly underreported crime in our society and in the military. If confirmed, what will you do to increase reporting of sexual assaults by military victims?

Answer. We must improve victim confidence in our ability to respond to incidents of sexual assault, and in their well-being after an incident. If confirmed, I will continue to work hard with OSD to assess current programs and best practices that build victim confidence in our systems and our ability to hold perpetrators appropriately accountable.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command, instead of a military commander in the grade of O–6 or above as is currently the Department's policy, to determine whether allegations of sexual assault should be prosecuted?

Answer. I value the legal analyses and recommendations of our military judge advocates. However, I firmly believe the military commander's role is indispensable in the military justice process. The Uniform Code of Military Justice a criminal justice system, but it is also a critical aspect of a commander's authority to maintain good order and discipline. I believe our servicemembers and our national security are best

served by retaining the military commander's key role in the military justice decision process.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. The Department, in January 2014 rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services are working now to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development of these standards?

Answer. The Services are in the final stages of validating their standards. Military Department Secretaries must certify that their standards are gender-neutral and in compliance with all applicable laws by 30 Sept. If confirmed, I look forward to working with OSD and the Joint Chiefs to monitor the effectiveness of the standards.

Question. Will you ensure that the standards will be realistic and will preserve, or enhance, military readiness and mission capability?

Answer. Yes. Our success is contingent upon establishing a ready and capable military force. Our standards must prepare us to meet any contingency.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements?

Answer. All decisions impacting our armed forces should be based on a complete analysis of mission requirements.

Question. If so, what steps will you take, if confirmed, to ensure that such decisions are made on this basis?

Answer. If confirmed, I will work with the Joint Chiefs of Staff to ensure decisions are made that reflect joint operations requirements.

Question. Some family members have expressed concerns about assigning women to what are currently male-only combat units.

Answer. I believe our final standards, along with sound leadership, will address any concerns .

Question. To what extent do you believe that this will be a problem in the implementation of this policy?

Answer. I do not believe this will be a problem that will impact implementation.

Question. If it is a problem, what steps would you take if confirmed to address it?

Answer. If confirmed, I will take every opportunity to ensure our military family members concerns are addressed.

MILITARY HEALTH CARE REFORM AND MODERNIZATION

Question. Congress authorized the Military Compensation and Retirement Modernization Commission in the National Defense Authorization Act for Fiscal Year 2013 to conduct a review of the military compensation and retirement systems and to make recommendations to modernize those systems. The Commission released its report in January 2015. What is your view of the Commission's findings regarding the military health system?

Answer. I agree with the Commission that the military must continue to improve the military health care system. The health care reforms proposed in the President's fiscal year 2016 budget are a good first step and offer servicemembers, retirees, and their families more control and choice over their health care decisions. As we prepare the fiscal year 2017 budget, we will work with Congress to determine if additional reform proposals are needed.

Question. Do you believe the Department's fiscal year 2016 proposal to consolidate TRICARE adequately addressed the Commission's findings on military health care?

Answer. Yes. The Department's fiscal year 2016 proposal to consolidate TRICARE effectively provides family members and retirees with greater choice and control over their healthcare decision without the risk of an untested, and potentially infeasible, overhaul of the Military Health System. If confirmed, I will work closely with Department leadership and Congress to ensure the proposal is implemented as efficiently and effectively as possible.

Question. What is your view of the Commission's recommendation to establish a Joint Readiness Command?

Answer. A new, four-star readiness command is not necessary as the Department has sufficient existing processes and governance structures to identify, track, and measure the readiness status of Department-wide and Service-specific essential medical capabilities.

Question. What is your assessment of progress the Defense Health Agency has made to create efficiencies and generate cost savings by combining the medical support functions of the Services?

Answer. I have been briefed that the Defense Health Agency (DHA) is on track to reach Full Operational Capability on 1 October 2015. In order for the DHA to be successful, the difference between policy and execution must be clear to the Services, Combatant Commands, and Joint Staff. This clarification and along with the DHA's ability to meet its assigned mission essential tasks will be validated by the Joint Staff NLT 2017 when a Combat Support Agency Review Team Assessment (CSART) is conducted by the Joint Staff.

Question. Do you believe the Defense Health Agency should be replaced with a new combatant command, a Unified Medical Command?

Answer. No. The Defense Health Agency (DHA) will reach Full Operating Capability (FOC) on 01 October 2015 and it is premature to make a determination if the DHA will meet mission demands. As such, I agree with the Secretary Carter's assessment that an additional four-star command for the purpose of ensuring joint medical readiness is not required now.

WOUNDED WARRIOR SUPPORT

Question. Servicemembers wounded and injured in combat operations deserve the highest priority from their Service for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty when appropriate, and continuing support beyond retirement or discharge.

What is your assessment of the progress made by the Department of Defense, the Department of Veterans Affairs, and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. The establishment of the Warrior Care Policy (WCP) Office is probably one of the most significant improvements we've made in support of our wounded, ill, and injured recovering servicemembers (RSMs). The WCP is solely focused on developing policies for the DOD and provides oversight to ensure proper execution and outcomes.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. Although the Services and Department have made strides in caring for many different aspects/needs of wounded, ill, and injured recovering servicemembers (RSMs), more can be done with regards to standardizing policy across the Services (related to retention). There needs to be more clarity or communication of the procedures and processes which each Service has when a servicemember desires to return to active duty.

Question. What is your assessment of the need to make further improvements in the Integrated Disability Evaluation System?

Answer. My understanding is the Department makes every effort to improve our key processes and IDES is one of those areas. In the last few years, DOD has identified and executed numerous improvements that have resulted in achieving higher servicemember satisfaction as well as more timely processing. As a result, as of May 2015, Active Component case timeliness averaged 223 days with a goal set at 290 days. The Reserve Component has achieved a 298 days metric while the goal is 305 days. Servicemember satisfaction is at a new high of 87 percent. I believe we are moving in the right direction and if confirmed will continue to make improving this process a priority.

SUICIDE PREVENTION AND MENTAL HEALTH RESOURCES

Question. The numbers of suicides in each of the Services continues to concern the Committee.

In your view, what role should the Joint Chiefs of Staff play in shaping policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families, including members of the reserve components?

Answer. Preventing suicide among members of the Armed Services is one of the most important challenges we share with the Services. We have joined forces with agencies throughout DOD and civil society to better understand the factors leading to suicide. We are shaping policy to foster a culture of Total Force Fitness that en-

hances wellness, promotes resilience, and sustains a military force fit in mind, body, and spirit. In addition to educating the force on suicide prevention, we are providing additional training and support to our first responders (chaplains, senior enlisted leaders, legal counsel, and mental health providers) to ensure that they are as equipped as possible to prevent suicides.

Question. If confirmed, what actions will you take to ensure that sufficient mental health resources are available to servicemembers in theater, and to the servicemembers and their families upon return to home station?

Answer. I believe we reduce the stigma associated with servicemembers seeking mental health care. I also believe that prevention by early intervention for both servicemembers and their family is a key component of mental health care. Additionally, having adequate care providers at the appropriate locations for servicemembers to seek out support is critical. Specifically, I continue to support embedding mental health personnel across the deployed force and the requirement of an in-theater periodic mental health assessment for all servicemembers deployed. The long-term mental health of our servicemembers and their families cannot be understated and if confirmed I will continue making progress in supporting them in this area.

MILITARY QUALITY OF LIFE

Question. The Committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare and recreation services, especially as DOD faces budget challenges.

If confirmed, what further enhancements, if any, to military quality of life programs would you consider a priority in an era of intense downward pressure on budgets?

Answer. One of the chief priorities within military quality of life that I would like to see pursued, is a greater focus on program evaluation and outcomes. The Military Family Readiness Counsel was established in 2008 specifically to evaluate and assess the effectiveness of the quality of life and family readiness programs, and the Joint Staff participates in this venue. We need to see more concrete recommendations from this body to the Secretary of Defense on how utilize evidence to improve our social support programs, especially in light of downward pressure on budgets.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the active and reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families?

Answer. I consider pay, benefits and retirement on of the top issues for servicemembers and their families. This has been an intense area of examination and discussion within the recent Military Compensation and Retirement Modernization Commission (MCRMC) efforts and among the Services. A family's finances have a direct impact on the stress level and readiness of the servicemember and their families. Changes are coming with the introduction of the new blended retirement package. We need a plan to communicate the value of this new retirement system and educate our members on the financial decisions they must make as the changes are implemented.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. I understand that the Services have already made plans to adjust for force size and rotation, and family readiness is a responsibility of each Service; however, we can encourage more collaboration with community-based organizations to maximize non-DOD resources. Family support programs that are flexible, responsive, and communicate / coordinate with interagency and non-governmental family services will be critical in meeting the needs of our servicemembers and their families. The Department can find efficiencies within its own programs through better evaluation practices, and we can also enhance the accessibility to DOD and Non-DOD support programs.

Question. If confirmed, how would you ensure support is provided to reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. Over the past fourteen years of war, one of the best support programs developed for the reserve component (RC) families has been the Yellow Ribbon Reintegration Program (YRRP). The YRRP continues to evolve and change with the deployment operational tempo and fiscal constraints, but if confirmed I am committed to ensuring that its essential services receives proper funding to meet the unique needs of our RC community.

OPERATIONAL ENERGY BUDGETING

Question. In what specific areas, if any, do you believe the Department needs to improve the incorporation of energy considerations into the strategic planning and force development processes?

Answer. Our ability to project and sustain power depends on the assured delivery of energy. Through the Joint Staff's and Combatant Commands' operational experience, campaign analyses, and wargames, we have demonstrated the tradeoffs and risks that accompany our need for large amounts of energy. To increase warfighting effectiveness, we will continue to analyze and improve the broad energy enterprise through overarching policy and strategy, global posture, acquisition management, and force development.

Question. In what specific areas, if any, do you believe the Department should increase funding for operational energy requirements, energy efficiency, alternative energy, and renewable energy opportunities?

Answer. We must continue to take a balanced approach to improve our warfighting capabilities from an operational energy perspective while reducing risk and cost. Energy enables operational capability with improved range, endurance, and force reliability, therefore we should make additional investments to improve the energy performance of our weapon systems, equipment, and their modifications; our enduring and non-enduring installations; by reducing energy supply-chain vulnerabilities; and by increasing energy security through diversification.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Question. Officials of the Department of Defense, including previous Chairmen of the Joint Chiefs of Staff, have advocated for accession to the Law of the Sea Convention.

Do you support United States accession to the United Nations Convention on the Law of the Sea?

Answer. Yes. The United States is a maritime Nation and joining the Convention will enhance our capability and credibility in ensuring freedom of the seas for both military and economic activities on, under and above the world's oceans. The Convention's various navigational and overflight provisions provide global mobility for our Armed Forces.

Question. How would you respond to critics of the Convention who assert that accession is not in the national security interests of the United States?

Answer. Our non-party status diminishes our influence in defending the Convention's existing norms that enable the access, mobility, and sustainment of our military forces and commercial fleet. I also detracts from our ability to lead developments in the maritime domain, and enables emerging powers to advance their contrary interpretations of the Convention. As the global security environment changes, it will become increasingly important for the United States, as the world's foremost maritime power, to use all elements of national power and lead from inside the framework of the Convention rather than observe from the outside.

Question. In your view, what impact, if any, would U.S. accession to the Law of the Sea Convention have on ongoing and emerging maritime disputes such as in the South China Sea and in the Arctic?

Answer. Accession would improve our ability to shape the outcome of ongoing and emerging maritime disputes. Our position to influence these key interests is diminished when we seek to enforce the Convention's navigation and over flight rights guaranteed to all nations when we are one of a very small group of nations that is not a party. In the Arctic, we are the only Arctic nation that is not a party to the Convention. As a non-party to the Convention, the United States cannot utilize the Convention's mechanisms to gain international recognition of its ECS.

DETAINEE TREATMENT POLICY

Question. Recent Department of Defense operations in Iraq and Syria highlight the need for a continued detention capability for both interrogation and law of war detention.

What recommendations do you have for ensuring that the Department of Defense maintains sufficient detention capabilities for capture operations against ISIL and other affiliated terrorist groups to remain a viable option?

Answer. I believe that the Department will continue to require a detention capability. If confirmed, I will advocate to civilian and military leadership to provide commanders on the ground the ability to lawfully detain as part of future capture operations.

Question. Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated August 19, 2014?

Answer. Yes.

Question. If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with the Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes.

Question. Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. Soldiers, Sailors, Airmen or Marines are treated, should they be captured in future conflicts?

Answer. Yes.

OFFSET TECHNOLOGIES

Question. During the Cold War, the DOD pursued three key technologies to offset the numerical superiority of Soviet conventional forces: precision guided munitions, stealth technology, and satellite-based navigation. These three technologies have given U.S. forces unparalleled superiority until now. However, with advancements by our emerging adversaries, it seems like the military technological superiority is beginning to erode. As a result, it is critical that the United States once again focus on offsetting the technology advantages being gained by our adversaries. Which technology priorities do you believe the Department of Defense should be pursuing to maintain the military technological superiority of the United States?

Answer. As anti-access and area-denial weapons and other advanced technologies proliferate, the Department will likely turn to breakthrough technologies in the fields of robotics, autonomous systems, miniaturization, big data, and additive manufacturing to restore our military advantage.

Question. What strategies would you recommend that Secretary Carter implement to develop these technology priorities?

Answer. The purpose of the Defense Innovation Initiative strategy laid out by Secretary Carter is to develop our future technology priorities. Complimenting this effort by the warfighters is the development of new innovative operational concepts. If confirmed, I will make sure that the investments in operation concepts and human capital—as our greatest asset will always be our servicemembers—proceed apace with our efforts to pursue innovative solutions through technological means.

Question. What role do the services have to play in their development?

Answer. By identifying, experimenting, and wargaming combinations of new and existing technologies necessary to project power globally, the Services in partnership with the Defense Innovation Initiative team will help steer the development of future technology priorities.

SCIENCE AND TECHNOLOGY

Question. One of the main objectives of the defense research enterprise is to develop advanced technologies that will be of benefit to the warfighter. In this regard, it is critical that advancements quickly transition from the development phase into testing and evaluation and ultimately into a procurement program for the warfighter. What are some of the challenges you see in transitioning technologies effectively from research programs into programs of records?

Answer. Moving an advanced technology from a research program into a program of record requires carving out room in the budget based upon a compelling need. Once in the budget, maintaining momentum with a particular technology is chal-

lenging as it must continue to compete against other "good ideas" year after year in our resourcing process. The final challenge, ensuring an advanced technology meets its promise in a timely and cost-effective manner as we transition the technology into a warfighting capability.

Question. As the Vice Chairman of the Joint Chiefs of Staff, what steps will you take to ensure that the services are benefitting more quickly and directly from the research being performed by the defense research enterprise?

Answer. In my roles as a Defense Innovation Initiative "core group" member and Chairman of the JROC, I will ensure that the resourcing and acquisition processes are well-informed on the priority and timing of capability needs. In collaboration with the Chairman, I will also continue to use the Chairman's Gap Assessment and the Chairman's Program Recommendation to communicate directly to Secretary Carter my thoughts on promising research performed by the research enterprise.

Question. Do you feel that defense technologies and systems, especially in areas such as mobile communications, computing, and robotics, are keeping pace with global and commercial technological advances? If not, what do you suggest that the Department do to keep up with the pace of global technological change?

Answer. Keeping pace with global and commercial technology is challenging the Department. If confirmed, I will support the Secretary's Defense Innovation Initiative to focus the Department on maintaining our military's technological edge in an increasingly competitive technology environment.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the Administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Chairman of the Joint Chiefs of Staff?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR TOM COTTON

DISMANTLEMENT OF RETIRED NUCLEAR WARHEADS

1. SENATOR COTTON. General Selva, in your responses to the advance questions to the committee regarding your priorities for the Nuclear Weapons Council (NWC), you indicated that accelerated dismantlement of retired warheads was among those top priorities. If our modernization commitments were falling behind, would you agree that fully funding those commitments is a higher priority than accelerating dismantlement of current warheads?

GENERAL SELVA. Yes.

2. SENATOR COTTON. General Selva, in his testimony before this committee, General Dunford, the nominee to be the Chairman of the Joint Chiefs of Staff, called Russia an existential threat. Do you agree with General Dunford's assessment, and if you do, do you still think that accelerating dismantlement should be a priority?

GENERAL SELVA. Russia's nuclear capability does pose an existential threat to the United States. Accelerating dismantlement is a priority, as long as it does not constrain the resources and infrastructure required to meet U.S. nuclear weapons em-

ployment planning, achieve deployed stockpile requirements, and address stockpile aging and life extension program needs.

DISTRIBUTED COMMON GROUND/SURFACE SYSTEM-ARMY (DCGS–A)

3. SENATOR COTTON. General Selva, in your role as the Chairman of the Joint Requirements Oversight Council (JROC), you have stated to the committee that the JROC "trip-wire" process has altered performance or procurement quantities after programmatic reviews. One particular program, the Distributed Common Ground/Surface System-Army (DCGS–A) has been going down the wrong road for too long. Are you aware that DCGS–A has serious capability gaps, and that the Army's leadership has consistently downplayed warfighter concerns?

GENERAL SELVA. The Joint Staff carefully monitors all major weapon systems development to ensure not only the Services', but Joint Forces' requirements are thoroughly considered in future system development.

4. SENATOR COTTON. General Selva, what will you do, as JROC chairman, to ensure that DCGS–A meets real world requirements as testified by the warfighter?

GENERAL SELVA. The Joint Staff expends considerable effort to ensure Service provided capabilities meet warfighter requirements. On 7 July 2015, the JROC validated the conversion of the DCGS–A Capability Development Document (CDD) to an Information System (IS) CDD. The approved CDD includes an Ease of Use/Usability Key System Attribute (KSA). The Ease of Use/Usability KSA provides a way to ensure warfighter requirements are met.

5. SENATOR COTTON. General Selva, would you be willing to update the guidance from the Joint Capabilities Integration and Development System and direct the program to reassess requirements based on warfighter input?

GENERAL SELVA. The JCIDS guidance documents are updated regularly to support deliberate, emergent and urgent requirements. The last formal review and update to the JCIDS guidance documents, to include the JCIDS Manual, was completed in February 2015. Corrections and amplifying details to these guidance documents are maintained in an online resource and will be incorporated in a future formal review and update.

6. SENATOR COTTON. General Selva, Army Secretary John McHugh has readily admitted that on major acquisitions the Army scorecard is 0–26. What will you do to ensure that the entrenched bureaucracy that has produced this record will adopt reform and adopt commercial off-the-shelf systems such as Palantir?

GENERAL SELVA. On 7 July 2015, the JROC validated the Information System (IS) Capability Development Document (CDD) for DCGS–A and endorsed the Army acquisition strategy featuring open competition for future capabilities. DCGS–A already leverages numerous commercially available products from over 40 vendors and has committed to continue to incorporate commercial products that are available and meet requirements.

The Army and Palantir entered into a Cooperative Research and Development Agreement (CRADA) in May 2012 with the objective of collaboratively developing and demonstrating new technologies.

7. SENATOR COTTON. General Selva, critics within the Army bureaucracy describe Palantir as a "front-end" or user interface analytical solution, but I know that to be untrue. Are you aware that Palantir is in fact a complete solution for data integration?

GENERAL SELVA. Palantir is a commercial off the shelf data analysis tool with software specialized for visualization of different types of data in support of situational awareness, network link analysis, and targeting analysis support. It provides some of the capabilities resident in three of the nine components of DCGS–A, but I do not believe it can replace DCGS–A.

8. SENATOR COTTON. General Selva, are you aware that the Army has used time and resources to fight against Palantir while persisting with DCGS–A with its record of failure and wasted taxpayer dollars?

GENERAL SELVA. The Army has adopted an open source acquisition model and invited commercial vendors with capabilities that resolve known gaps to participate. The Army and Palantir entered into a Cooperative Research and Development Agreement (CRADA) in May 2012 with the objective of collaboratively developing and demonstrating new technologies that are relevant to the warfighter and U.S. Army Programs of Record (PORs) with the intent to enhance operational capabilities.

9. SENATOR COTTON. General Selva, more than 30 Army units, most of them Brigade and above representing half of the total Army, have requested the comparable system Palantir since 2009. Commanders and warfighters are sending a clear message that has not been heard by the Army leadership. An April 2012 Army Test

and Evaluation Command Report cited that 96 percent of surveyed warfighters stated, "Palantir is effective in supporting my mission." Shouldn't we procure programs like Palantir's that exceed the performance and expectations of an internal build like DCGS–A?

GENERAL SELVA. From 2011 thru April 2015, 19 deploying Army units have submitted 28 requests for commercial, advanced analytic capabilities to augment DCGS–A. All but three of those 19 have been provided Palantir capability. Three units were not approved due to a change in mission, receipt of an updated version of DCGS–A, or insufficient time remaining in their deployment to procure Palantir software/hardware and train the unit.

10. SENATOR COTTON. General Selva, at the end of the day, the true test for any capability is user adoption, so why would you expect the Army to force an inferior, failing, over-priced program on the warfighter, especially when it has consistently been the solution of choice for the Federal Bureau of Investigation (FBI), Department of Homeland Security (DHS), Securities and Exchange Commission (SEC), Internal Revenue Service (IRS), Defense Intelligence Agency (DIA), and the financial sector?

GENERAL SELVA. The Army is not forcing a particular system, application, or capability on its units. In fact, senior Army leadership provided written guidance stating, "units in combat currently depend on a diverse range of systems . . . these include the Army's current enterprise intelligence system, DCGS–A, and Palantir . . . " The Army has reviewed and assessed every operational requirement for Palantir and provided requesting units with Palantir if validated by Army G3/5/7. DCGS–A provides an extremely large and diverse set of Intelligence tools across a broad range of intelligence disciplines, and relies heavily on soldier feedback to ensure warfighter requirements are met.

[The nomination reference of General Paul J. Selva, USAF, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 21, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as the Vice Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

To Be General

General Paul J. Selva, 5397

[The biographical sketch of General Paul J. Selva, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF PAUL J. SELVA, USAF

General Paul J. Selva is commander, U.S. Transportation Command, Scott Air Force Base, Illinois. USTRANSCOM is the single manager for global air, land and sea transportation for the Department of Defense.

General Selva graduated from the U.S. Air Force Academy in 1980, and completed undergraduate pilot training at Reese AFB, Texas. He has held numerous staff positions and has commanded at the squadron, group, wing and headquarters levels. Prior to his current assignment General Selva was the Commander, Air Mobility Command, Scott AFB, Illinois.

General Selva is a command pilot with more than 3,100 hours in the C–5, C–17A, C–141B, KC–IO, KC–135A and T–37.

Education:

- 1980 Bachelor of Science in Aeronautical Engineering, U.S. Air Force Academy, Colorado Springs, CO.
- 1983 Squadron Officer School, Maxwell AFB, AL.

- 1984 Master of Science in Management and Human Relations, Abilene Christian University, Abilene, Texas 1992 Air Command and Staff College, Maxwell AFB, AL., distinguished graduate.
- 1992 Master of Science in Political Science, Auburn University, Montgomery, AL.
- 1996 National Defense Fellow, Secretary of Defense Strategic Studies Group, Rosslyn, VA.

Assignments:

1. June 1980–July 1981, student, undergraduate pilot training, Reese AFB, Texas.
2. July 1981–December 1984, co-pilot and aircraft commander, 917th Air Refueling Squadron, Dyess AFB, Texas.
3. January 1984–December 1988, co-pilot, aircraft commander, instructor pilot, and flight commander, 32nd Air Refueling Squadron, Barksdale AFB, LA.
4. January 1989–July 1991, company grade adviser to Commander, Strategic Air Command, later, manager of offensive aircraft systems and executive officer, Deputy Chief of Staff, Plans and Resources, Headquarters Strategic Air Command, Offutt AFB, NE.
5. August 1991–July 1992, student, Air Command and Staff College, Maxwell AFB, AL.
6. July 1992–June 1994, instructor pilot and flight commander, 9th Air Refueling Squadron, later, Commander, 722nd Operations Support Squadron, March AFB, CA.
7. June 1994–June 1995, Commander, 9th Air Refueling Squadron, later, Deputy Commander, 60th Operations Group, Travis AFB, CA.
8. July 1995–June 1996, National Defense Fellow, Secretary of Defense Strategic Studies Group, Rosslyn, VA.
9. July 1996–August 1998, assistant to the Director, Office of the Secretary of Defense for Net Assessment, the Pentagon, Washington, DC.
10. August 1998–July 2000, Commander, 60th Operations Group, Travis AFB, CA.
11. July 2000–June 2002, Commander, 62nd Airlift Wing, McChord AFB, WA.
12. June 2002–June 2003, Vice Commander, Tanker Airlift Control Center, Scott AFB, IL.
13. June 2003–November 2004, Commander, Tanker Airlift Control Center, Scott AFB, IL.
14. December 2004–August 2006, Director of Operations, U.S. Transportation Command, Scott AFB, IL.
15. August 2006–June 2007, Director, Air Force Strategic Planning, Deputy Chief of Staff for Strategic Plans and Programs, Headquarters U.S. Air Force, Washington, DC.
16. June 2007–October 2008, Director, Air Force Strategic Planning, Deputy Chief of Staff for Strategic Plans and Programs, Headquarters U.S. Air Force, and Director, Air Force QDR, Office of the Vice Chief of Staff, Washington, DC.
17. October 2008–October 2011, Assistant to the Chairman of the Joint Chiefs of Staff, Washington, DC.
18. October 2011–November 2012, Vice Commander, Pacific Air Forces, Joint-Base Pearl Harbor-Hickam, Hawaii.
19. November 2012–May 2014, Commander, Air Mobility Command, Scott AFB, IL.
20. May 2014–Present, Commander, U.S. Transportation Command, Scott AFB, IL.

Summary of Joint Assignments

1. September 1996–August 1998, Assistant to the Director, Office of the Secretary of Defense for Net Assessment, the Pentagon, Washington, D.C., as a lieutenant colonel.
2. November 2004–July 2006, Director of Operations and Logistics, U.S. Transportation Command, Scott AFB, Ill., as a brigadier general.
3. October 2008–October 2011, Assistant to the Chairman of the Joint Chiefs of Staff, Washington, D.C., as a lieutenant general.
4. May 2014–Present, Commander U.S. Transportation Command, Scott AFB, Ill.

Flight Information

Rating: Command pilot
Hours flown: More than 3,100
Aircraft flown: C–5, C–17A, C–141B, KC–IO, KC–135A and T–37.

Major Awards and Decorations

Defense Distinguished Service Medal.

Distinguished Service Medal.
Defense Superior Service Medal.
Legion of Merit with two oak leaf clusters.
Defense Meritorious Service Medal.
Meritorious Service Medal with three oak leaf clusters.
Air Force Commendation Medal.
Air Force Achievement Medal.
Joint Meritorious Unit Award.
Combat Readiness Medal with oak leaf clusters.
National Defense Service Medal with bronze star.
Armed Forces Expeditionary Medal with two bronze stars.
Southwest Asia Service Medal with bronze star.
Global War on Terrorism Service Medal Armed Forces Service Medal.

Effective Dates of Promotion

Second Lieutenant, May 28, 1980.
First Lieutenant, May 28, 1982.
Captain, May 28, 1984.

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by General Paul J. Selva, USAF, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Paul J. Selva.

2. **Position to which nominated:**
Vice Chairman of the Joint Chiefs of Staff.

3. **Date of nomination:**
21 May 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
27 September 1958, Biloxi, MS.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Ricki S. Selva (maiden name: Smith).

7. **Names and ages of children:**
None.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.
Air Force Association—Member.
Airlift Tanker Association—Member.
National Defense Transportation Association—Member.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testfy upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?
Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

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

GENERAL PAUL J. SELVA, USAF

This 5th day of May, 2015

[The nomination of General Paul J. Selva, USAF was reported to the Senate by Chairman McCain on July 23, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 27, 2015.]

[Prepared questions submitted to General Darren W. McDew, USAF by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of

Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. At this point, I don't see the need for any significant changes. Over the last three decades Goldwater-Nichols has led to an unprecedented level of integration and cooperation among the Services. This has not only yielded a far more effective fighting force, it has positioned us well to maintain that effectiveness as we face an increasingly constrained fiscal environment and diverse array of threats. However, to build on this success and guarantee a cadre of joint officers in the future I do believe we need to continually review joint officer requirements to ensure we are building the most qualified joint forces for the future.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. JPME is essential to building a cadre of joint professionals prepared to meet the challenges of the future strategic environment. Expanding access to JPME to the Total Force community through advanced learning technologies is one area for consideration. If confirmed, I will work with Congress, the Secretary of Defense and other senior leaders of our military to ensure Goldwater-Nichols continues to meet the needs of our armed forces, and will support any changes to the legislation that might become necessary.

DUTIES

Question. What is your understanding of the duties and functions of the Commander, U. S. Transportation Command?

Answer. The Commander, United States Transportation Command (USTRANSCOM), is responsible for providing air, land and sea transportation for the DOD, in peace, crisis and war. USTRANSCOM depends on three Component Commands to accomplish this mission: Air Mobility Command (AMC), Military Sealift Command (MSC), and the Military Surface Deployment and Distribution Command (SDDC). The Commander is assigned multiple responsibilities in the Unified Command Plan (UCP) to include: the Distribution Process Owner (DPO) mission to improve the worldwide DOD distribution system; DOD single manager for global patient movement; Global Distribution Synchronizer (GDS) mission to synchronize planning for worldwide distribution operations; and facilitating the rapid establishment of joint force headquarters for combatant commanders through its Subordinate Command, the Joint Enabling Capabilities Command. The USTRANSCOM team employs a mix of active and Reserve military members, government civilians and commercial industry partners to execute the Command's missions in support of the full range of military operations.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. Throughout my 33 years in uniform, I have had held numerous positions in and out of the Department of Defense that have prepared me, if confirmed, to perform the duties as the Commander of USTRANSCOM. I was fortunate enough to be selected to spend a year as a Secretary of Defense Corporate Fellow at Sun Microsystems. During that year in the Silicon Valley, I was exposed to companies with reputations for insightful long-range planning, organizational and management innovation, and implementation of new information and other technologies.

As the Director of Public Affairs, Office of the Secretary of the Air Force, I was responsible for providing trusted counsel to the Secretary of the Air Force, the Chief of Staff, and all other principal military and civilian leaders of the Department of the Air Force concerning Public Affairs activities to assist in building public support and achieving the Air Force core competencies. I became adept at working with the civilian press, DOD and Congressional inquiries.

While still at the Pentagon, I was chosen as the Vice Director for Strategic Plans and Policy on the Joint Staff. In this role, I helped provide strategic direction, policy guidance, and planning focus to develop and execute the National Military Strategy. Through the Director, I enabled the Chairman of the Joint Chiefs of Staff to provide military advice to the President, the Secretary of Defense and the National Security Council.

Finally, I served as Commander of the 18th Air Force which I was responsible for providing worldwide rapid, global mobility and sustainment for America's Armed Forces through airlift, aerial refueling, aeromedical evacuation, and contingency response. This position directly led to my selection as Commander, AMC. I command over 118,000 Airmen from across our Air Force, Active, Reserve, and Air National Guard who provide worldwide cargo and passenger delivery, aerial refueling, special

air mission and aeromedical evacuation. This includes the crucial role of humanitarian assistance and disaster relief to victims of natural disasters both at home and around the world.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, U. S. Transportation Command?

Answer. As the current AMC Commander I am aware of the breadth of USTRANSCOM's worldwide responsibilities. If confirmed, I will engage with all of USTRANSCOM's component commands, DOD agencies, and our commercial partners to guarantee I fully understand the range of challenges they face in order to accomplish USTRANSCOM's crucial mission.

RELATIONSHIPS

Question. Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, U. S. Transportation Command to the following offices:

The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense has full power and authority to act for the Secretary of Defense when serving as his designated representative in the Secretary's absence. As such, the USTRANSCOM Commander will report to and through the Deputy Secretary when serving in that capacity. The Deputy Secretary also is the Chief Management Officer of the Department, responsible for optimizing the business environment across the Defense enterprise. USTRANSCOM strongly supports these optimization efforts as we strive to improve our support to the other Combatant Commands and Defense agencies in a cost-effective and operationally efficient manner.

Question. The Under Secretaries of Defense.

Answer. Under Secretaries of Defense coordinate and exchange information with DOD components, including Combatant Commands, which have collateral or related functions. In practice, this coordination and exchange is normally routed through the Chairman of the Joint Chiefs of Staff. In addition, as the Distribution Process Owner, the USTRANSCOM commander receives oversight from the Under Secretary of Defense for Acquisition, Technology, and Logistics in his role as the Defense Logistics Executive via the Defense Logistics Board. This relationship works very well. If confirmed as a combatant commander, I look forward to the continuing collaboration.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. As specified in title 10, the Chairman is the principal military advisor to the President, the National Security Council, the Homeland Security Council and Secretary of Defense. The Chairman serves as an advisor, and is not, by law, in the chain of command, which runs from the President through the Secretary to each Combatant Commander. The President normally directs communications between himself and the Secretary of Defense to the combatant commanders via the Chairman of the Joint Chief of Staff. This keeps the Chairman fully involved and allows the Chairman to execute his other legal responsibilities. A key responsibility of the Chairman is to speak for the combatant commanders, especially on operational requirements. If confirmed, I will keep the Chairman and the Secretary of Defense fully informed regarding USTRANSCOM matters.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. Although the Vice Chairman does not fall within the Combatant Command chain of command, he is delegated full power and authority to act for the Chairman in the Chairman's absence. If confirmed as a Combatant Commander, when he is representing the Chairman, I will keep the Vice Chairman informed as I would the Chairman.

Question. The Director of the Joint Staff.

Answer. The Director of the Joint Staff assists the Chairman in managing the Joint Staff. The Director of the Joint Staff does not fall within the Combatant Commander's chain of command. However, he enables important decisions to be made as the Combatant Commander's staff interacts with the Joint Staff. The Director is also a key interface with Office of the Secretary of Defense Principals and interagency leadership, and can assist combatant commanders working issues below the Chairman's level.

Question. The Secretaries of the Military Departments.

Answer. Each Service Secretary is responsible for equipping, training, maintaining and administering forces belonging to that Service. Close coordination with each Service Secretary providing forces to USTRANSCOM is essential to ensure that there is no infringement upon the lawful responsibilities held by a Service Secretary.

Question. The Chiefs of Staff of the Services.

Answer. The Chiefs of Staff of the Services organize, train, and equip their respective forces. No Combatant Commander can ensure preparedness of assigned forces without the full cooperation and support of the Service Chiefs and their respective Reserve Components. As members of the Joint Chiefs of Staff, the Service Chiefs have a lawful obligation to provide military advice. The experience and judgment the Service Chiefs provide is an invaluable resource for every Combatant Commander. If confirmed, as Commander USTRANSCOM, I will continue my predecessors' frank and productive dialogue with the Service Chiefs and the Commandant of the U.S. Coast Guard.

Question. The other combatant commanders.

Answer. USTRANSCOM's primary mission is to support each of the combatant commanders in accomplishing the responsibilities they are assigned in the Unified Command Plan. Given the complexity of today's security environment, it is essential that all the combatant commanders work together to execute U.S. national security policy. If confirmed, I will continue to build upon the trust and mutual support my predecessors have fostered with the other Combatant commanders.

MAJOR CHALLENGES AND PRIORITIES.

Question. In your view, what are the major challenges confronting the next Commander, U.S. Transportation Command?

Answer. Currently, the Command's number one priority is "Readiness" for the enterprise. USTRANSCOM has the capability to meet existing surge requirements; however, major future challenges may erode our key, asymmetric military transportation and logistics advantages. These challenges include: maintaining assured Command and Control (C2) in a contested cyber domain; impending mobility capability degradation due to reduced budgets, a shrinking force structure, diminished cargo volumes, and increasingly dynamic commercial market trends; and, also, growing peer and near-peer adversary's anti-access and area denial capabilities.

Additionally, USTRANSCOM focuses on providing both effective and efficient transportation solutions for all its customers. Future budget challenges may reduce Enterprise readiness and flexibility, subsequently degrading the Defense Transportation System to be less responsive and less resilient. While these challenges are formidable, given the talents of the USTRANSCOM team, they are not insurmountable.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work with my fellow combatant commanders to assess risk from these challenges and collaboratively develop mitigation strategies to ensure USTRANSCOM will meet its steady state and surge requirements. I will advance USTRANSCOM's cyber defenses to protect DOD networks and systems, partnering with other U.S. government departments, agencies, and the private sector to improve our cyber security. To overcome readiness challenges, we will work within the constraints of Public Law and National policy to leverage operations and implement transportation solutions that preserve readiness for both our organic forces and the critical surge capacity provided by commercial transportation providers.

In order to ensure our global distribution network, I will work with USTRANSCOM's commercial partners and the interagency to continue USTRANSCOM's global efforts to secure diplomatic and physical accesses to ground and airspace infrastructure for logistics. I will work to improve USTRANSCOM's global ability to deliver to the point of need in the most effective and cost-effective ways possible—projecting American influence and power when and where our national interests dictate. This includes collaboratively developing, in concert with our fellow Combatant Commands, Services and agencies, innovative concepts and capabilities to overcome the anti-access/area denial efforts of our peer and near-peer adversaries.

Question. If confirmed, what broad priorities would you establish?

Answer. If confirmed, I will immediately become familiar with the all aspects of the defense transportation enterprise with a focus on preserving readiness of the Defense Transportation System to meet national objectives and to support the Joint Force into the future. Always mindful of our obligation to make the most of our existing resources, I intend to seek process improvement and enterprise synchroni-

zation efforts through relationships within the Department, across the U.S. Government, and with commercial and international partners.

Question. What do you consider to be the most serious problems in the performance of the functions of the Commander, U. S. Transportation Command?

Answer. As Commander, I will focus on operating a Combatant Command with global responsibilities in a challenging environment of declining budgets, smaller forces, reduced resources, and global rebalance of force posture. I will ensure synchronization of the entire Joint Deployment and Distribution Enterprise—a vast network of organizations both in and out of the Department of Defense that relies heavily on commercial partnerships with industry. Additionally, I will address the challenges with operating aging transportation fleets and port infrastructure worldwide.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I will continue the focus on preserving readiness and aligning resources for mission success and to further enhance USTRANSCOM's operational resiliency. USTRANSCOM has made great strides in improving economies and efficiencies. I will continue this work by managing readiness, cost, and time variables to deliver effective and efficient deployment and distribution solutions commensurate with assigned authorities and available resources. While the near future poses many challenges, we must balance costs and benefits, matching our actions to available resources in the near term and adapting our efforts for greater economies and efficiencies in the long term.

EXPERIENCE IN MANAGING LOGISTICS OPERATIONS

Question. You have served as the Commander of the Air Mobility Command.

What steps do you believe you need to take to achieve a more complete understating of the logistics operations of the other component commands of the U. S. Transportation Command?

Answer. As the current AMC Commander, I am aware of the missions, roles and responsibilities of the elements of the USTRANSCOM team. If confirmed, I will make it a priority to better understand the capabilities and challenges of the component commands. I will engage with the component commanders, DOD agencies, and commercial partners to address the issues they face, work together to resolve logistics challenges, and to better accomplish USTRANSCOM's vital worldwide mission.

CIVIL RESERVE AIR FLEET

Question. The military services rely heavily on the Civil Reserve Air Fleet (CRAF) to supplement its organic airlift in order to meet its wartime and peacetime transportation requirements.

What is your assessment of the CRAF's ability to meet requirements to transport any equipment, materials, or commodities for the use of U.S. military operations and respond to a humanitarian disaster?

Answer. Our commercial partners are an integral part of providing global air mobility assets to support military operations and response to humanitarian disasters. The combined capability of military and commercial lift gives us the ability to transport any equipment, materials, personnel, or commodities the warfighter will need to execute their mission to any point on the globe. If confirmed, I will continue to work with our CRAF partners to ensure the business relationships remain solid and the contracts continue to support DOD requirements.

Question. Do the changes in the commercial airline industry, characterized by bankruptcies and a move toward smaller and shorter-range aircraft, impact the future viability of the CRAF?

Answer. The commercial airline industry is a dynamic market and always has been. We have adapted to carriers' fleet changes and benefited by having a commercial augmentation capability ready to answer the call when needed. It is an accurate assessment that there are fewer carriers now in the CRAF program than there have been in the last decade. I have met with several airline executives over the past 15 months, and they have all said they will continue to support the DOD and CRAF program because it is the right thing to do for our Nation. As we drew down forces from Afghanistan, carriers made expected adjustments to capacity to right size their fleets for the new business environment. Through Air Mobility Command's sponsored research, conducted as part of an extensive CRAF Study, we foresaw these changes and have adapted the program. Based on these efforts, we are confident the CRAF program will remain viable and capable to meet operational requirements in the future.

Question. Do you think it is important to maintain an adequate industrial base for CRAF carriers?

Answer. Yes. CRAF provides a capability no other nation can replicate and ensures we can meet national requirements that our organic assets alone cannot provide in times of crisis or conflict. It is critical we maintain both an organic airlift capability and commercial augmentation capability that is "ready" to answer the call when the next crisis arises. It is important that our CRAF partners sustain necessary capacity to provide the support we foresee to support the National Defense Strategy.

Question. How much should we be relying on CRAF to meet our peacetime and wartime airlift requirements?

Answer. The CRAF program is a critical component in this Nation's ability to rapidly deploy forces and equipment in times of crisis and peace. Because of the CRAF program, we can deploy forces more rapidly and more efficiently than any other nation in the world. In peacetime, this workload changes from year-to-year due to dynamic customer requirements. Our forecast requirements are expected to be much lower starting in fiscal year 2016 compared to the past 13 years, which will impact both military and commercial capacity. We will continue to strive for the balance between military and commercial capacity while trying to garner more business into the Defense Transportation System through such recent changes as competitive rates for Foreign Military Sales and non-DOD U.S. Government organizations.

Question. What changes, if any, do you think need to be made to CRAF—authorities, requirements, composition?

Answer. AMC, in coordination with USTRANSCOM, chartered a study of the CRAF program to look at these specific issues. Throughout the study, we engaged industry experts for their advice on where the airline industry is headed and what to expect. The study team provided recommendations to senior leadership and industry executives, which we expect to implement in Fiscal Year 2016. Additionally, USTRANSCOM has begun an Integrated Airlift Management (IAM) approach to balance commercial and organic workload and associated risks. This approach ensures active and reserve component readiness through execution of the flying hour program, provides appropriate commercial airlift augmentation opportunities to retain necessary commercial airlift capacity, reduces the long-term cost of sustaining the organic airlift fleet by placing the minimum time on airframes necessary and supports "global agility" by creating a buffer capacity for adaptable military response to priority, short-notice missions. I am confident that these changes will help to maintain the program's viability despite the decrease in available business.

Question. According to the Comptroller General, "DOD does not use its process for monitoring flying hours to determine when it will exceed required training hours and allocate eligible airlift missions to CRAF participants. Therefore, it cannot determine whether it is using CRAF to the maximum extent practicable. As a result, DOD may be using its military fleet more than necessary—which officials say is less economical—while risking reduced CRAF participation."[1]

Do you agree with GAO's conclusion with regard to flying hours for CRAF?

Answer. There is a balance between ensuring sufficient training for crews, much of which comes from operational missions, meeting the needs of the combatant commander and balancing the use of organic versus CRAF-provided airlift.

I agree with the need to maintain readiness of all assets required to support national security, including all military and commercial airlift capabilities.

Question. If so, what steps would you take to better manage these training hours?

Answer. AMC recently created a process that surveys the number of crew members per flying unit and applies seasoning model criteria that ensure aging rates and specific flying currency requirements are met. The output of that model is then put into our commanders' apportionment and allocation process which balances readiness against actual combatant commander and mission requirements directing the excess to our commercial partners. This Total Force effort has proven successful in responding to the readiness needs of all assets used to support the defense transportation system.

In addition, TRANSCOM has created a readiness and distribution allocation process that looks across all transportation modes to balance readiness needs. One outcome of this process has been an effort to begin buying commercial airlift using forecasts.

Question. Also, according to GAO, the number of carriers and aircraft for cargo in CRAF appear to be dropping from 175 in 2011 to 162 aircraft in 2013—this is

[1] GAO Report 13–564, "DOD Needs to Take Steps to Manage Workload Distributed to the Civil Reserve Air Fleet," Page 9, Government Accountability Office, June 2013, *http://www.gao.gov/assets/660/655338.pdf.*

in Table 1 on page 16.[2] More recent documents show this may be as low as 144 as of late last year.

Why is the number of aircraft participating in CRAF dropping? At what level does CRAF become at risk for being too small to meet the military's airlift needs.

Answer. We do not measure the capability of the CRAF fleet based on number of aircraft, but rather the capacity those aircraft provide. Under the new Defense Strategy, the Wide Body Equivalent (WBE) requirement for cargo aircraft in the long range international segment of CRAF is 144 and for passenger aircraft it is 104 WBE. At these levels, the CRAF program is not at risk for meeting our military airlift needs.

CYBERSECURITY

Question. U.S. Transportation Command (USTRANSCOM) must communicate over the unclassified Internet with many private-sector entities that are central to DOD's force generation and deployment operations—in the transportation and shipping industries in particular. Much of the rest of the critical communications and operations of the Defense Department can be conducted over the classified DOD internet service, which is not connected to the public Internet and is therefore much more protected against eavesdropping, espionage, and/or disruption by computer network attacks.

The Senate Armed Services Committee's inquiry into U.S. Transportation Command (USTRANSCOM) determined that it was subjected to many cyber intrusions that were not reported. USTRANSCOM also suffered from a lack of awareness by other law enforcement and national security agencies regarding cyber intrusions on USTRANSCOM contractors as well as misunderstandings by USTRANSCOM personnel on the rules and processes for sharing cyber intrusion-related information with necessary officials.

Have you reviewed this report?

Answer. Yes, I have reviewed the report and from my experience as the AMC Commander I understand the importance of Cyber security related to our ability to project forces in support of global requirements.

Question. Are you concerned about the level of reporting of cyber events by command contractors or other U.S. Government agencies to USTRANSCOM?

Answer. I am concerned, and if confirmed, I will continue to build upon the plan of action resulting from the Senate Armed Services Committee report and the resulting Cyber Mission Analysis Task Force held 14–15 April 2015 at Scott Air Force Base. Information sharing across the inter-agency process is key for USTRANSCOM to continuously assess risk to our operational missions. Communicating our need to be informed about cyber intrusions with our commercial contractors is essential. We will continue to address our concerns through contract language and forums such as the Defense Industrial Base and the National Defense Transportation Association's cyber security group.

Question. Do you feel that the Department of Defense is responding appropriately given recent events such as the threat nation intrusions into databases on U.S. personnel, including DOD employees?

Answer. I believe the Department's response has been holistic in nature, continuing our focus on strengthening cyber readiness, enforcing cyber discipline among our users, and providing emphasis and education regarding protection of personal information. The recently published DOD cyber strategy provides an appropriately broad approach for protecting the Department's information within our systems and networks, as well as defending the U.S. homeland and national interests, and providing the President with cyber options necessary to support potential military operations. As we learn more with concerning these intrusions, we must continue to inform our people with regard to prudent mitigation actions.

Question. What actions do you plan to take, if confirmed, as Commander, USTRANSCOM, to ensure that DOD reduces the risk of cyber intrusions?

Answer. If confirmed, I will strongly support efforts to implement the Department's Cyber Strategy, support movement of our critical information towards swift realization of the Joint Information Environment, and continue our efforts across the inter-agency process to address the need to share information concerning commercial provider cyber intrusions, enabling us to address mission assurance on multiple fronts from a cyber-perspective.

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[2] GAO Report 13–564, "DOD Needs to Take Steps to Manage Workload Distributed to the Civil Reserve Air Fleet," Page 16, Government Accountability Office, June 2013, http://www.gao.gov/assets/660/655338.pdf.

Question. Do you believe that the current posture of USTRANSCOM and the Department of Defense is sufficient to deter adversaries in cyber space?

Answer. As in any domain, and especially in cyber, we must continuously assess our ability to maneuver, as an enabler to successful operations. In cyberspace, the cost of entry for an adversary is relatively low when compared with the domains of air, land, sea, and space. In addition, the ability of an adversary (state or non-state), to acquire ever-evolving and sophisticated technical capabilities increases almost daily, and our ability to attribute an adverse cyber action is very difficult. As a result, the ever-increasing cyber threat becomes potentially more complex and potentially dangerous on a daily basis. Therefore, we must continue to press forward with our ability to detect, deter, protect, and when necessary, respond with appropriate authority in this domain.

Question. What do you believe are the critical needs of USTRANSCOM for cyber security?

Answer. USTRANSCOM relies upon the integrity of the information exchanged between military and commercial partners in its role as the distribution process owner for the Department. Our ability to command and control is highly dependent upon getting the right information to the right people at the right time, while protecting it from our adversaries. If confirmed, I will continue the important efforts to protect the command's information equities by working closely with our agency and commercial providers to further define roles, responsibilities, relationships and authorities for cyber security and to build trust and enhance information sharing.

Question. How important is it that USTRANSCOM be aware of cyber intrusions by advanced persistent threat (APT) actors into the networks of airlines, shippers, and other defense contractors that enable TRANSCOM operations?

Answer. Compromise of a commercial partners' networks by an APT, is a potential cyber security issue that provides insight into USTRANSCOM operations. Awareness of these intrusions is paramount so that we can mitigate their operational impacts. Commercial partners are integral to our mission and ability to provide volume, velocity and efficiency of operations. Vulnerabilities within any organization's infrastructure, including cyber vulnerabilities, are a risk for all mission partners.

Question. When USTRANSCOM becomes aware of an APT intrusion into an operationally critical contractor, what steps should the command take to determine whether operational plans should be adjusted to mitigate the risk of the intrusion affecting military operations?

Answer. As a result of the report and the Cyber Mission Analysis Task Force, USTRANSCOM has developed a mission risk assessment process that will enable us to consider appropriate operational and technical mitigation actions when we are made aware of such intrusions. The level of reporting continues to be a concern and is key to our ability to assess potential operational impact. USTRANSCOM has overcome some of these challenges with its cyber contract language and partnering efforts. If confirmed, I will continue to work with all stakeholders, government, military, and commercial partners to continuously assess our ability to adjust to cyber-attacks, including APT intrusions.

PERSONALLY-OWNED VEHICLE TRANSPORTATION ISSUES

Question. Last year, USTRANSCOM awarded a contract to ship privately-owned vehicles for servicemembers, the Global Privately Owned Vehicle Contract III, to a company without prior experience in this area. This award was followed by a protest from the incumbent contractor. During the summer peak moving season, the new contractor was late in delivering several hundred vehicles late and, in some cases, the vehicles of servicemembers were damaged. USTRANSCOM took an active role in increasing oversight and creating task forces to address the problems related to the change in contractors.

What lessons has USTRANSCOM learned from this experience to prevent the reoccurrence of these problems in the future?

Answer. USTRANSCOM originally planned for a contract transition during the non-peak season. Due to multiple protests the contract transitioned with no overlap and at the beginning of the 2014 peak season. This experience confirmed that the ideal transition time is in the winter months. In the future USTRANSCOM will consider the impact of unexpected extensions of the transition timeline when determining the contract transition period.

Question. Under the current contract, Global Privately Owned Vehicle Contract III, how is USTRANSCOM able to hold contractors accountable for poor performance? What changes, if any, would you implement to improve accountability?

Answer. The contract contains several performance objectives, with the primary performance measure being on-time delivery. If the contractor does not deliver a vehicle within the required delivery date, they will incur a monetary reduction ranging from as low as $30/day per vehicle up to the entire transportation cost of a vehicle if it is delivered 60 or more days late. In addition, the contractor must also pay inconvenience claims directly to the customer for rental cars, lodging, etc. required as a result of a late delivery. TRANSCOM continues to seek ways to improve accountability, such as increasing the number of Contracting Officer Representatives (COR)s and supplementing COR training.

Question. Given the fact that servicemembers today are more likely to be married with dependents, what else should USTRANSCOM do to reduce the impact of a lost vehicles or delayed deliveries on military families?

Answer. USTRANSCOM will continue to partner with the Military Surface Deployment and Distribution Command (SDDC), the business process owner for the Global Privately Owned Vehicle Contract III. SDDC maintains a continuous dialogue with the Service Headquarters in order to ensure visibility of their servicemember concerns and remediation of those concerns. Since servicemember entitlements for inconvenience have not been adjusted for many years, it is time to evaluate and consider entitlement changes due to financial impact to the servicemembers.

SUPPORT OF TROOPS IN AFGHANISTAN

Question. Earlier this year the President stated his intention to keep 9,800 U.S. servicemembers in Afghanistan instead of the originally planned force level of 5,500.

What do you see as the major challenges to USTRANSCOM and the services for maintaining this higher troop level?

Answer. The capacity of the Afghanistan distribution network has diminished since our peak in 2010–11 when we supported a force of approximately 100,000. The current transportation network of air and surface lines of communication remains robust and more than capable of supporting the 9,800 U.S. Force structure in Afghanistan.

USTRANSCOM, as the Department of Defense distribution process owner, is compelled daily by the nature of our customer base, to view requirements through the joint lens. As active members of the Joint Team, Service requirements are communicated and met through a healthy variety of Joint efforts. Although Service challenges exist, none have proven too difficult for the Joint Team, through healthy communications and cross-seam coordination, to resolve.

Question. How will you ensure that our deployed troops in Afghanistan receive the support they require as the Department's attention turns towards other national security situations elsewhere in the world?

Answer. USTRANSCOM is the world-wide distribution process owner, and delivers passengers and cargo daily to U.S. force locations regardless of the size of force or the remoteness of their location. USTRANSCOM delivers everywhere, to everyone, all the time. With this in mind, globally integrated operations between the Department of Defense, Department of State and other federal agencies will be required to maintain complex political and military relationships. These relationships, as well as those of partner nations, support the lines of communication which provide USTRANSCOM the flexibility and agility to meet ongoing and emergent requirements.

PEACETIME-WARTIME LOGISTICS MANAGEMENT

Question. Our transportation and logistics systems have been significantly altered over time to reduce organic military air and sealift capacity and rely on commercial aircraft and sealift as well as commercial supply chains to deliver spare parts to deployed forces. This was done to reduce costs as well as increase buying power and flexibility for the military.

How does TRANSCOM plan for the risk that this change in providing equipment and logistics to deployed forces thousands of miles away in potential combat zones?

Answer. Commercial providers help mitigate risk of access to challenging theaters such as Afghanistan through their ability to leverage intermodal networks—the Northern Distribution Network (NDN), which is primarily commercial, is a good example of mitigating risk to access Afghanistan by surface means in case the Pakistan ground lines of communication (PAK GLOC) is not available.

When deploying and sustaining forces in a combat zone, where the threat level prevents commercial assets from delivering to those locations, in general, commercial providers would move requirements to enroute locations, and military assets would move those requirements into the theater of operations in order to mitigate the risk to commercial providers while leveraging their capabilities.

Question. How does TRANSCOM utilize commercial partners for logistics in a wartime environment? How do you plan to balance logistics capacity between commercial and military logistics systems?

Answer. When operating in a non-permissive (wartime) environment, USTRANSCOM has an outstanding track record of balancing commercial and organic logistics systems. In general, commercial providers move requirements to enroute locations outside of the threat environment, and military assets move those requirements into the theater. This practice has proven to be cost effective while meeting Combatant Commander needs and also ensures commercial providers assume minimal risk in transporting military cargo and personnel.

Question. The military relies on an extensive network of logistics facilities overseas to support our deployed forces. These overseas depots enable our deployed forces to remain on station longer without having to be supported directly from CONUS. These depots are in host nations, which are U.S. friends and allies.

What is the resiliency of these overseas depots, particularly in places near ongoing political instability?

Answer. USTRANSCOM does not own or operate overseas depots. However, as the Distribution Process Owner and Global Distribution Synchronizer, USTRANSCOM does collaborate closely with Geographic Combatant Commands, Military Services, Defense Logistics Agency, and other strategic partners to develop and maintain an agile, secure and resilient distribution network to support and sustain overseas depots. We constantly monitor the operational environment and respond to challenges, as appropriate, with the use of alternate distribution routes and logistics nodes to ensure the continued viability of those depots.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the Administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander, U. S. Transportation Command?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KIRSTEN GILLIBRAND

KC–46A

1. SENATOR GILLIBRAND. General McDew, I recognize that U.S. Transportation Command (TRANSCOM) and Air Mobility Command (AMC) will be making decisions regarding how to meet refueling needs in light of the U.S. Air Force's planned retirement of the KC–10, and potential delays in the KC–46A procurement schedule. Do you anticipate reassignment and continued use of any KC–135 displaced by KC–46A delivery will be necessary to meet refueling demands?

GENERAL MCDEW. The United States Air Force (USAF) will re-address the KC–135 retirement flow in combination with a potential KC–10 retirement flow in a future Program Objective Memoranda (POM) cycle. Although overall air refueling capability includes some risk, I am confident that the KC–46 development and delivery schedule along with disposition of the KC–135 fleet will continue to meet all USTRANSCOM mission requirements.

2. SENATOR GILLIBRAND. General McDew, in assessing current and future refueling demands and the possible need for KC–135 capabilities, can you please address these three requirements: Regional Air Refueling Receiver Demand requirements within CONUS; support of the Air Bridge to Europe; and support of the overall "pivot" to the Pacific theater and Asia?

GENERAL MCDEW. Our aerial refueling capabilities are not solely dedicated to specific regions or missions sets; however, they are managed holistically in an effort to respond expeditiously and effectively to support all Combatant Command requirements. These requirements include CONUS Refueling Receiver Demand and support to deployment bridges to both Europe (eastbound) and Asia (westbound). The FY 2016 President's Budget includes an end-state fleet of 479 tanker aircraft to meet air mobility operational requirements with moderate risk. The development and delivery of the KC–46 combined with the capabilities of the existing tanker fleet will reduce risk in aerial refueling capability and ensure the ability to meet all worldwide commitments.

ARCTIC

3. SENATOR GILLIBRAND. General McDew, as you know, the Arctic is emerging as a strategic region of the world for vessel commerce as well as the production of oil, gas, and minerals. TRANSCOM is tasked with the coordination of people and transportation assets to allow the United States to project and sustain forces, whenever, wherever, and for as long as they are needed. How important is the Arctic to U.S. national security interests and what role do you think TRANSCOM will play in future Arctic operations?

GENERAL MCDEW. The United States is an Arctic Nation with permanent, vital national security interests in the Arctic Region. USTRANSCOM will play an increasingly important role in the Arctic Region as commercial sealift vessels, scientific operations, and national defense assets transit the Arctic Region. To the extent military cargo workload permits, USTRANSCOM supports U.S. security and economic interests in the Arctic and other navigable areas around the globe to assure freedom of navigation in support of United States interests.

4. SENATOR GILLIBRAND. General McDew, do you believe we currently have the resources and capabilities needed to ensure the nation's military presence in the Arctic?

GENERAL MCDEW. USTRANSCOM has sufficient resources to support the current military presence and similar levels of effort for future contingencies in the Arctic. As demands change, we will continue to engage with United States Northern Command, European Command and Pacific Command to ensure we have adequate resources to meet those requirements.

5. SENATOR GILLIBRAND. General McDew, I am concerned that the U.S. Coast Guard now only has one operational heavy icebreaker in its fleet. Russia currently has six heavy icebreakers and another currently under construction. Do you have any concerns about TRANSCOM's ability to project and sustain forces in the Arctic based on the current composition of the U.S. Coast Guard's icebreakers?

GENERAL MCDEW. The United States has enduring national, strategic, and economic interests in the Arctic. United States Northern Command establishes requirements for USTRANSCOM's transportation and distribution capabilities in the Arctic. Although current icebreaker resources meet projected near-term requirements, USTRANSCOM supports DOD and DoT efforts to ensure future access and freedom of navigation throughout the Arctic region.

6. SENATOR GILLIBRAND. General McDew, New York's 109th Airlift Wing is home to the only LC–130 Ski Birds in the U.S. Air Force. Their unique ability to provide air lift on snow and ice has made them a valuable resource for the National Science Foundation supporting science missions in Greenland and Antarctica. Based on the current types of threats you see in the Arctic, how important is this type of air lift capability to the future success of TRANSCOM in Arctic?

GENERAL MCDEW. The ski-equipped LC–130s from the 109th Airlift Wing in Schenectady, NY, does indeed provide our Nation a very unique capability. Their ability to operate on the snow and ice makes them one of only a few organizations in the world capable of airlifting assets in and out of the Artic. The capabilities provided by the 109th Airlift Wing will continue to be of value to the USTRANSCOM mission.

7. SENATOR GILLIBRAND. General McDew, do you think we will need more of this capability in the future as our as our Arctic presence increases?

GENERAL MCDEW. Based on current requirements in the Arctic, I have no reason to believe USTRANSCOM needs more of this capability at this time. Should USTRANSCOM be called upon in the future to provide an increased level of support

in the Polar Regions, I would advocate for the resources needed to ensure we provide the appropriate level of support.

[The nomination reference of General Darren W. McDew, USAF, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 4, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To Be General

General Darren W. McDew, 9277

[The biographical sketch of General Darren W. McDew, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GENERAL DARREN W. MCDEW, USAF

General Darren W. McDew is Commander, Air Mobility Command, Scott Air Force Base, Illinois. Air Mobility Command's mission is to provide rapid, global mobility and sustainment for America's armed forces. The command also plays a crucial role in providing humanitarian support at home and around the world. The men and women of AMC active duty, Air National Guard, Air Force Reserve and civilians—provide airlift, aerial refueling, special air mission and aeromedical evacuation.

General McDew was commissioned in 1982 following his graduation from Virginia Military Institute. He began his flying career at Loring Air Force Base, Maine. His staff assignments include serving as a member of the Air Force Chief of Staff Operations Group, Air Force aide to the President, and Chief of the U.S. Air Force Senate Liaison Division, Washington, D.C. and the Director of Public Affairs, Office of the Secretary of the Air Force, Washington, D.C. As part of the Joint Staff at the Pentagon, General McDew also served as Vice Director for Strategic Plans and Policy. He has served as the Vice Commander of the 18th Air Force, Scott AFB, Illinois, and has commanded at the squadron, group and wing levels as well as an Air Force direct reporting unit. He has deployed in support of ongoing operations in Central and Southwest Asia as an air expeditionary group commander and later as the Director of Mobility Forces. Prior to his current assignment, General McDew was the Commander of the 18th Air Force, Scott AFB, Illinois.

Education

1982 - Bachelor of Science degree in civil engineering, Virginia Military Institute, Lexington 1985 Squadron Officer School, Maxwell AFB, AL.

1994 - Master of Science degree in aviation management, Embry-Riddle Aeronautical University 1995 Air Command and Staff College, by correspondence

2000 - Secretary of Defense Corporate Fellowship, Sun Microsystems Inc., Palo Alto, Calif.

2003 - National Security Studies, Maxwell School of Citizenship and Public Affairs, Syracuse University, NY.

2005 - Leadership Development Program, Center for Creative Leadership, Greensboro, N.C.

2008 - Senior Joint Information Operations Applications Course, Air University, Maxwell AFB, AL.

2008 - Air Force Enterprise Leadership Seminar, University of North Carolina at Chapel Hill, NC.

2011 - Department of Defense National Security Studies Program, Defense Policy Seminar, Elliott School of International Affairs, Washington, DC.

2012 - Joint Task Force Commander Training Course, Colorado Springs, CO.

2013 - Pinnacle Course, Bolling AFB, Washington, DC.

2013 - Joint Force Air Component Commander Course, Air University, Maxwell AFB, AL.
2014 - Leadership at the Peak Course, Colorado Springs, CO.
2014 - Cyberspace Operations Executive Course, Air University, Maxwell AFB, AL.

Assignments

1. October 1982–October 1983, Student, undergraduate pilot training, Williams AFB, AZ.
2. March 1984–June 1989, Standardization and Evaluation Copilot, Aircraft Commander, Instructor Pilot and Flight commander, 42nd Air Refueling Squadron, Loring AFB, ME.
3. July 1989–June 1992, Combat Crew Training School examiner and Instructor Pilot, Assistant Deputy Wing Inspector and Wing Executive Officer, 93rd Bomb Wing, Castle AFB, CA.
4. July 1992–April 1994, Rated Force Planner, Directorate of Personnel Plans; member, Air Force Chief of Staff Operations Group, Headquarters U.S. Air Force, Washington, DC.
5. April 1994–June 1996, Air Force aide to the President, White House, Washington, DC.
6. October 1996–June 1997, Assistant Operations Officer, 14th Airlift Squadron, Charleston AFB, SC.
7. June 1997–June 1999, Commander, 14th Airlift Squadron, Charleston AFB, SC.
8. August 1999–July 2000, Secretary of Defense Corporate Fellow, Sun Microsystems Inc., Palo Alto, CA.
9. July 2000–January 2002, Commander, 62nd Operations Group, McChord AFB, WA (September 2001—December 2001, Commander, 60th Air Expeditionary Group, Southwest Asia).
10. January 2002–July 2003, Commander, 375th Airlift Wing, and Installation Commander, Scott AFB, IL.
11. July 2003–January 2005, Chief, U.S. Air Force Senate Liaison Division, Secretary of the Air Force, Washington, DC.
12. January 2005–July 2006, Commander, 43rd Airlift Wing, and Installation Commander, Pope AFB, NC. (January 2006–May 2006, Director of Mobility Forces, Southwest Asia).
13. July 2006–November 2007, Vice Commander, 18th Air Force, Scott AFB, IL.
14. November 2007–February 2009, Director of Public Affairs, Office of the Secretary of the Air Force, the Pentagon, Washington, DC.
15. February 2009–December 2010, Vice Director for Strategic Plans and Policy, Joint Staff, the Pentagon, Washington, DC.
16. December 2010–August 2012, Commander, Air Force District of Washington, Andrews AFB, MD.
17. August 2012–April 2014, Commander, 18th Air Force, Scott AFB, IL.
18. May 2014–present, Commander, Air Mobility Command, Scott AFB, IL.

Summary of Joint Assignments

1. April 1994–June 1996, Air Force aide to the President, Mite House, Washington, DC, as a major.
2. February 2009–December 2010, Vice Director for Strategic Plans and Policy, Joint Staff, the Pentagon, Washington, DC, as a major general.

Flight Information

Rating: command pilot.
Flight hours: more than 3,300.
Aircraft flown: T–37B, T–38A, KC–135A/R, C–17A, C–141B, C–9, C–21, C–130E/H, and UH–I N.

Major Awards and Decorations

Distinguished Service Medal.
Defense Superior Service Medal with oak leaf cluster.
Legion of Merit with two oak leaf clusters.
Meritorious Service Medal with four oak leaf clusters.
Army Commendation Medal.
Air Force Achievement Medal.
Joint Meritorious Unit Award with oak leaf cluster.
Air Force Outstanding Unit Award with nine oak leaf clusters.
Air Force Organizational Excellence Award with three oak leaf clusters
Combat Readiness Medal with three oak leaf clusters.

National Defense Service Medal with bronze star.
Armed Forces Expeditionary Medal.
Kosovo Campaign Medal with bronze star.
Global War on Terrorism Expeditionary Medal.
Global War on Terrorism Service Medal.
Armed Forces Service Medal.

Effective Dates of Promotion

Second Lieutenant May 15, 1982.
First Lieutenant May 15, 1984.
Captain July 13, 1986.
Major March 1, 1994.
Lieutenant Colonel Jan. 1, 1997 Colonel April, 2000.
Brigadier General Sept. 2, 2006.
Major General Dec. 9, 2008.
Lieutenant General Aug. 6, 2012 General May 5, 2014.
(Current as of November 2014).

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by General Darren W. McDew, USAF in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Darren W. McDew.

2. **Position to which nominated:**
Commander, United States Transportation Command.

3. **Date of nomination:**
4 June 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
29 September 1960; Rantoul, IL.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Evelyn K. McDew (maiden name: Massenburg).

7. **Names and ages of children:**

[Nominee responded and the information is contained in the committee's executive files.]

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

N/A.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

N/A.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Life Member, Air Force Association.
Life Member, Daedalians.
Air Force Sergeants Association.
American Association of Retired Persons.
National Society of Black Engineers.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

Boys and Girls Club Hall of Fame.
National Society of Black Engineers Lifetime Achievement Award.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

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

GENERAL DARREN W. MCDEW

This 7th day of May, 2015

[The nomination of General Darren W. McDew, USAF was reported to the Senate by Chairman McCain on July 23, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 27, 2015.]

NOMINATION OF GENERAL MARK A. MILLEY, USA, TO BE CHIEF OF STAFF OF THE ARMY

TUESDAY, JULY 21, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:31 a.m. in room SH–216, Hart Senate Office Building, Senator John McCain (chairman) presiding.

Committee members present: Senators McCain, Inhofe, Wicker, Ayotte, Fischer, Rounds, Ernst, Tillis, Sullivan, Lee, Reed, McCaskill, Manchin, Gillibrand, Donnelly, Hirono, and King.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. Good morning.

The Senate Armed Services Committee meets this morning to consider the nomination of General Mark Milley to be the Chief of Staff of the U.S. Army.

We welcome you, General Milley, as well as members of the Milley family. As is our tradition, at the beginning of your testimony, we invite you to introduce the members of your family who are joining you. We know the sacrifices your family has made, and we are grateful to them for their continued support of our Nation.

General MILLEY. Thank you, Chairman McCain, and thank you, Ranking Member Reed, and distinguished members of the Senate Armed Services Committee for the privilege and opportunity to appear before you today.

I also appreciate the confidence of the President of the United States.

Chairman MCCAIN. General, I was going to——

General MILLEY. Oh, I am sorry, sir.

Chairman MCCAIN.—ask if you would like to introduce your family. First, Senator Reed and I have to emote for a while.

General MILLEY. In that case, I shall introduce my family.

[Laughter.]

My wife is here, Hollyanne, off to my left over here sitting next to General Richardson, and my son and daughter are not here. They are both working. My son Peter is down in Texas working in the oil industry, and my daughter is also working in the oil industry and she is based out of Chicago. I am very, very fortunate to have Hollyanne by my side for the last 30 consecutives years of service.

Chairman MCCAIN. Well, thank you, General, and thank you.

You come before this committee as part of a major transition of American military leadership. If confirmed as Army Chief of Staff, you will serve alongside a new Chairman and Vice Chairman of the Joint Chiefs of Staff and new Service Chiefs for the Navy and Marine Corps.

As part of this team, you will lead an Army of volunteer soldiers that has proven itself time and again over a decade of war in Afghanistan and Iraq. The Army has endured 70 percent of the casualties in those wars, and as we all know, the untold sacrifices of our soldiers and their families did not end with their mission.

As our Nation confronts the most diverse and complex array of global crises since the end of World War II, the next Chief of Staff of the Army will be responsible for ensuring the total Army—Active, Guard, and Reserve—remains the most decisive land force in the world. Unless Washington wakes up to the damage being done to our military right now by drastic reductions in defense spending, the Army will be forced to carry out its mission with fewer dollars, fewer soldiers, and aging equipment.

Over the past few years, the Army's end strength has been reduced from a peak of 570,000 Active Duty personnel to 490,000 troops this year. Just last week, the Army announced it would cut an additional 40,000 troops over the next 2 years, reducing its end strength down to 450,000. If defense spending cuts continue, there is even talk that the Army could shrink to 420,000 troops. What is worse, only one-third of the Army's brigade combat teams are ready for deployment and decisive operations. In short, the Army is facing a downward spiral of military capacity and readiness that increases the risk that, in a crisis, we will have too few soldiers who could enter a fight without proper training or equipment.

We are not cutting the Army because the world has become safer or threats to our security have been reduced. In fact, the opposite is true. As you have stated, General Milley, this is a budget-driven force level reduction, and it rested on a series of assumptions, that we were getting out of Iraq and Afghanistan and stepping back from the Middle East more broadly, that Europe was secure, and United States forces could depart the continent, and that there was no need for significant deployments to Africa. Instead, we have seen the rise of ISIL [the Islamic State of Iraq and the Levant], Russia's invasion of Ukraine, the outbreak of Ebola, and the growing tensions in the Asia-Pacific region.

I think you would agree, General, that when our assumptions about the world change, we must either adapt our conclusions to the new realities or scale back our ambitions to meet our reduced means. Instead, the administration and many in the Congress are trying to have it both ways: asking our soldiers to take on a growing set of missions with fewer and fewer resources. This is not just about reversing the effects of sequestration. It is about replacing the arbitrary spending cuts on defense that were imposed under the Budget Control Act of 2011. That is the only way we will get back to a truly strategy-driven defense budget.

While I believe there is no strategic rationale for the Army's end strength to fall below its pre-September 11 level of 490,000 troops, in recent years, the Army's headquarters and administrative staff have grown at the same time it has cut brigade combat teams.

That too is wrong, and it only hurts the Army's credibility. This committee is embarking on a multiyear effort to make major reductions in headquarters and administration across the Department of Defense. If confirmed, General, I want you to be a relentless partner in this effort.

Another priority for the next Army Chief of Staff is modernizing the force. The Army faces an enormous challenge in replacing, repairing, and reconditioning its equipment after 14 years of sustained combat. At the same time, the Army must continue to modernize to meet future threats. Programs like the Joint Light Tactical Vehicle and Armored Multi-Purpose Vehicle aim to enhance tactical mobility, command and control, medical evacuation, and other critical combat functions while significantly improving the protection and safety of our soldiers.

Accomplishing these goals will require additional resources, to be sure. Perhaps more importantly, it requires the Army to learn the lessons of its failed acquisition programs, a record that has been particularly dismal. From Comanche to Crusader, Future Combat System to the Ground Combat Vehicle, billions of dollars have been wasted on programs that never became operational. These and other failures also reflect the inefficiency and dysfunction that have crippled our defense acquisition system more broadly: unwarranted optimism of cost and schedule estimates, funding instability, requirements creep, immature technology, excessive risk-taking, and concurrency between testing and production.

There are diverse views on acquisition reform, but one thing is for sure: the *status quo* is unacceptable. To provide our soldiers the equipment they need to defend the Nation, we simply cannot continue to have blurred lines of accountability and evasions of responsibility inside the defense acquisition system. That is why in this year's National Defense Authorization Act, this committee adopted reforms to increase the role of the Military Services in the acquisition process and to create new mechanisms to ensure accountability for results. Among these reforms is an enhanced role for the Service Chief s. The Army must ensure that its acquisition programs stay on schedule, within cost, and perform to expectations. If that does not happen, General, we will be calling you.

General, thank you again for appearing before this committee today, and we look forward to your testimony.

Senator Reed?

STATEMENT OF SENATOR JACK REED

Senator REED. Thank you very much, Mr. Chairman. I want to join you in welcoming General Milley this morning. I would like to thank him for his many years of service to out Nation and to the Army and for his willingness to continue to serve. General Milley is joined this morning by his wife Hollyanne. Thank you, ma?am, for your service to the Nation and to the Army. I also wanted to acknowledge Mary and Peter and wish them well.

General Milley, if confirmed, you will oversee the Army during a time when the United States faces a multitude of challenges abroad. While the conflict areas around the world continue to increase, the amount of resources devoted to the Army continue to decrease. Earlier this month, it was announced that over the next

2 years, the Army would convert two infantry brigade combat teams to battalion task forces. These changes were necessary in order for the Army to continue to reduce its end strength, with a final goal of 450,000 soldiers by the end of fiscal year 2017. In addition to these reductions, the Army also intends to cut approximately 17,000 civilian personnel, although it is my understanding that the Army has not identified which installations will be impacted by these reductions.

If sequestration funding levels remain in place, the situation becomes much more ominous for the Army. Without any relief from the budget caps, the Army will need to reduce its end strength further to a level of 420,000 soldiers in the coming years. General, I hope you will share with us your views today on how to manage these reductions, if in fact they are called for, and what, if any, impact these reductions would have on the readiness of the Army.

In addition to managing end strength reductions, the Army is grappling with how to modernize the force and increase readiness levels. In recent years, the Army has had to make tough choices on its major modernization programs. As the Army Equipment Modernization Strategy, released in March 2015, acknowledges, "The Army cannot afford to equip and sustain the Total Army with the most modern equipment; therefore, we must acknowledge fiscal realities and we will selectively modernize equipment and formations."

At the same time, the Army continues to cope with reduced readiness levels. General Odierno, the current Chief of Staff of the Army, testified before the Senate Appropriations Subcommittee on Defense in March of this year that readiness levels are at historically low levels. Specifically he stated that "today, only 33 percent of our brigades are ready, when our sustained readiness rate should be closer to 70 percent."

General Milley, I look forward to hearing your thoughts on how the Army can make targeted investments in modernization while also restoring readiness levels.

The National Guard, has always been an integral component to our Nation's defense. In fact, today they are probably more integral than at any time in our history. They serve as the first line of defense when there is a natural disaster at home, and they perform a vital homeland security mission. Without question, the role of the National Guard and Reserve component played in both Afghanistan and Iraq was critical to our success on the ground.

However, as the Army draws down and resources become more limited, there has been tension between the Active and Reserve components, the most notable example being the Army restructuring initiative. To ensure that the Army does not make any irrevocable force structure changes, last year, Congress created the National Commission on the Future of the Army to undertake a comprehensive review of the size and force structure of the Army. The commission has been working diligently meeting with stakeholders, performing site visits, and conducting hearings in order to provide their report to Congress by February 1, 2016.

General Milley, if confirmed, you will be working with General Grass, Chief of the Army National Guard Bureau, and I look forward to hearing from you on how you envision the relationship be-

tween the Active Army and the National Guard and Reserve components and what, if anything, can be done to strengthen that relationship.

Finally, I have repeatedly stated that sequestration is a senseless approach to addressing our Nation's fiscal challenges and it undermines our national security and our military readiness. Defense budgets should be based on a long-term military strategy, not sequestration-level budget caps. the chairman has made this point eloquently and consistently. I hope you will share your thoughts on this topic with the committee today.

Again, General, thank you for your service.

Chairman MCCAIN. General, there are standard questions that are asked of all military nominees, and I would like to proceed with those before your opening statement.

The questions are as follows.

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information. Have you adhered to applicable laws and regulations governing conflicts of interest?

General MILLEY. I have, Mr. Chairman.

Chairman MCCAIN. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

General MILLEY. I do, Mr. Chairman.

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

General MILLEY. I have not, Mr. Chairman.

Chairman MCCAIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

General MILLEY. I will, Mr. Chairman.

Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

General MILLEY. Yes, Mr. Chairman.

Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?

General MILLEY. Yes, they will, Mr. Chairman.

Chairman MCCAIN. Do you agree, if confirmed, to appear and testify, upon request, before this committee?

General MILLEY. I do, Mr. Chairman.

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communications, in a timely manner when requested by a duly constituted committee or consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

General MILLEY. I do, Mr. Chairman.

Chairman MCCAIN. Thank you. Welcome and please proceed.

STATEMENT OF GEN MARK A. MILLEY, USA, TO BE CHIEF OF STAFF OF THE ARMY

General MILLEY. Thanks, Chairman McCain and Ranking Member Reed and distinguished members of the Senate Armed Services

Committee for the privilege and opportunity to appear before you today. I appreciate the confidence the President of the United States and the Secretary of Defense have shown by nominating me to be the next Chief of Staff of the U.S. Army.

Thank you all for your continued and unwavering support and commitment to the soldiers and civilians and families of what is your Army. As your Army is the strength of our Nation, our soldiers are the strength of our Army, and all of their families are the strength of our soldiers.

Likewise, my family has been my strength throughout my life. Both my mother and father served our Nation in World War II as part of the greatest generation, with my mother attending the medical needs of soldiers, sailors, airmen, and marines from the Pacific at a military hospital near Seattle, WA, while my father served with the 4th Marine Division in the Central Pacific, making the assault landings on Kwajelein, Saipan, Tinian, and the bloody battle of Iwo Jima as a young 19- and 20-year-old.

Sadly, my mother passed over 20 years ago and my father passed just last April, a week shy of his 91st birthday. I am absolutely sure that they are both very proud from above of their soldier son and will always be a source of leadership and guidance for me in the years ahead.

I am also unbelievably lucky to have by my side, as I previously introduced, for the last 30 consecutive years of my service the most dedicated and strongest woman in the world, my wife Hollyanne. She, like my parents, is a constant source of inspiration and love. For many years, during seven contingency deployments on various operations and thousands of days of training, Hollyanne has essentially been like so many Army spouses, a single parent, who has raised two wonderful children who are now young adults, our daughter, Mary Margaret, and our son Peter, who unfortunately could not be with us today. It is for them and for all of our children and the future generations that I and all of us in uniform continue to serve and are willing to go into harm's way to give our todays for their tomorrows.

I would like to just take a moment to recognize Hollyanne as a representative of all the Army families, of all the Army spouses, and for their incredible resilience, service and sacrifice.

I would also like to congratulate my predecessor, General Ray Odierno, and his wife Linda, who have given over 39 consecutive years of distinguished service to our great Nation. I want to personally thank them both for their tremendous leadership as our Chief of Staff and leading spouse. Our Nation has been well served by this selfless soldier and his entire family.

Chairman, Senators, service in the U.S. Army is a privilege. It is a distinct privilege. It is not a right. It is a privilege and it is earned the old-fashioned way, through hard work and meeting exacting standards of discipline and excellence.

Your Army's contract with the American people is a combat-ready force built around our Nation's most valuable asset, our sons and daughters who become soldiers of character and the best trained and best equipped Army in the world. Our fundamental task is like no other. It is to win and to win in the unforgiving crucible of ground combat. There are many other tasks and roles and

missions that your Army can do as part of our joint force, and we perform those every day in support of our Nation's interest. We assure allies. We deter adversaries. We shape outcomes and build partner capacity and provide foundational capabilities to enable other joint forces in a variety of ways. We have provided needed help to victims of disaster.

Our reason for being, our very reason for being at the very core of what it means to have an Army, it is to win and to win decisively in ground combat against the enemies of our country so that American citizens can enjoy life, liberty, and the pursuit of happiness. Every year, 120,000 of America's sons and daughters raise their right hand to take an oath of allegiance to serve our Nation in the uniform of your U.S. Army. In return, we make the commitment to develop them as soldiers, as leaders, and importantly as citizens. These soldiers are the core of our All-Volunteer Army, made up of three components: the Active, the National Guard, and the Reserve. We are a total Army. We are in fact one Army. We are America's Army. All of us from private to general come from the people, and we are dedicated to give our life and our limb to serve the people. We do it with great pride and a cause that transcends ourselves.

I have huge confidence in our Army today. I have served in it in both peace and war. Right now, we have the most skilled and combat-experienced Army in the Nation's history. In this time of increasing instability, of increasing uncertainty throughout the globe, we must squarely face and solve significant challenges as, Chairman, you mentioned, in manpower, readiness, and modernization.

If confirmed as the Chief of Staff of the U.S. Army, I look forward to working with this committee to get the Army the resources it needs. I also pledge to be a careful steward on behalf of the American taxpayer whom we recognize we all serve as well.

Finally, if confirmed as Chief of Staff, I want to ensure that the Army meets the expectations of the American people. The American people have expected your Army to fight and win our Nation's wars at any time, any place, and your soldiers are ready to do that today, as we have done for 240 consecutive years.

Today we have a great Army and we stand on the shoulders of those who came before us. It would be a tremendous honor to lead our soldiers of today as their Chief of Staff. I thank each of you, without whom we would not even have an Army.

I thank you for the opportunity to appear here today, and I look forward to your questions.

Chairman MCCAIN. Thank you, General. Thank you for your strong statement.

As you know, last week there were four unarmed marines and one sailor in Chattanooga, TN, who were murdered. What steps do you believe should be put in place immediately to improve the security of Army personnel in the United States, especially at facilities like recruiting stations?

General MILLEY. Senator, first as a son of someone who served in the 4th Marine Division, I want to publicly extend my condolences to the families of the four marines and one sailor who were killed. It is a horrible tragedy.

Force protection is a key task for any commander, as it is for all of the leaders in the Army and throughout the military. Specifically, there is a wide variety of both active and passive measures. As you may know, Admiral Gortney, Commander of NORTHCOM [U.S. Northern Command], issued out some increased force protection measures, which I will not discuss publicly exactly what those are.

From my view, there is a variety of both active and passive. From the passive standpoint, there is a variety of hardening things we can do, bulletproof glass, *et cetera*. Actively we can increase patrols, work closely with the law enforcement.

As far as arming recruiters go, I think that is complicated legally, and there are issues involved throughout the country, but we will have to come to grips with that, and it certainly should be——

Chairman MCCAIN. The legal part of it can be resolved. Do you think that they should, under certain conditions, be armed?

General MILLEY. I think under conditions, both on military bases and in out-stations, recruiting stations, Reserve centers, that we should seriously consider it. In some cases, I think it is appropriate.

Chairman MCCAIN. As regards Afghanistan, should we withdraw according to a preordained calendar-based plan or a condition-based plan?

General MILLEY. I am in favor of a conditions-based plan.

Chairman MCCAIN. Which right now would you say that the situation would warrant evaluation and revision of the President's plan by 2017 to have an embassy-based force?

General MILLEY. Right now, I think talking with John Campbell, General Campbell, the Commander of the force in Afghanistan, it is my understanding that the plan is continually under review and that we will execute based on conditions on the ground.

Chairman MCCAIN. That is your view.

General Dunford has testified before this committee that even with the $38 billion addition, that our Nation's military, "would remain at the lower ragged edge of manageable risk in our ability to execute the defense strategy." Do you agree with that?

General MILLEY. I do with respect to the Army as we look out, and I concur with General Odierno's assessment.

Chairman MCCAIN. That we would be at the lower ragged edge?

General MILLEY. I would probably agree with that, yes, Senator. Then I think he testified to significant risk, and if we go to 420,000, as Senator Reed mentioned earlier, we would be shifting into high risk.

Chairman MCCAIN. Do you believe that we should arm the Ukrainians with counter-battery systems with which to defend themselves from Russian artillery and rocket strikes?

General MILLEY. Senator, I think providing nonlethal equipment is already being done, and I think lethal equipment——

Chairman MCCAIN. I am asking about lethal equipment.

General MILLEY. Yes. Lethal equipment I think is something we should consider, and I would be in favor of lethal defensive equipment.

Chairman MCCAIN. In your view, do we have a strategy to defeat ISIS [the Islamic State of Iraq and Syria]?

General MILLEY. Senator, there is a strategy. I think you are familiar with the nine lines of effort. The military has two. Currently there is a strategy.

Chairman MCCAIN. That strategy also applies to Syria?

General MILLEY. Syria is part of the overall strategy with respect to ISIS, as I understand it.

Chairman MCCAIN. You believe that we do have a strategy to defeat ISIS.

General MILLEY. I think there is a strategy, yes.

Chairman MCCAIN. Do you think it will defeat ISIS?

General MILLEY. Right now, the way the strategy is laid out, as I understand it, is that it is going to take a considerable amount of time, measured in years, to defeat ISIS if we execute the strategy as it is currently designed.

Chairman MCCAIN. Maybe you could tell me a little bit about that strategy because the President said they have not developed it yet.

General MILLEY. As I understand it, there are nine lines of effort. The two that concern the military are providing a variety of enabler capabilities to the Iraqi military and also to provide security force assistance and building partner capacity with the Iraqi military.

Chairman MCCAIN. In your experience, do you believe that we need forward air controllers?

General MILLEY. In my experience, having forward air controllers forward with units provides more effective close air support.

Chairman MCCAIN. Well, I thank you, General, and thank you for your service. We look forward to moving forward with your nomination. Congratulations, and all of us would also agree that your predecessor is also an outstanding soldier. I thank you.

General MILLEY. Thank you, Chairman.

Senator REED. Well, thank you very much, Mr. Chairman.

Again, thank you, General Miley—Milley, for your testimony. I get confused because up our way it is usually "Miley." I do not know what happened.

General MILLEY. That is in Rhode Island, Senator.

Senator REED. I know. You are from Massachusetts, I know.

[Laughter.]

Forgive me if I mispronounce things.

General MILLEY. As long as we both like the Red Sox, we are good, sir.

Senator REED. We like the Red Sox and the Bruins. Well, I will stop right there and ask a service question, General.

You are facing force reductions, 450,000 Active Forces, which leads to the question of how do you ensure that you can meet all the requirements that are facing the Army. Several possibilities that you can comment on—is a much smoother closer integration with National Guard and Reserve Forces so they can come into the fight earlier. That is one. Two, obviously, continuing to operate jointly and train jointly with the Marine Corps, which is a way to augment land forces. Three, to continue or to increase, in fact, joint operations with foreign militaries that are our allies. Could you comment on those approaches? Will that in any way help sort of offset the decline in manpower?

General MILLEY. Well, first, Senator, I think that the reduction in manpower down to 450,000 for the Active Force, 920,000 or 980,000 overall for the total force—and I agree with the current Chief of Staff's assessment that places the Nation at significant risk, given our global commitments. In order to mitigate that risk, incorporating elements of the National Guard and Reserve component are key, and then working with allies is fundamental. I think all of those are necessary to mitigate some of the risk.

Senator REED. Specifically with respect to the National Guard, what is your approach? You know, we speak of one Army, and frankly, looking back 30 or more years, it is now much more one Army than it was previously. What are you going to do to make sure that is more than rhetoric, that there really is one consistent Army—National Guard and Reserve, Active Force?

General MILLEY. We are already doing many things. As the Commander of Forces Command, I have got training readiness, oversight for the Guard and actual command of the Reserves. There are many thing we are doing right now. We integrate at both of our combat training centers down at Fort Polk, LA, and out in California National Training Center. We are fully integrated with Reserve component and National Guard elements. Integration of those forces is key, and we will sustain that and increase that over time.

The second big one I think is we have partnerships. All of our Active Component forces are partnered with National Guard units, and they are fully integrated for home station training and support each other.

Senator REED. One of the areas of concern—and this has been led by Senator McCain's efforts over many years—has been acquisition reform. He, frankly, indicated a long litany of major systems where the Army could not get off the drawing board literally. There are proposals today to involve the chiefs more directly not only with authority but responsibility.

Can you comment about the acquisition process and what you would like to do as Service Chief in making it more effective?

General MILLEY. Thanks, Senator.

In my view, I think the Service Chiefs should have an increased role across the entire acquisition process where we are responsible for and held accountable for linking the requirements, which we do play—the Service Chiefs play a role in that right now. We are not or the Service Chiefs are not as engaged as could be with respect to the resources and decisions of actual acquisition. Those three pieces, linking resources, the requirements, and the actual acquisition—in my view the Chiefs should have increased authority to link all three of those throughout the entire process. Not just the inputs of requirements but also the outputs of acquisition.

Senator REED. Just a final point very quickly is that we have consistently pointed out that readiness is being challenged in terms of brigades when 30 percent of our Army brigades are ready to go, and that is way below. That requires some either massive budget relief or internal reallocation of resources. If you do not get the budget relief, what kind of resources are you prepared to reallocate to get training done?

General MILLEY. Really, there are three pieces, three levers that any Chief of Staff can use. One is end strength. The other is modernization, and the other is readiness. Our obligation as an Army or any service is to ensure that we have ready forces. There is no soldier, sailor, airman, or marine who should ever go into harm's way not fully manned, equipped, well let, *et cetera*. No one should ever go in harm's way unready. Readiness is the number one priority. It is my number one priority, if confirmed, and it will remain the number one priority.

That leaves only end strength and modernization. Right now, the Army has taken a lot of cuts in modernization over time, and then we have end strength. If confirmed, I am going to have to take a hard look to make sure that we balance those three components as we go forward.

Senator REED. Thank you very much.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Fischer?

Senator FISCHER. Thank you, Mr. Chairman.

Thank you, General, for being here today.

When we met earlier this month you mentioned two of your priorities. As you just said, the first one was readiness, and you also said investing in future needs.

Do you believe that the future needs will require the Army to primarily focus on modernizing its current capabilities, or do you see a shift to new missions and new capabilities? I know there has been a lot of talk about the Army's role in coastal defense. Where do you see that headed?

General MILLEY. Thanks, Senator.

As you said, two priorities exist for any Chief of Staff really. One is maintaining readiness of the force. Second is to posture the force to be ready at some point in the future. The period of time that I would be looking at in the future, if I were confirmed, would be the 2025-2030-2035 timeframe. Right now our modernization strategy is to incrementally improve existing systems. That is okay for right now. There are a wide variety of emerging technologies that we may or may not have military application 15 to 20 years from now. We are going to take a look at those. We are going to explore all of those, ask the right questions and see which ones of those apply to ground forces. Many already apply to air and naval forces. Emerging technology is an area we are going to take hard look at, Senator.

Senator FISCHER. Do you see a shift, though, to any new missions that are going to be necessary for the Army to acquire?

General MILLEY. I think the fundamental missions that currently exist in the variety of strategic documents that are out there will remain consistent, and I do not see a fundamental shift in the mission for the Army.

Senator FISCHER. Even with the advancement of new technologies by people who are not our friends? Do you see the Army playing any role in that on new missions?

General MILLEY. The only one that is coming to mind right now is cyber. We definitely have increased our capabilities in cyber across the joint force, and the Army is building a cyber force. We

are going to continue to look at that because that is critical for the defense of the Nation and for the Army's capabilities.

Senator FISCHER. As the current Commander of the Army's Forces Command (FORCECOM), I know that you are responsible for providing Army units so you can fulfill the combatant commanders' requirements. We heard a little bit about the force reduction and the impact that that may have. Right now, are you able to fulfill the combatant commanders' requirements? Where will it be when we look at a force that is reduced to 450,000?

General MILLEY. As Commander of FORSCOM [U.S. Army Forces Command], right now we are able, Senator, to fulfill the combatant commanders' requests for forces that have come in. As we continue to draw down to 450,000 by 2017–2018, I think we are going to incur increased risk, as the current chief has mentioned, at the end of it, it will be significant risk.

We will have to see. We do not know what the future requirements are going to be. Senator McCain mentioned you got issues in eastern Europe. You got issues with ISIS. There is a wide variety of other security challenges around the world. If demand continues to increase that it has in the last year, unanticipated demand, then I think we will have to reassess our risk assessment.

Senator FISCHER. SOCOM [U.S. Special Operations Command] is one of the combatant commands that you support as well. I have been concerned that reductions across the services are going to impact the conventional force enablers that our special ops guys rely upon. How do you work with them to manage that collateral damage that reductions are going to have on their capabilities?

General MILLEY. We are very, very closely tied as you might imagine, with Special Operations Command. 80 percent of U.S. special operations comes from the Army. We are very closely tied at Fort Bragg. FORSCOM headquarters is also the headquarters for the U.S. Army Special Operations Command. We are joined at the hip.

One of the big lessons learned that has come out of the last 10 to 15 years of conflict has been the synergistic effect that we have gotten from the interdependence of both conventional and special operations. We will continue to work with them very, very closely. We have them integrated in all of our major exercises at the combat training centers. We work with them on acquisition development, and obviously, we provide a wide variety of enablers that support special operations. We will keep that linkage. That will not break.

Senator FISCHER. Thank you, sir. I appreciate your commitment to making sure that our military men and women are able to perform the missions that they are given. Thank you.

General MILLEY. Thank you, Senator.

Chairman MCCAIN. Senator Manchin?

Senator MANCHIN. Thank you, Mr. Chairman.

Thank you, General. I want to thank you for your service to our country and to your family's support of that service you have given us.

Sir, you and I have had a good conversation on quite a few things, and I will ask you the same question I have asked most of

our conferees. What do you consider the greatest threat that the United States of America faces?

General MILLEY. As a soldier——

Senator MANCHIN. The national security for our country.

General MILLEY. As a soldier, as a military officer, I would have to say that it is Russia, and let me explain that and why. Russia is the only country on Earth that retains a nuclear capability to destroy the United States. It is an existential threat to the United States. It has capability.

Intent? I do not know. The activity of Russia since 2008 has been very, very aggressive. They have attacked and invaded Georgia. They have seized the Crimea. They have attacked into the Ukraine. That is worrisome. I would put Russia right now from a military perspective as the number one threat.

I would also add China, North Korea, and ISIS, along with Iran, including the recent agreement that was signed the other day. Those countries—I would not put them in any particular order. Each in their own different way represents security threats to the United States.

Senator MANCHIN. Also, we talked about the obstacles that you are facing or that we are facing by using the National Guard to the full extent, especially the day-to-day operations. If you could expand on that. What are the obstacles that prevent the Army from using its Army National Guard to the extent that they should be, as well trained as they are today?

General MILLEY. As you know, Senator, the National Guard has been key over the last decade and a half and have served very proudly and honorably in both Afghanistan and Iraq, and they are fully integrated in a lot of our training operations here in the continental United States. It would help if we had greater access to the Guard. Right now, the Guard has state partnership programs overseas with a wide variety of countries. There is a lot of exercises in support of combatant commanders that we could use Guard Forces for. Its operations, current operations. Some are peacekeeping, peace enforcement such as Kosovo and the Sinai. Others are more active in Afghanistan and Iraq. Fundamentally access to the Guard is key.

That all links back to the budget. Right now we can only pay for bringing Guard units, mobilizing them, bringing them on under OCO [Overseas Contingency Operations] funding, and many of these operations are, in fact, exercises for the COCOMs [combatant commands] and they are not covered with OCO funding. Access and funding.

Senator MANCHIN. I am sure we look forward to working with you on making that available because I think our Guard could be used more effectively than what they are right now, other than private contractors that we are using. That would bring me right up to the auditing. What is your understanding of where the Army stands in terms of being ready for a full audit by the end of fiscal year 2017?

General MILLEY. I have been briefed that both as a FORSCOM Commander but also through the pre-confirmation hearing preparation and briefings I got from the Army staff that the Army is on track and will be ready for the full auditing in 2017.

Senator MANCHIN. If confirmed, will you make improving the Army's acquisition system a priority?

General MILLEY. Absolutely.

Senator MANCHIN. I think you would understand the concerns that we have with the procurement system that we have right now, and it does not seem to work very functionally as far as effective or cost-effective especially. Changing those systems—again, it all ties back to the auditing as quickly as that can be done.

Also, do you have any idea on the amount of contractors that we have or the Army is using—contract forces?

General MILLEY. I do not know right this minute Army-wide. I do know, for example, I recently commanded in Afghanistan and there were one and a half contractors to every soldier that was deployed over there. The amount of contractors that we use is significant. I can get you the exact number.

Senator MANCHIN. If you could, sir, I would appreciate that because I think the cost of the contractors versus using our own National Guard and Reserves—it makes more sense to use, in my estimation, people in uniform versus people that basically have been in uniform and left for the higher pay that the contractors are receiving. That is the rub I have had all along. If you could help with that, I would appreciate it.

General MILLEY. Absolutely. We will do that.

[The information referred to follows:]

According to United States Forces-Afghanistan (USFOR–A), which does not break out the numbers by Service, as of August 17, 2015, there are 10,917 United States contractors in country and another 7,016 Other Country Nationals for a total of 17,933 contractors.

Senator MANCHIN. Thank you, sir.

Chairman MCCAIN. Senator Ayotte?

Senator AYOTTE. Thank you, Mr. Chairman.

Thank you, General, and I want to thank your family for their service as well to our Nation.

I wanted to follow up. You confirmed today what General Dunford had also testified to this committee before, that Russia is our greatest national security threat. I noticed also in your advance policy questions that you stated unambiguously that the Army in Europe does not have what it needs. What does EUCOM [U.S. European Command] need that it does not have, and how important is this as we think about Russia as the most significant threat that we are facing?

General MILLEY. I think there are two parts to that. One is to assure our allies, and the other is to deter Russian aggression. I think in both cases additional ground capabilities are necessary. The Army is already moving out on that to place activity sets over there and preposition equipment to either reinforce capabilities that are there, forces that are there, or to use that equipment for a variety of exercises. There are a lot of tools in the kit bag we can use, but I do think we need to increase ground forces on a temporary rotational basis in order either to deter Russia or assure our allies.

Senator AYOTTE. Thank you.

I wanted to follow up. You, in answer to Senator Manchin, had talked about access to the Guard. One of the things that we have

seen is a program with the Air Force that is called Total Force Enterprise Active Associate Unit. In other words, it is total force. At Pease in New Hampshire, we have had an Active Duty association between Active Duty Air Force and our Guard there that has been really effective.

I wanted to ask you if that is something that you would take a look at as actually actively partnering certain units together to have these Active Duty associations because I think this model—the Air Force has had some good success with it and recognizes, as well, as you have already indicated today, we would not have been able to fight the wars in Iraq or Afghanistan without the Guard and Reserve. Being able to actually do some training and work together with certain units I think makes some sense. I wanted to get your thought on that and if that is something you would look at as a possibility.

General MILLEY. It is, Senator. In fact, I met with your TAG [Adjunct General] from New Hampshire, along with all the other TAGs east of the Mississippi, about—I guess it was—6–8 weeks ago, and they brought that up. I am going to try to take a look at that and see where it applies to the Army, if that Air Force model can apply for greater and fuller integration.

As you know, the Guard and Reserve were integrated under General Abrams when he was Chief of Staff right following Vietnam. The Abrams doctrine has served the Nation well, and we intend to fully implement that.

Senator AYOTTE. Well, certainly it is a total force needs in terms of what we need to do to defend the Nation. I appreciate your careful examination of that program which has been very successful at Pease.

I wanted to also follow up, General. How important is effective and reliable air missile defense to Army operations? Because one thing that has been brought to my attention, we have the Patriot. Thirteen of our allies also rely on the Patriot to protect their forces. Some of our allies have more modern and advanced versions of the Patriot than our troops have. I do not agree with that, and I think this committee very clearly in the defense authorization—actually the Army requested $106 million for Patriot improvement to upgrade our use of the Patriot, and that was actually accepted by this committee.

I wanted to get your sense based on your service in the Army. What is your assessment of the Patriot air missile defense system, and do you fully support the improvement funding that the Army requested for this? How important is this to our troops?

General MILLEY. Well, Senator, let me take the last part first, how important it is. To my knowledge—I am not a military historian, but I do not think the U.S. Army has come under enemy air attack consistently since the invasion of Normandy, and that is because of two things. One, we have the most dominant Air Force, both naval aviators and the U.S. Air Force pilots and capabilities. We want to retain that forever. The other piece is because we have a very robust air defense capability that is capable of shooting down incoming aircraft.

Since the modern development of missile technology, that is another component. We have come under missile threat. We were

under missile threat in the first Gulf War and even in the second Gulf War. Patriot plays a key role in not only acquiring and then destroying incoming fixed-wing aircraft, but also in intercepting and destroying incoming missiles. Patriot is a very, very key system to the air defense of our allies and our own soldiers on the ground.

Senator AYOTTE. Thank you.

Chairman MCCAIN. Senator Hirono?

Senator HIRONO. Thank you, Mr. Chairman, and thank you, General, to you and your family for your service.

I appreciated the great conversation we had last week, and should you be confirmed, I look forward to, of course, working with you during your tenure.

I know that you realize, General, the importance of MILCON [military construction] funding for readiness, particularly for Hawaii in light of the rebalance to the Asia-Pacific. In fact, I spent some 4 hours at Schofield Barracks recently and saw the direct effect on facilities there when MILCON funding is cut or deferred. Should you be confirmed, I hope you will work with USARPAC [U.S. Army, Pacific] to ensure that their facilities are maintained and modernized where appropriate so that our troops have the facilities necessary to efficiently perform the important tasks we ask of them.

General MILLEY. I will certainly do that, Senator.

Senator HIRONO. Thank you.

I also know that you share my view that the rebalance to the Asia-Pacific is more than just rhetoric. The Navy's intentions, for example, are to place 60 percent of its ships in this area of responsibility. What do you see as the major components of our rebalance strategy?

General MILLEY. Well, I think that right now, as I mentioned earlier, two of that list of threats that were asked to me of Senator Manchin included both China and North Korea. The United States Army plays a key role. Eight of the 10 largest armies in the world are in the Pacific. Clearly, Navy and Air Force and Marines are fundamental to success for U.S. national security in the Pacific, but the Army is too. We currently have forward-deployed forces in Korea that have made a significant contribution to keeping the peace for the last 60 years since the end of the Korean War. We also have forces, as you are well aware in Alaska, at Joint Base Lewis-McChord in Washington State, and most importantly, in the State of Hawaii. There is a considerable amount of Army capabilities in the Pacific that play a key role in supporting Admiral Harris as the combatant commander and supporting Admiral Harris' PACOM [U.S. Pacific Command] strategy.

Senator HIRONO. Well, we recognize that because of the budget issues that certain force reductions were inevitable, sad to say. Of course, while unfortunate, I do appreciate the consideration that was given to the rebalance to the Asia-Pacific and Hawaii's strategic location and the decisions that were made regarding the cuts to our Army.

Can I expect that, if confirmed, you will continue to give ample consideration to our strategic position—and that, of course, includes Alaska—and to the importance of the rebalance?

General MILLEY. Absolutely, Senator. As we go forward, balancing of the disposition of the Army forces in accordance with the National strategy and balancing that against risk is the key task for the Chief of Staff and I will take that.

Senator HIRONO. This committee has spent considerable time on the issue of sexual assault in the military, and it still, of course, occurs and harassment persists in our military. From your testimony and our meeting, I know you find it totally unacceptable as well.

However, while efforts are being made to support and encourage victims to come forward, we are becoming more aware of the problem of retaliation.

Can you share with us some of your specific plans to reduce not only sexual assault but also to stop the further abuse by retaliation?

General MILLEY. Well, Senator, as you mentioned, sexual assault is just—there is no place for it at all in a disciplined military force. 2 years ago, there were, I think it was, 24,000 reports of sexual assault. That is an Army corps. It is wrong. It is just not acceptable and we cannot accept those kinds of casualties. Really that is what they are. Victims become casualties. We cannot accept a corps? worth of casualties and think we are going to have a ready Army that can deal with the threats that were mentioned earlier. It is unacceptable.

The Army has done a lot over the last many years here, and there has been some progress. It is not nearly enough, and I am fully committed, if confirmed as Chief of Staff, to continue to work the entire problem of sexual assault and bring that to zero.

Retaliation is a problem that has recently surfaced in the last year or so. I saw the recent study which indicated that 60 percent of victims report that they have been retaliated against, some by chain of command, others by peers. I think that by chain of command retaliation, we can get after that pretty fast through a variety of tools and holding commanders accountable. Peer-on-peer is a little bit more complex, and I am going to have to study that to figure out exactly what techniques can be used to eliminate peer-on-peer retaliation.

Senator HIRONO. Thank you. This will be an ongoing area of concern for many of us on this committee. Thank you for whatever can do to improve the situation vastly. Thank you.

Chairman MCCAIN. Senator Ernst?

Senator ERNST. Thank you, Mr. Chairman.

Thank you, General Milley. It is great to have you in front of the committee today. I want to thank your wife for being here as well. Thank you for the support that you have given over 34 years or 30 years for your husband. Thank you.

I will not ask about the National Guard. We have had some very in-depth discussions in my office, and I thank you for your willingness to work with our wonderful National Guard and all of those great young men and women that provide a great support system to our Active component members. Thank you for that.

I just wanted to mention we do have—you mentioned the ties between our Active component and the Guard, and we do have our second BCT [brigade combat team] from Iowa, the Iowa Army Na-

tional Guard, rotating through JRTC [Joint Readiness Training Center] right now. We do appreciate that partnership.

I want to tag on with a little bit on what Senator Hirono had also brought up, was the cases of sexual assault in the military. I was at the West Point Board of Visitors meeting yesterday, and this is a topic that we discussed. You have over 34 years of experience in the Army, and so you have seen a lot of changes through the years. When it comes to sexual assault and the way the Army reports this, prosecutes this, we have seen some changes in recent years. I would like your takeaway from what we have seen just in the last few years. With those changes, what do you see? Is it improving? The areas where you think we have seen the most impact. If you could just expound on that a little bit please.

General MILLEY. Thanks, Senator.

As I mentioned, there has been some improvement. It is not good enough, though, but there has been some improvement over the last couple of years. We know that the prevalence of incidents appears to be down and the numbers of reporting is up. It indicates some shift in trust to the chain of command.

I think the key is to prevent and/or intervene upfront, and that comes with a change of culture and fully educating the force, a wide variety of training. If an incident does occur, though, the first responsibility for that chain of command is to protect that victim and then investigate fully with professional investigators, CID [Army Criminal Investigation Division] investigators, and then hold those perpetrators accountable. I think the entire key is within the hands of the chain of command, and that is staff sergeants and platoon sergeants up through first sergeants and company commanders, all the way up through general officers. All of us have to be fully engaged in order to get after that.

A couple of things over 35 years that I have used and seen and have emphasized.

One is the role of the commander, absolutely fundamental. An engaged commander makes the difference between success and lack of success.

Second I would say is operate in buddy teams. There is great value in operating and using buddy team approaches like you would in combat.

Third is control of the terrain, which is the barracks. We cannot necessarily control outside the forts, but we surely as commanders can control the barracks. Maintaining good order and discipline is fundamental to the barracks. Lastly is alcohol. We know that in many, many cases of sexual assault, alcohol is a contributing factor. Maintaining good order and discipline again in the proper use of alcohol is fundamental.

I think commanders and the chain of command, the sergeants and the captains and the colonels and the generals, are fundamental to getting after sexual assault and bringing it to an end in our Army.

Senator ERNST. I appreciate that very much. I do see where we seem to have a lower level of incidents. We have a very, very long way to go with this.

One of the points that we raised yesterday at West Point with the Board of Visitors is that it is really difficult when you have

someone like yourself or even me with a lot of gray hair standing there telling these young soldiers do not do this, do not do this. I think where we can see a lot of shift in the culture and the environment is when their peers are stepping up and saying do not do it. We have talked about "not in my squad." I think that is an important step.

We have a long ways to go, General. I look forward to working with you on this very important topic and protecting our sons and daughters as they serve. Thank you very much.

General MILLEY. Thank you, Senator.

Senator ERNST. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator King?

Senator KING. Thank you, Mr. Chairman.

General Milley, first I want to commend you on your statement. I think it is one of the best statements I have ever heard about the role and mission of the Army. It should be required reading I think for every member of the Army today.

One of the questions you answered to the chairman was that would you commit to provide your personal views, even if those views differ from the administration in power. You said yes to that question. I want to underline the importance of that question. All of your experience, all of your knowledge, all of your wisdom that you have accumulated over the years are of no value if you do not share them. You will be operating in the highest levels of our Government in a situation that often can be intimidating. I want to encourage you to remember that question, and when in doubt, speak up. You are where you are because of your knowledge and experience, and you have to share it and sometimes share it aggressively. I hope you will remember that question and remember the commitment you made. I think you have a great deal to offer this country, and I just want to be sure it gets to the table.

General MILLEY. Senator, I guarantee that. I have been in a lot of combat, and I will be intimidated by no one.

Senator KING. I believe that, having met you, General.

A more specific question. Are the Iraqi Security Forces willing to fight?

General MILLEY. When we left in 2011—I was not there in 2011 but was there shortly before that—and the Iraqi Security Forces were willing to fight. In the years between 2011 and today, their chains of command have been decimated and they were not getting proper pay and training went down the tubes. Bottom line is that if 3 or 4 years go by and you lack training, you lack money, you lack equipment, you lack spare parts, and most importantly you lack a competent, capable, committed leadership, then you can certainly understand why units fell apart last year during the ISIS offensive.

I think there is nothing inherently prohibiting the Iraqi Security Forces from a will to fight with the exception of a lack of proper leadership. That is fundamental from where I sit, and I would like to get a trip over there and talk to our commanders on the ground, talk to General Austin, talk to General Clark, and others. My assessment is they have the potential and the capability to fight, but they must be led just like any army must be led to close with and destroy the enemies of their country.

Senator KING. It seems to me that when we think about the strategic challenges of Afghanistan, Iraq, Syria, the Ukraine, all of those are local troops with United States support in one way or another. One of the key challenges is how do you teach the will to fight. How do you train? Have we learned that? Are we at a place where we know what the pressure points are to develop, for example, the command mentality that is necessary? Because we are in a series of disputes around the world, none of which involve directly many, if any, U.S. troops. We are at the mercy of how these local people perform. I am wondering about the Army's sort of thinking about how to do training. That may be one of the most essential tasks that the new Army has.

General MILLEY. We in the Army think that we do know how to develop leaders. The Army does many, many things and does many things well, but we definitely produce lots of good leaders throughout our force on a day-to-day basis. We know also how to do that with other armies, with foreign armies, specifically as you mentioned, both Afghanistan and Iraq. We think we can do that.

Well, how do you do that? Leaders have to have confidence in their personal skills and their competence. That is fundamental. No soldier is going to follow a leader who is constantly lost, who is incompetent, who is a cement head out there and does not know how to shoot, move, communicate, and bring fire on the enemy. No soldier is ever going to follow that leader. Competence is key and teaching them the military skills necessary at the level they are at.

The other piece is the leader has to demonstrate compassion and love for their soldiers. If they see a leader who does not actually care for them, they are not going to follow him.

The third piece I think is a committed leader, a leader who is committed to the cause for which they fight.

If those three elements are combined together in Iraqi leadership at the small unit tactical level and at the strategic level, then I think the Iraqi Security Forces have a good chance of prevailing.

Senator KING. A year or so ago, Senator Kaine and I were in Lebanon, and we saw the training program that involves bringing foreign officers to the United States and also providing the kind of training that you are talking about. That struck us as a very cost-effective technique, particularly bringing them here because they get a lot from their peers when they are at Fort Benning or at Fort Hood or wherever they are. Is that a program that you think should be continued, strengthened, emphasized?

General MILLEY. Yes, I so, Senator, absolutely. It has been valuable in the past over many, many decades with many armies around the world, and doing foreign military exchange and our education system is value added for foreign armies.

Senator KING. I am a little bit over time, but a very short question. How long would it take us to go from a 450,000 back to, say, 550,000 if, God forbid, circumstances required it? What is the lead time?

General MILLEY. Yes, I would have to take that one for the record for the analysis and get back to you. I would like an opportunity to study that.

To build a brigade, for example, a brigade combat team, call it 3,500–4,000 soldiers—it depends on the type of brigade you have.

To build that from scratch is about a 3- or 4-year period to really get them certified and ready to engage in ground combat operations. To regenerate that force from 450,000 to 550,000—it can be done, but it is not going to be done in a very, very short amount of time.

[The information referred to follows:]

It would take three to five years to grow the Active component back to 550,000 with sufficient funding for incentives and recruitment.

Senator KING. Thank you. Thank you, General.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Wicker?

Senator WICKER. Thank you, Mr. Chairman.

General, thank you for your testimony and thank you for coming by to see many of us before the testimony.

I want to ask you about the National Commission on the Future of the Army, which was established by the National Defense Authorization Act of 2015 [NDAA], and the Army's Aviation Restructure Initiative (ARI).

The National Commission's mandate is to evaluate future missions, evaluate the force mix of the total Army, and evaluate whether combat aviation assets from the Army National Guard should be transferred to the Army.

I understand from sources within the Pentagon that the Army intends to implement certain elements of the Army's ARI as early as October 1st of this year. As I expressed to you, making these irreversible force structure changes to the Guard before we have had a chance to see what the Commission has to say about ARI would not be advisable and does not make sense to me. The intent of Congress was clear. There should be no transfers of helicopters away from the Guard until Congress receives and reviews the findings of the Army Commission.

As such, I would like to know your opinion of the ARI plan, which would remove all combat aviation from the Army National Guard. Do you support halting transfers of helicopters away from the Guard until the Army Commission reports back in February of next year?

General MILLEY. Thanks, Senator.

It is my understanding that the transfer by October is in accordance with last year's 2015 NDAA, and the 2016 NDAA and the one that is under debate right now is the one that is talking about halting them. The Army is actually executing their last written order, which was last year's authorization, as I understand it. I will look into that, though.

As far as do I support it or not, there are puts and takes to this ARI thing. I think the National Guard has some good points. The National Guard makes some points that they are concerned that it is a slippery slope. I am going to take combat capabilities away from them and they will not be able to be the strategic and operational Reserve. Fair enough.

There are also key points on the Army side. One is fiscal. There is a billion-dollar a year savings and $12 billion over time. I think that is not insignificant given the current crunch with sequester, *et cetera*. Most importantly, I think there is a readiness issue. If we do not execute this ARI, then I think three of the divisions, the

1st Infantry Division, the 10th Mountain Division, 25th Division in Hawaii, are not going to have armed reconnaissance capability, and we are going to blind 3 out of the 10 Active Duty division commanders with inability to be able to see a battlefield if they were thereby committed.

On balance, I would favor the transfer. However, I am going to await the results of the Commission and I am going to pay attention to their recommendations very closely. I will remain continually engaged with the Guard and try to do the right thing for the total Army.

Senator WICKER. Well, I am glad to know you are going to await the findings of the Commission.

I would just say to you a couple of things.

From my conversations with many of our people in the Guard, they believe that for many of the States, such as Mississippi, our program would be set back for a decade. It would take us 10 years to get over the loss of these Apaches, and I think would do great harm to what we have had over the past, and that is that the Active Army and the National Guard units have operated seamlessly as one team since September 11 and it has been good for the country. I think it is unfortunate that policy fights and distrust between the Guard and Active Army have become prevalent over the past five years.

What is your assessment of the current relationship between the Army and the Army National Guard? Will you acknowledge that the relationship has deteriorated to a point where actually it is unseemly?

General MILLEY. Well, Senator, as Commander of Forces Command, I deal with the National Guard and the U.S. Army Reserve on a frequent basis. I am coming at this from an operational force point of view, from the fielded forces. I do not see that friction in the fielded forces. We train together. We operate together. We have partnerships together. I have commanded National Guard forces in both Iraq and Afghanistan.

Senator WICKER. You do not see that in the field.

General MILLEY. I do not see that in the field. That is correct.

Senator WICKER. You see it here in the city, do you not?

General MILLEY. Maybe some things happen when people come to Washington, DC. I do not know. Perhaps there is tension——

Senator WICKER. I have heard that.

General MILLEY. As I understand it, there is tension here amongst some of the senior leaders. I will work, along with General Grass and General Kadavy, to patch up whatever issues there are.

From a personal perspective, I think there is one Army. That is it. There is one Army. We all wear the same uniform and it says U.S. Army on our chest, and that is the way we have to approach it. The U.S. Army cannot conduct combat operations in a sustained way overseas without the use of the National Guard and the Reserve. We just cannot do it. We can do short-term operations, but sustained ops cannot be done without the Guard and Reserve. It is one Army. They are critical to our success.

Senator WICKER. Well, thank you very much for that. This conversation will continue. We had it privately in my office. We are discussing it publicly today. I think we can acknowledge that the

National Guard is a very integral part of what your mission will be. I hope these issues can be resolved in a mutually satisfactory manner.

Thank you very much for your service.

General MILLEY. Thanks, Senator.

Chairman MCCAIN. Senator Donnelly?

Senator DONNELLY. Thank you, Mr. Chairman.

General, thank you and your family for all you have done for our country. Thanks for taking the time to come to my office. I just wanted to follow up on that discussion.

In regards to military suicides, we talked about the importance of pushing situational awareness down the chain of command. When I met with the Israeli Defense Forces, they said what was critical in reducing suicides was pushing it down the chain of command so the squad leader, the platoon leader, who could identify it right on the spot, could help. I was wondering what your plans are to make sure that at the squad level, the platoon leader, the leaders of those squads and platoons are aware of the challenge and are ready to try to help in eliminating it.

General MILLEY. Thanks, Senator.

I have been in command a lot, and suicide is a horrible, tragic thing to see in a unit. The effects, obviously, on the family, the unit, *et cetera* are just like you would have a killed in action in combat. It is terrible. It is horrible.

I think in terms of how we get after it, situational awareness is key. Because the Army has done a lot over the last couple years to increase situational awareness of the signs and the symptoms and then the techniques of intervention, our numbers have dropped considerably in suicide. That is one point is to continue sustaining and actually increasing situational awareness.

The second is to continue to reduce the stigma. Behavioral health, mental health—my view is there but for the grace of God, go I. The human psyche is a very fragile thing, and any one of us, regardless of how many patches or Ranger tabs or anything else anyone has, is not so hard, not so tough that they cannot break under a certain, correct combination of stressors and pressures. We have to be alert to those signs and symptoms, and we have to reach out and be literally our brother and sister's keeper.

That attitude has to happen throughout the force. It has happened considerably better than it was in previous years. In the last few years, it has improved significantly, and that is what I think is contributing to the reduction in suicides is the increase in situational awareness, the reduction of stigma, and then the intervention on the part of junior soldiers at the most junior level.

Senator DONNELLY. Well, I would encourage you in your new position to really birddog this and to make sure that the squad leaders and the platoon leaders know, hey, let us know if you see something going sideways for one of the guys, one of the men and women, let them know there is no stigma and that they should get help. I know you will do that.

I wanted to switch to Iraq. I was there recently, met with your folks, our whole team. It was right before the push into Ramadi and Fallujah began. The discussion was just as you said. It is a question of good leadership for the ISF, the Iraq Security Forces.

As opposed to this plan or that plan, I would love to hear your unvarnished advice on what you think our role should be in helping the ISF, the Iraqi Security Forces, get their leadership back together. What can we do best to help them do that?

General MILLEY. Senator, I would like also the opportunity to get over and visit and talk to the guys on the ground to answer that question in a more informed and holistic sort of way.

Based on what I know now and my own experience in both Iraq and Afghanistan, there is a wide variety of things we need to and should do to help the Iraqi Security Forces in our "advise and assist" levels of effort. As I understand it, the constraint right now is not so much on what we are doing, but on the amount of trainees the Iraqi Security Forces are providing for our trainers to do. Maintaining a robust train, advise, and assist effort, Security Forces assistance effort, with the Iraqi Security Forces over a considerable length of time is going to go a long way to shoring them up.

What Senator McCain mentioned earlier about JTAC's [joint terminal attack controller] forward I think is something that should be seriously considered to improve the effectiveness of the enablers, the close air support that is being provided. I think advisors going forward with units again is something that should be seriously considered. However, there are lots of issues with that with security of our people and the risk associated with it, *et cetera*.

Bottom line is there are things we can do. I would like an opportunity, though, Senator, to talk that over with commanders on the ground and give you a more informed answer at a later date.

Senator DONNELLY. Great.

I am about out of time. I would just ask you to remember in regards Iraq—and I know you will—when you said the Army's mission is to win. We have to win there too in order to have success in Syria and to help the Iraqi Forces have that kind of leadership.

The last thing I will say is our Article 5 responsibilities under NATO [North Atlantic Treaty Organization] with Latvia, Estonia, Lithuania. In Korea, their motto is "fight tonight." We have to make sure we have the same kind of readiness in those areas because we have the same obligations to those countries. They have said they would stand with us. We need to do the same for them.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Tillis?

Senator TILLIS. Thank you, Mr. Chairman.

General Milley and Mrs. Milley, congratulations. Thank you for your service.

General Milley, I want to start maybe with going back to something that the chairman mentioned in his opening comments. Incidentally, I am sorry I had to step out. I have a competing committee meeting over in Judiciary that I have to go back to.

We have sequestration, which I think to a person we all recognize is devastating. We have to get rid of it. It is bad policy. It should have never been implemented.

What are your thoughts, though, about ways that we can save money? In new your position—and I look forward to supporting you in this nomination. What areas in your opinion do we have the opportunity to bend the cost curve or increase productivity, and how would you go about doing that in your new role?

General MILLEY. I think there are at least three areas that should be seriously considered. Senator McCain has already referenced them. One is I think we have to take a hard look at overhead. The Army, but not just the Army, the military across the board, all the services, to include Department of Defense are a very, very large organization with a big bureaucracy with a significant overhead.

Second is acquisition. As already previously mentioned, there is a considerable amount of cost, and in many cases waste, in the acquisition process. We need to get that under control.

A third and final piece that I think is worth taking a look at, there is a wide variety of emerging technologies that could, in the out-years, 15–20 years from now, lend itself to automated processes and reducing either manpower or manpower costs, compensation costs, over time.

Those would be three pretty big areas that I would want to take a look at if confirmed.

Senator TILLIS. Thank you.

We have Russia creating a looming threat in Europe. We have the Pacific and China's expansion or, I should say, increased activities there. We have the ongoing war in the Middle East, the fight against Islamic extremism.

General Odierno, I believe said that a 50-brigade Army should be adequate to keep these threats in check. Now we are on a trajectory for about a 33-brigade Army. Do you think that managing or facing those threats is possible with a 33-brigade Army?

General MILLEY. Senator, are you talking Active brigades? Are you talking the total Army brigades? Because right now, total Army, we have 60 brigades today. We have 32 in the Active component today. The plan that was announced a week or 2 ago will take us down to 30 brigades, Active component, and we will lose 2 out of the Guard. The bottom line is——

Senator TILLIS. That was the Active, the 33 brigades.

General MILLEY. I think from a total Army perspective, we have adequate capacity, numbers, of brigade combat teams to handle the contingencies that are currently on the books. If we do not drop below the 980 force, we have adequate capacity, size, but that is with significant risk. That risk is incurred in terms of time, the time to the fight, the time to mobilize Guard units, the time to get them trained, certified, *et cetera,* and get them to the fight. Then it is also significant risk and potential casualties.

The second piece is not just capacity but capability, the readiness of the force and how capable it is to handle that type of fight, which is a different fight than what we have been dealing with for the last decade and a half.

We have got a ways to go in terms of improving our readiness with respect to the higher end type of combat operations.

Senator TILLIS. General Milley, I just want to close by saying I look forward to you being in this role. You were one of the first people to reach out to me back before I was even sworn in to offer information and help me ramp up. You were very generous with your time when I spent several days down at Fort Bragg, and you have been up here several times. I know you to be a very approachable,

direct person. I think you are going to be a great addition as the Chief of Staff.

Thanks again to you and your family.

Chairman MCCAIN. Senator McCaskill?

Senator MCCASKILL. Thank you, Mr. Chairman.

General, thank you. As everyone has expressed, we appreciate you coming by our offices and a chance to visit one on one, and I certainly appreciated that.

I want to talk about the cuts and sequestration and the issue that we have in front of us in the next 90 to 120 days here in Congress.

The installation-level cuts that the Army announced earlier this month are based, of course, on us shrinking to 450,000 soldiers. As you know and have talked about this morning, there is a significant risk that these cuts will not be the last. If Congress does not provide some relief from sequester-level caps, the Army will be forced to cut an additional 30,000 Active Duty soldiers.

This year, the Republicans are attempting to get around the statutory budget caps by using the Overseas Contingency Operations, or the war fund, which does not have to be paid for. It can be put on a credit card. Would you buy back force structure using this war fund?

General MILLEY. Senator, we would prefer, if possible, the budget be in the base. As the recipient of the money, we will take the OCO if that is the only mechanism that we can in order to sustain readiness, end strength, and modernization.

Senator MCCASKILL. Let me ask one that I think is even more difficult because then it kind of tramps on whether or not the OCO is being used appropriately because there is also an obligation you have to only use the Overseas Contingency fund for what it was designed to be and that is, an off-the-budget, unpaid-for, on the credit card to be used in an emergency for the purposes of a contingency operation. That is why it is called the Contingency Operations.

In your advance policy question for this hearing, you noted that our technological advantage over current and potential adversaries are at risk. We invested in the base budget in technology and research for decades to get us to the point that we are today where we are the most technologically force in the world. If we want the young men and women we will send to war in the future to have the same advantages that the men and women have today with our technological superiority, can you make long-term research and development investments using a fund that was designed only to apply to a contingency?

General MILLEY. I would have to get back to you on the actual legal use of that fund relative to long-term research. I think the answer would be no. I think OCO funds are specifically targeted to named operations, overseas contingency operations. I would have to get back to you to see if that could be used. I do not think it could, but I will check and get back to you, Senator.

[The information referred to follows:]

No. Legally, we can only use OCO funds in this manner if appropriated for this purpose by Congress. Current OCO rules and practices stipulate that research and development funds are for projects required for combat operations in the theater

that can be delivered in 12 months. In this context, 12 months is considered to be a short-term effort.

Senator MCCASKILL. The frustrating part of this is the only difference between the commitment to put this $40 billion in the budget between my friends and colleagues and us on this side of the aisle is the willingness to acknowledge that we are spending the money, is the willingness to say this belongs in the base budget, let us put it in the base budget, let us not use an artifice, a gimmick, phoniness, to pretend that somehow we are not making an investment in the base needs of our military but rather in an overseas contingency operation.

It remains a great frustration to me and one that I am hopeful that we can work out so that we do not go down this path and create this precedent that I think is very dangerous for the long-term stability of our military and you all's abilities to do your jobs in terms of planning and coordinating and having what you need going forward. I just think it is a very, very irresponsible precedent.

On sexual assault, I know that several members have talked about it to you already. I do want to mention I know you are getting after the retaliation. I will continue to monitor that.

I want to mention briefly at the end of my time the incredible training that is going on at Fort Leonard Wood for the investigators of sexual assault. This is a special set of training that must occur, and I would like your commitment. The forensic experimental trauma interview is now being trained throughout the military and frankly in the civilian world. The expertise that has been developed at the fort on this is unparalleled in terms of how you get after a sexual assault investigation, particularly interviewing a victim. I would like your commitment to familiarize yourself with that training and a commitment that you will continue to fight for the adequate funding so we can actually get these perpetrators behind bars so they are not, in fact, besmirching the amazing and wonderful military that we have in this country.

General MILLEY. I will absolutely take a deep look at that. As I understand it from reports I have, it is the best practice and it leads the Nation in its skills.

Senator MCCASKILL. It does. It does, in fact.

My thanks to you and your family for your service.

Chairman MCCAIN. Senator Sullivan?

Senator SULLIVAN. Thank you, Mr. Chairman.

General Milley, good to see you. Thank you for your 35 years of service and to your family who I know has sacrificed a lot.

I wanted to talk—I have a number of questions, as you can imagine—about the Army's decision to cut 40,000 troops recently. I know that you were not in the ultimate decisionmaking but you are going to be tasked with implementing this and maybe relooking at it. I would appreciate some of your thoughts and views.

You know, General Dunford last week talked about the importance of the military and DOD [Department of Defense] focusing on and implementing the defense guidance from the Congress. I gave examples of if the CNO [Chief of Naval Operations] was told by Congress 11 carriers we need or the Chief of Staff of the Air Force,

we need A–10s, even though the service does not like it, they do it.

One of the things that I am concerned about is in the current NDAA, we have a lot of focus on the Pacific rebalance, and there is very strong language, very directive language. The U.S. forces under the OPCON [Operational Command] of PACOM [U.S. Pacific Command] should be increased. Any withdrawal of the U.S. forces outside the continental U.S. Asia-Pacific region would therefore seriously undermine the rebalance. A lot of focus on the rebalance. It was put in there to provide credibility to strategy that this Congress bipartisan supports.

I have been quite concerned that the Army's decision pretty much ignores this. With all due respect to Senator Hirono, I do not think the decisions were inevitable. As a matter of fact, I think that what was just announced takes a huge chunk, not only increasing forces, not only keeping them the same, but dramatic increase. As a matter of fact, of the 40,000, a huge proportion was from the Asia-Pacific region.

The idea of fighting tonight, maintaining the rebalance—I think it is all undermined. I think it is dramatically undermined. I think our allies are going to see it undermined.

Do you think that the President's rebalance strategy has been undermined by dramatically reducing forces despite this Congress' defense guidance to the Department of Defense to not do that?

General MILLEY. I do not think it has necessarily been undermined, Senator. From an Army perspective, about 20 percent of the Army's combat power is in the Pacific, even with the reductions.

More to your point, though, I agree that the Sense of Congress should absolutely inform decisionmaking, and we should take that seriously and I think we will.

Senator SULLIVAN. It does not look like you did in this case.

General MILLEY. Well, as you know, I was not in this——

Senator SULLIVAN. I know. Again, General, I have the utmost respect for you. I am talking about the Army's decision which now you are going to have to defend. The Department of Defense, the Army did not—did not—abide by the defense guidance of Congress. Period. If they read that NDAA amendment.

General MILLEY. I will take a hard look at the entire issue, and I look forward to working with you on it. I do think, Senator, that the Army has substantial capabilities committed to the Pacific.

Senator SULLIVAN. They have been significantly increased in the last 2 weeks, according to this decision. The only airborne combat brigade in the entire Asia-Pacific has now been gutted.

General MILLEY. I would say that the airborne brigade was brought down to a battalion task force with the specific intent and design that it could be reversed if funding becomes available over the next couple of years. That brigade does not go to a battalion, I do not think, until late 2016 or 2017. It is designed to go to a battalion task force with the intent of reversing it if funding is made available.

Senator SULLIVAN. Do you think our allies were supportive of this? I mean, the idea of fighting tonight in Korea—that BCT was the Reserve cavalry for any contingency in Korea that can get there in 7 hours, a very capable, mountain, cold weather unit. Do you

think that our capability in Korea has been decreased by this decision?

General MILLEY. The Army, Marines, both have significant ground capabilities that are positioned throughout the continental United States, Hawaii, Alaska, Fort Lewis, Washington, and Okinawa that can respond. We think that it is a capable response to mitigate the threat given the current situation.

Senator SULLIVAN. Mr. Chairman, I will have more questions in the second round. Thank you.

Chairman MCCAIN. Senator Gillibrand?

Senator GILLIBRAND. Thank you, Mr. Chairman and Mr. Ranking Member, for this hearing.

Thank you so much, General Milley, for your service. Thanks to your family. You have done extraordinary things, and I am so grateful that you are continuing to serve our country.

I want to talk a little bit about combat integration. I want to applaud the Army for taking steps towards eliminating combat exclusion policies for women by opening up over 20,000 combat engineer and associated skill positions to female soldiers in June.

As you look at the positions that still remain closed, what reasons might there be for the Army to ask for an exception to policy for a position?

General MILLEY. The only reason at all, Senator—and there has been no decision yet, but everything revolves around standards and readiness. The military occupational specialties that remain closed currently are infantry armor, some forward observers in the field artillery, and then special operations, special forces.

There is a gender integration study ongoing right now by Training and Doctrine Command. There is a similar study ongoing by the Marines. They are both crosswalking their data. I expect to see that information, if I am confirmed, probably in September/October and will have to make a decision or a recommendation to the Secretary of Defense whether to seek a waiver or not. I will take a hard look at all that data and make that call at that time.

Senator GILLIBRAND. Well, we have seen the success of the cultural support teams in Afghanistan and how vital women were to those missions to gather vital intelligence as to where terrorists were, where weapons were being housed from women and children in those homes. I do hope you will focus every effort to make sure our best and brightest and all of our best and brightest are serving.

I was concerned about the recent news regarding the eight women who failed the first phase of the Army Ranger School for the second time due to their inability to accomplish subjectively evaluated leadership tasks. These women were already officers, ranging from captains to majors with years of leadership experience. Why do you think that class of women—why do you think these women were in such a historically high attrition rate? Do you find it alarming that the U.S. military academy at West Point is graduating leaders who, after 5 to 6 years of service, are not able to complete leadership tasks that are successfully accomplished by specialists and private first classes?

General MILLEY. Senator, Ranger School is a very, very hard course, male, female, no matter who you are. That is a hard course with a high attrition rate. The women that failed—one of the key

tasks that they failed were patrolling tasks, leadership skills, which because they are not in the infantry already, they have had a limited opportunity to train to those. I expect that those skills would improve over time. Right now we have three women who are in the mountain phase, as of yesterday anyway—still in the mountain phase of Ranger School, and we are observing that to see how that goes.

The broader issue of women in the infantry, women in armor, *et cetera*—again, there is a very detailed study going on. I want to take a hard look at all that and make sure that the standards are being met in the readiness force.

As to whether women can fight or not, there is no doubt. I have seen it personally, up close and real. There is no doubt in my mind that women can engage in ground combat with the enemies of our Nation because they have done it. They have been doing it for 10 years.

Senator GILLIBRAND. I also want to associate myself with the remarks from Senator Ernst, Hirono, and McCaskill about sexual assault in the military and how important it is for this committee that we solve that problem.

I do want to just note one thing from your testimony. Retaliation is not a new issue. In fact, we have been measuring retaliation over the last several years because of our DOD surveys. One of the biggest challenges we have and why Senator McCaskill raised it is this year's survey—62 percent of survivors were retaliated against, perceived retaliation, because they reported these crimes. That is the same statistic as 2 years ago. It is the same as the 2012 survey. We have a real challenge here with retaliation.

To be clear, the retaliation is fairly diverse. 62 percent is—53 percent is social retaliation, peer-to-peer. 35 percent is administrative action. 32 percent is professional retaliation. 11 percent is punishment for an infraction. If you look at all those factors, 35, 32, and 11, arguably more than half of the retaliation is through the chain of command. Please do study that because there is an issue of perception by female members of the military of discrimination. They said in 60 percent of sexual harassment cases and sexual discrimination cases, it came from the immediate commander. You are talking about unit commanders who are perhaps creating a toxic climate. That command climate really needs to be looked at aggressively to make sure that these female soldiers know that they can succeed and that their immediate supervisor does not have it out for them.

General MILLEY. I will make that a focus area, Senator.

Senator GILLIBRAND. Thank you.

Chairman MCCAIN. Senator Lee?

Senator LEE. Thank you, Mr. Chairman.

Thank you, General Milley, for your service to our country and for your willingness to be considered for this position.

I really enjoyed our visit last week when we met and enjoyed getting to know you a little bit better.

I want to first join my colleagues in condemning the deplorable attacks against our servicemembers in Chattanooga last week. I pray for the friends and family members and the colleagues of the

five servicemembers who lost their lives, and I pray for a quick recovery for those who were injured.

The attacks in Chattanooga last week were the latest in a string of deadly assaults on military personnel in facilities in the United States, including Fort Hood and the Navy Yard, as well as a number of attacks that were planned but that, quite fortunately, were disrupted before they could be carried out. In the coming months, I hope our military leaders and Congress can work together and work in an efficient, effective manner to figure out how we can better protect our men and women in uniform from these types of attacks in the future.

One of the concerns that I have heard repeatedly from servicemembers in Utah and elsewhere is that they feel inadequately informed by military leadership about some of the persistent threats against themselves, their families, and the facilities where they happen to work. They see threats on the news or through social media, but they do not feel like they have been given enough information about what is being done to protect them or proper guidance on how to protect themselves at or away from their workplace.

General, what is your assessment of how such information is being disseminated through the Army and, if confirmed, what you might do to improve the effectiveness of information and guidance that is coming from Army leadership on these threats to our Homeland and to our servicemembers in particular?

General MILLEY. Senator, unfortunately, in today's world, there is no rear area in this battle against the terrorists of ISIS or any other terrorist organization. The rear area of the United States is, in fact, vulnerable, and we have to do a better job at making sure that vulnerability assessments, information awareness is out there with our soldiers and their families. There is no doubt in my mind we have to increase that throughout the force, throughout the total Army, and indeed, throughout the entire military, those things like what to look for, signs, indicators of warnings, of reconnaissance and surveillance by the enemy, by the terrorists on a particular compound or against a particular person.

Unfortunately, though, a lot of these type of attacks are very ambiguous. This one in Chattanooga may or may not have had recon ahead of time or any kind of indicators ahead of time, may or may not have been a lone wolf. We do not know yet. It is too early in the investigation. A lot of times, these things are very ambiguous. Both active and passive defensive measures at all of our installations, with all of our families, with all of our soldiers, sailors, airmen, and marines is going to be a necessary requirement in the current environment.

Senator LEE. Thank you. I appreciate your insight on that.

I next wanted to follow up on some questions that Senator Wicker asked and some comments that he made.

Among the most contentious issues in this committee over the past 2 years has involved the Army's Aviation Restructuring Initiative. Now, I understand the Army has been put in a difficult position by budget reductions, and over the past several years has been exploring a number of options to maximize combat power while at the same time figuring out how to cut costs.

Congress has similarly been taking a hard look at this, which is why the Commission on the Structure of the Army was established in the NDAA.

If confirmed, will you commit to thoroughly reviewing the Army's Aviation Restructuring Initiative and working closely with Congress, once the Commission report is delivered next year, to help us figure out the best path forward on restructure issues?

General MILLEY. I absolutely will, and I look forward to reviewing that Commission report.

Senator LEE. What do you think are the biggest threats that, should you be confirmed, you will have to prepare the Army to address in the coming decade?

General MILLEY. I think the Army's fundamental mission of engaging in ground combat, winning in ground combat—I think that mission remains sound, and I anticipate that mission will remain so in the future.

Senator LEE. The three key tasks in the national security documents that are out there is to assure our allies, deter opponents, and if necessary, fight and win on the ground. All of those are going to be challenges in the years ahead as we go forward.

Thank you very much. I see my time has expired. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Sullivan?

Senator SULLIVAN. Thank you, Mr. Chairman.

General, you talked about budget constraints and looking at ways to reduce those. One that you did not mention is making sure there is no overlap in terms of core competencies and missions. I am assuming you think a core competency of the Army—I certainly do—is the airborne brigade task force, the ability to deploy anywhere on a moment's notice, kick in the door.

General MILLEY. Airborne operations are a core competency in the U.S. Army. That is correct.

Senator SULLIVAN. One of the things that I have been somewhat concerned about is when you look at the Army's Pacific Pathways mission—my office has been asking the Army for weeks now on what the costs of that are. We have not been able to get any answers on that. To me, do you see the value, in terms of our Nation's defense, of BCT with regard to the Army or putting soldiers on naval shipping with helicopters and doing expeditionary maneuvers throughout the Pacific? What is a higher value for the Army?

General MILLEY. I think they are both of value to the Army. I do think that Army forces on shipping and moving them around the Pacific has been done really for over a century. That is how the Army moves, by air and by ship.

Senator SULLIVAN. You do not see that as redundant to the Marine Corps' mission in the Asia-Pacific?

General MILLEY. No, not at all. The reason I say that is because they complement each other, but the Marine Corps core competency is amphibious assault not just movement by sea. What we are really talking about for Pacific Pathways is the strategic movement of Army forces over the ocean. We are not using any gray hulls anyway to do that. We are using black and green hulls to do that.

Senator SULLIVAN. If you had to choose, though, in austere budget times, would the Army want to focus on airborne core competencies or a mission that in some people's view looks somewhat redundant to another service's?

General MILLEY. Well, frankly, Senator, the Army has to do both.

Senator SULLIVAN. No, but I am just asking if you had to choose. In this kind of austere budget, you have to choose.

General MILLEY. We have to be able to do both. We have to. We do not have a choice. We have to maintain both capabilities, forced entry capability for vertical insertion airborne assault, and we have to be able to move forces, both air and sea, to reinforce in a variety of contingencies.

Senator SULLIVAN. We would appreciate it—I would appreciate if we can get some numbers on the Pacific Pathways in terms of costs.

General MILLEY. Sure, absolutely.

[The information referred to follows:]

The Army plans to conduct three Pathways per year, with a projected estimated total cost of $45 million per year or an estimated average cost of $15 million per Pathway.

Senator SULLIVAN. I want to turn to another issue, kind of emerging threat issues. You and many others who have testified have talked about Russia as a principal threat, and certainly that is the case in the Ukraine.

I want to emphasize and talk a little bit more about the Arctic. You have probably seen in the last just few weeks there have been articles. I just got this in the airport today. Russia has made military buildup in the Arctic a strategic priority. There is article after article about the Russians moving huge force posture, huge force structure, four new BCTs, big operations that nobody is even aware of that are taking us by surprise all through the Arctic.

You have probably seen this map that has new airfields, 11 new airfields, 40 Arctic icebreakers, some nuclear-powered. The United States has these forces here. That is it. This recent decision we are going to remove a key capability of these and we have this as our strategy. This is the 2013 DOD Arctic Strategy. It mentions climate change five times and in a footnote mentions Russia. This is a joke of a strategy.

I think during our deliberations for the NDAA, the Congress recognized that this is a serious issue, a serious new threat environment. We had an amendment that came through the NDAA that focused on our interest in the Arctic, the need for a much broader assessment, for a much more serious look in terms of OPLANS [Operation Plan in Complete Format], in terms of a military strategy. That passed unanimously.

What I was wondering, when you look at—so the Secretary of Defense has to put forward this strategy within the next year. Our most capable Arctic forces, before we even do the analysis, before we do the planning, before we do the OPLAN, we are going to remove the most capable, indeed the most lethal Arctic warriors that we have. General, it takes a long time to become proficient in the Arctic.

I am wondering what your thought on that is, and if confirmed, I think it make sense to do the analysis first, to do the OPLAN

first, to do the strategy first before we move any force structure. Would you commit to work with this committee to hold off on moving Arctic forces, particularly given the dramatic threat increase until after the Secretary of Defense and others have put together an Arctic Strategy, has defense guidance from this committee and this Congress? Do you think that that is the most logical way to do the planning?

General MILLEY. I appreciate that, Senator. I agree with you. I think that having an OPLAN first and then figuring out your task organization second is the right sequence, and I think that is in fact what is about to happen. I think as you already mentioned, the Arctic OPLAN, the Arctic Strategy is going to get reviewed by OSD [Office of the Secretary of Defense], and General Dunford mentioned that the other day.

Senator SULLIVAN. Well, there is no OPLAN [Operation Plan in Complete Format]. There is no strategy unless you want to call this a strategy. I mean, there is a lot of work that needs to be done.

General MILLEY. There is a lot of work that needs to be done, and it is under review, as I understand it. I think you asked General Dunford to produce an OPLAN, and I think he committed to doing that and I look forward to participating in that and will work with that over the course of the next year.

The forces in Alaska do not get reduced, according to the decision I think I heard, until end of 2016 and 2017. An OPLAN first, reduction of forces second if still required. I will work with you on that.

Senator SULLIVAN. Good, because to me, again, I think it makes strategic sense to put together the plan, see what the combatant commanders need in terms of troops, see what the new threat level is, and then make the plan on troop levels once you are informed by a real strategy, not a 13-page document. Thank you.

Chairman MCCAIN. General, I just would like to say that Senator Sullivan raises this whole issue of the Arctic and the recent Russian moves in that region. We need to pay a lot more attention to it. We see our friends in Norway, in particular, but also Sweden, Finland, those nations there that are experiencing things like Russian overflights and Russian submarine activities and other—I believe that the Russians have—what is it, Senator Sullivan, 50-some icebreakers?

Senator SULLIVAN. Close to 40.

Chairman MCCAIN. Close to 40 icebreakers. I think we have one. Is that correct?

Senator SULLIVAN. Yes, sir.

Chairman MCCAIN. We have got a very full agenda, but the Arctic I think is another area that we have to be concerned, particularly given Russian behavior. Even Sweden, which is traditionally, as we know, a very neutral nation, has become extremely concerned about Russian activity in their territorial waters. As we see climate change—as we see areas of the Arctic opening up to being areas of navigation, this is an area that I hope we will spend some time on. I thank Senator Sullivan for his attention and involvement in what is, I view, a looming situation with Russia.

I thank you, General.

The committee is adjourned.

[Whereupon, at 11:21 a.m., the committee adjourned.]

[Prepared questions submitted to Gen. Mark A. Milley, USA by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. Do you see the need for modifications of any Goldwater-Nichols Department of Defense Reorganization Act of 1986 provisions?

Answer. I do not currently anticipate the need to modify the Goldwater-Nichols Act of 1986.

Question. If so, what modifications do you believe would be appropriate?

Answer. I do not currently anticipate the need to modify the Goldwater-Nichols Act.

DUTIES AND QUALIFICATIONS

Question. Section 3033 of title 10, United States Code, establishes the responsibilities and authority of the Chief of Staff of the Army.

What is your understanding of the duties and functions of the Chief of Staff of the Army?

Answer. The Chief of Staff of the Army is the senior military advisor to the Secretary of the Army and the senior military officer of the Army. In addition to his role as an advisor, the Chief of Staff is responsible for the effective and efficient functioning of Army organizations and commands in executing their statutory missions. The Chief of Staff also performs the duties prescribed for him as a member of the Joint Chiefs of Staff under section 151 of title 10.

Question. Assuming you are confirmed, what duties do you expect the Secretary of the Army to prescribe for you?

Answer. If confirmed, I would serve as the senior military advisor to the Secretary of the Army and the senior military officer of the Army and all its components. I would expect the Secretary of the Army to assign me the following duties:

(a) Preside over the Army Staff;
(b) Transmit the plans and recommendations of the Army Staff to the Secretary of the Army and advise the Secretary of the Army on those plans and recommendations;
(c) Act as the agent of the Secretary of the Army in carrying into effect the plans and recommendations of the Army Staff that the Secretary of the Army has approved;
(d) Perform other duties assigned by the President, Secretary of Defense or the Secretary of the Army;
(e) Represent the Army in areas related to my functions and responsibilities, including to the public and the Department of Defense as the Army's military representative to appropriate Department of Defense councils;
(f) Communicate and advocate for Army policies, plans and programs to external audiences, including Congress, interagency partners, foreign governments, nongovernmental organizations and the public;
(g) Assist the Secretary of the Army in fulfilling his compliance functions, including directing the Inspector General to perform inspections and investigations as required; and
(h) Assist the Secretary of the Army in the performance of the following acquisition related functions:
    a. The development of requirements relating to the defense acquisition system;
    b. The coordination of measures to control requirements creep in the defense acquisition system;
    c. The development of career paths in acquisition for military personnel; and
    d. The assignment and training of contracting officer representatives when such representatives are required to be members of the armed forces because of the nature of the contract concerned.
(i) Serve as a member of the Joint Chiefs of Staff and provide independent military advice to the Secretary of Defense, Congress, National Security Council and the President. To the extent such action does not impair my independence in my performance as a member of the Joint Chiefs of Staff, I would keep the Secretary of the Army informed of military advice that the Joint Chiefs of Staff

render on matters affecting the Army. I would inform the Secretary of the Army of significant military operations affecting his duties and responsibilities, subject to the authority, direction, and control of the Secretary of Defense;

(j) Represent Army capabilities, programs, policy, and requirements in Joint forces;

(k) Supervise the execution of Army policies, plans, programs, and activities and assess the performance of Army commands in the execution of their assigned statutory missions and functions; and

(l) Task and supervise the Vice Chief of Staff, Army, the Army Staff and, as authorized by the Secretary of the Army, elements of the Army Secretariat to perform assigned duties and responsibilities.

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I am privileged to have over 35 years of service in our Army, during which I have commanded at every level from Platoon to U.S. Army Forces Command including command of the 10th Mountain Division and the III Armored Corps. Of note, I had the honor to lead soldiers in combat as a Captain and Major along with combat leadership as a Brigade Commander, Division Deputy Commander, and Corps Commander. With service in Special Forces and conventional units, as well as operational experience in a variety of contingencies around the globe, I have a comprehensive perspective of the Army, its processes and capabilities. My experience includes operations in the Sinai, Somalia, Panama, Haiti, the Balkans, Afghanistan, and Iraq, along with tours in Korea and Columbia. I have participated in Humanitarian Service, Peacekeeping, Peace Enforcement and multiple combat operations. During my most recent deployment, as the Commanding General of III Corps and ISAF Joint Command, I had the opportunity to apply the full range of Army, joint, combined and coalition capabilities in complex environments on my third tour in Afghanistan while commanding all the ground forces in combat and security force assistance operations. Additionally, I have considerable experience on the Joint Staff and Office of the Secretary of Defense Staff where I saw firsthand the importance of teamwork across the Department of Defense and working with Congress. Finally, as the Commanding General of U.S. Army Forces Command, I am responsible for the training and readiness of the entire U.S. Army's Operational Force based in the Continental United States, which includes most of the Army National Guard, U.S. Army Reserve and Active component Regular Army—roughly about 70–80 percent of the Total Army. If confirmed, the combination of all of these assignments as well as the honor of serving closely with our dedicated soldiers, will enable me to lead our Army as it meets our Nation's requirements in a complex world.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Chief of Staff of the Army?

Answer. If confirmed, my tenure as Chief of Staff will be marked by continuous self-assessment of my ability to perform my duties. As I believe necessary, I will employ measures that will improve my ability to lead the Army. It is essential in this complex environment that we continue to learn and adapt to ensure that our skills remain current and able to meet our future challenges.

Question. What duties and responsibilities would you plan to assign to the Vice Chief of Staff of the Army?

Answer. If confirmed as Chief of Staff of the Army, I would ensure the Vice Chief of Staff is responsible for providing me advice and assistance in the execution of my duties, specifically with regard to manpower and personnel; logistics; operations and plans; requirements and programs; intelligence; command, control and communications; and readiness. I will review other duties and responsibilities for the Vice Chief of Staff of the Army as appropriate after discussions with him and the Secretary of the Army.

RELATIONSHIPS

Question. If confirmed, what would be your working relationship with:

a. The Secretary of Defense.

The Chief of Staff of the Army must have a close working relationship with the Secretary of Defense. If confirmed, I will be responsible to the Secretary of Defense and his Deputy, through the Secretary of the Army, for the operation of the Army in accordance with the Secretary of Defense's guidance and direction. If confirmed, as a member of the Joint Chiefs of Staff, I will serve as a military adviser to the President, the National Security Council, and the Secretary of Defense as appropriate. I will cooperate fully with the Secretary of Defense to ensure that the Army properly implements the policies established by his office. In coordination with the

Secretary of the Army, I will communicate with the Secretary of Defense in articulating the views of the Army.

b. The Deputy Secretary of Defense.

The Deputy Secretary of Defense performs such duties and exercises such power as the Secretary of Defense may prescribe. If confirmed, I will be responsible to the Secretary of Defense, and his deputy, through the Secretary of the Army, for the operation of the Army in accordance with the Secretary's guidance and direction. Also, in coordination with the Secretary of the Army, I will communicate with the Deputy Secretary in articulating the views of the Army. I will work closely with all to ensure that the Army is administered in accordance with the guidance and direction issued by the Office of the Secretary of Defense.

c. The Under Secretaries of Defense.

Acting on behalf of the Secretary of Defense, the Under Secretaries perform responsibilities that require them, from time to time, to issue guidance and instruction as approved by the Secretary of Defense—and in the case of the Under Secretary of Defense for Acquisition, Technology, and Logistics, direction—to the Military Departments. If confirmed, in coordination with the Secretary of the Army, I will communicate with the Under Secretaries in articulating the views of the Army. I will work closely with the Under Secretaries to ensure that the Army is administered in accordance with the Office of the Secretary of Defense's guidance and direction.

d. The Chairman of the Joint Chiefs of Staff.

The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the National Security Council, and the Secretary of Defense. Subject to the authority, direction, and control of the President and the Secretary of Defense, the Chairman plans the strategic direction and contingency operations of the armed forces; advises the Secretary of Defense on requirements, programs, and budgets that the combatant command commanders identify; develops doctrine for the joint employment of the Armed Forces; reports on assignment of functions (or roles and missions) to the Armed Forces; provides for representation of the United States on the Military Staff Committee of the United Nations; and performs such other duties as the law or the President or Secretary of Defense may prescribe.

In conjunction with the other members of the Joint Chiefs, the Chief of Staff of the Army assists the Chairman in providing military advice to the President, the National Security Council, and the Secretary of Defense. If confirmed as a member of the Joint Chiefs of Staff, I will provide my individual military advice to the President, the National Security Council, and the Secretary of Defense. If confirmed, it would be my duty as a member of the Joint Chiefs of Staff to provide frank and timely advice and opinions to the Chairman to assist him in his performance of these responsibilities. If confirmed, and as appropriate, I will also provide advice in addition to or in disagreement with that of the Chairman. I will establish and maintain a close and professional relationship with the Chairman, and I will communicate directly and openly with him on any policy matters impacting the Army and the Armed Forces as a whole.

e. The Vice Chairman of the Joint Chiefs of Staff.

The Vice Chairman of the Joint Chiefs of Staff assists the Chairman in providing military advice to the Secretary of Defense and the President. If confirmed, it would be my duty as a member of the Joint Chiefs of Staff to ensure that the Vice Chairman receives my frank views and opinions to assist him in performing his responsibilities.

f. The Chiefs of the Other Services.

If confirmed, as a member of the Joint Chiefs of Staff, it would be my duty to engage in frank and timely exchanges of advice and opinions with my fellow Service Chiefs. I look forward to developing strong working relationships with these colleagues, if I am confirmed.

g. The Combatant Commanders.

The combatant commanders are responsible to fight our wars and conduct joint military operations around the world. Title 10, U.S. Code, section 165 provides that, subject to the authority, direction and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Service Secretaries are responsible for administration and support of forces that are assigned to unified and specified commands. If confirmed, I will cooperate fully with the combatant commanders in performing these administrative and support responsibilities. I will establish close, professional relationships with the combatant commanders and I will communicate directly and openly with them on matters involving the Department of the Army and Army forces and personnel assigned to or supporting the combatant commands.

h. The Army Component Commanders of the Combatant Commands

The Army component commanders of the combatant commands exercise command and control under the authority and direction of the combatant commanders to whom they are assigned and in accordance with the policies and procedures established by the Secretary of Defense. The combatant commanders normally delegate operational control of Army forces to the Army Component Commander. The Secretary of the Army generally delegates administrative control of Army forces assigned to the combatant commander to the Army component commander of that combatant command. The Army Component Commander is responsible for recommendations to the Joint Force Commander on the allocation and employment of Army forces within the combatant command. If confirmed, I will cooperate fully with the combatant commanders and Army Component Commanders in performing these responsibilities.

i. The Secretary of the Army.

If confirmed, I will establish a close, direct, and supportive relationship with the Secretary of the Army. Within the Department of the Army, my primary responsibilities as Chief of Staff are to perform all duties assigned to me by the Secretary and to serve as the Secretary's principal military adviser. My responsibilities would also involve communicating the Army Staff's plans to the Secretary and supervising the implementation of the Secretary's decisions through the Army Staff, commands, and agencies. My actions would be subject to the authority, direction, and control of the Secretary. In my capacity as a member of the Joint Chiefs of Staff, I would also be responsible for appropriately informing the Secretary about conclusions reached by the Joint Chiefs of Staff and about significant military operations, to the extent this would not impair my independence in performing my duties as a member of the Joint Chiefs of Staff. If confirmed, I look forward to working closely and in concert with the Secretary of the Army to establish the best policies for the Army, taking into account national interests.

j. The Under Secretary of the Army.

The Under Secretary of the Army is the Secretary's senior civilian assistant and principal adviser on matters related to the management and operation of the Army. The Under Secretary of the Army performs such duties and exercises such powers as prescribed by the Secretary of the Army. The Under Secretary's responsibilities require him, from time to time, to issue guidance and direction to the Army Staff. If confirmed, I will be responsible to the Secretary and to the Under Secretary for the operation of the Army in accordance with such directives. I will cooperate fully with the Under Secretary to ensure that the policies that the Office of the Secretary of the Army establishes are implemented properly. I will communicate openly and directly with the Under Secretary in articulating the views of the Army Staff, commands, and agencies.

k. The Vice Chief of Staff of the Army.

The Vice Chief of Staff of the Army serves as the principal advisor and assistant to the Chief of Staff. If confirmed, I will establish and maintain a close, professional relationship with Vice Chief of Staff of the Army.

l. The Assistant Secretaries of the Army.

The Assistant Secretaries of the Army have functional responsibilities that, from time to time, require them to issue guidance to the Army Staff and to the Army as a whole. If confirmed, I will establish and maintain close, professional relationships with the Assistant Secretaries in order to foster an environment of cooperative teamwork between the Army Staff and the Army Secretariat as we address the Army's day-to-day management and long-range planning requirements.

m. The General Counsel of the Army.

The General Counsel is the legal counsel to the Secretary of the Army and the chief legal officer of the Department of the Army. The duties of the General Counsel include coordinating legal and policy advice to all members of the Department regarding matters of interest to the Secretariat, as well as determining the position of the Army on any legal question or procedure, other than military justice matters, which are assigned to The Judge Advocate General. If confirmed, I will establish and maintain a close, professional relationship with the General Counsel to assist in the performance of these important duties.

n. The Inspector General of the Army.

The Inspector General reports to the Secretary of the Army and is responsible for inspections and certain investigations within the Department of the Army, such as inquiring into and reporting to the Secretary of the Army and the Chief of Staff regarding discipline, efficiency, and economy of the Army with continuing assessment of command, operational, logistical, and administrative effectiveness; and serving as the focal point for the Department of the Army regarding Department of Defense Inspector General inspections and noncriminal investigations, as well as the Department of Defense inspection policy. If confirmed, I will establish and maintain a

close, professional relationship with the Inspector General of the Army to ensure effective accomplishment of these important duties.

o. The Judge Advocate General of the Army.

The Judge Advocate General is the military legal advisor to the Secretary of the Army and all officers and agencies of the Department of the Army. The Judge Advocate General provides legal advice directly to the Chief of Staff and to the Army Staff in matters concerning military justice; environmental law; labor and civilian personnel law; contract, fiscal, and tax law; international law; and the worldwide operational deployment of Army forces. The Chief of Staff does not appoint The Judge Advocate General, and does not have the personal authority to remove her. This enables The Judge Advocate General to provide independent legal advice. If confirmed, I will establish and maintain a close, professional relationship with The Judge Advocate General as my legal advisor and I will assist her in the performance of her important duties as the legal advisor to the Secretary of the Army.

p. The Chief of the National Guard Bureau.

The Chief of the National Guard Bureau heads a joint activity of the Department of Defense and is the senior uniformed National Guard officer responsible for formulating, developing, and coordinating all policies, programs, and plans affecting more than half a million Army and Air National Guard personnel. Appointed by the President, he serves as principal advisor to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on National Guard matters. He is also the principal advisor to the Secretary and Chief of Staff of the Army and the Secretary and Chief of Staff of the Air Force on all National Guard issues. As National Guard Bureau Chief, he serves as the department's official channel of communication with the Governors and Adjutants General. As a member of the Joint Chiefs of Staff, the Chief of the National Guard Bureau has the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of homeland defense and civil support missions. If confirmed, I will establish and maintain a close, professional relationship with the Chief, National Guard Bureau to foster an environment of cooperative teamwork between the Army Staff and the National Guard Bureau, as we deal together with the day-to-day management and long-range planning requirements facing the Army.

q. The Director of the Army National Guard.

The Director, Army National Guard is responsible for assisting the Chief, National Guard Bureau in carrying out the functions of the National Guard Bureau, as they relate to the Army National Guard. If confirmed, I will establish and maintain a close, professional relationship with the Director, Army National Guard to foster an environment of cooperative teamwork between the Army Staff and the National Guard Bureau. This will be essential as we deal together with the day-to-day management and long-range planning requirements facing the Army to sustain and improve the Army National Guard's operational capabilities.

r. The Chief of the Army Reserve.

Appointed by the President, the Chief, Army Reserve is the advisor to the Chief of Staff of the Army on Army Reserve matters, and is responsible for justifying and executing the Army Reserve's personnel, operation and maintenance, and construction budgets. As such, the Chief, Army Reserve is the director and functional manager of appropriations made for the Army Reserve in those areas. In addition, the Chief, Army Reserve is responsible for managing the Army Reserve's Full Time Support Program and submitting an annual report on the state of the Army Reserve through the Secretary of the Army to the Secretary of Defense. If confirmed, I will establish and maintain a close, professional relationship with the Chief, Army Reserve as we deal together with the Army's day-to-day management and long-range planning requirements in order to sustain and improve the Army Reserve's operational capabilities.

VISION FOR THE FUTURE

Question. What is your vision for the Army of today and the future?

The U.S. Army is and must remain the world's premier ground combat force capable of conducting sustained campaigns on land to achieve U.S. National Security objectives and remain true to our national values. The Army is the force, an all volunteer force, uniquely capable of winning a decision favorable to the U.S. In order to sustain our edge over any adversary, the U.S. Army must be lethal, agile, adaptive, innovative, and expeditionary; armed with leader, technological and training overmatch. Additionally, the Army, combined with the effects of the Navy, Air Force, Marines, Cyber, Space, and Special Operations Forces, must present our opponent with overwhelming simultaneous multiple dimension problems that paralyze and cause his defeat.

Question. Given your vision, is the Army ready to meet current demands from combatant commanders, downsize the force, modernize and improve readiness while transforming? How will you balance these competing demands?

Answer. I recognize, in the face of increasing demands and declining resources, we will be forced to assume risk in some areas. If confirmed, I will ensure we make those hard decisions through a rigorous and deliberate process with the assistance and input of Congress. I am concerned that the Army has been required to assume future risk by underfunding modernization, and if confirmed, I will work to ensure that the Army has the resources to meet the current demands of the combatant commanders while transforming and modernizing to be successful in the future.

I have no illusion that balancing competing demands to fulfill the National Security Strategy and the combatant commander's requirements while significantly downsizing the force in a fiscally constrained and uncertain environment will be exceptionally difficult. However the Army, as we have for 240 years, will meet the challenge with innovative and adaptive leadership and with disciplined and committed soldiers. If confirmed, readiness will remain an inviolate benchmark and #1 priority—no American soldier must ever deploy to combat unready. It is my solemn commitment that our troops will be rigorously trained, possess the best equipment and be led by leaders of character, competence and courage.

Question. Across the continuum of conflict, as described in the National Military Strategy in what areas is the Army currently best prepared for? Is this where the Army needs to be given emerging and future threats?

As the Nation's principal ground military force, the Army has the obligation to be ready to conduct sustained land operations across the spectrum of conflict and win in ground combat. We cannot allow ourselves to focus too narrowly on any one scenario. Right now, the U.S. Army is highly skilled in counterterrorist and contingency operations along with advisory skills and building partner capacity. Given emerging and future threats, we will need to sustain our counterterrorist, counterinsurgency, advisory, and build partner capacity skills while rebuilding our combined arms conventional warfighter skills for offense, defense, and stability. Further, we must improve our mission command, aviation, fire support, engineer, and sustainment skills. Lastly, we must develop our cyber force to a much higher level of capability. If confirmed, I will continually assess and collaborate with the other Service Chiefs and adapt the Army to first meet current needs and position itself for the future.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges that will confront the next Chief of Staff of the Army?

Russia, China, North Korea, Iran, ISIS and radical violent extremist organizations currently challenge the United States each in their own way and will likely continue for some time into the future. These security challenges exist within a wider context of rapid technological change, significant demographic change, global economic uncertainty, and geostrategic power shifts of historic proportions. Right now the level of uncertainty, the velocity of instability, and potential for significant inter-state conflict is higher than it is has been since the end of the Cold War in 1989–91. These challenges and global context unfold while the U.S. is likely to continue fiscal uncertainty and the U.S. Army will continue to shrink. However, as a result of the global situation, the demand for ground forces will continue to increase even more so since many of our longstanding allies have significantly reduced their military forces over the last 25 years. Maintaining both capacity and capability in all three components of the U.S. Army in a rapidly changing and volatile security and fiscal environment will be our greatest challenge while simultaneously posturing the Army for the future beyond 2020. The next four years will bring to the forefront the challenge of maintaining tactical and operational advantage over our adversaries. The Army currently benefits from an overmatch that enables a historically small number of soldiers to accomplish significant operations while minimizing casualties. This advantage has a shelf life; the technologies that gave us the advantage today are increasingly available to state and non-state adversaries at dramatically lower cost than even a decade ago. As that overmatch degrades, the risk to soldiers increases. Maintaining readiness in the near term and retaining capacity while creating capability for the mid and long term will be the Army's greatest challenge given the threat, global context, and domestic fiscal environment.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Recognizing the environment we are in, I see two near term imperatives for the Army. First, we must build and maintain readiness across the Total Force. This

readiness must reflect both sufficient capacity to meet the demand for Army forces and proficiency in the multitude of capabilities that enable the Army to accomplish its diverse missions. Second, we must plan and invest for the future. I see this done through a deliberate science and technology strategy that seeks to exploit research that has the potential for leap ahead capabilities in the areas of "shoot, move, communicate, and mission command."

If confirmed, I will continue to work closely with Congress and address these challenges. We will continue to refine and update our training programs to ensure all our soldiers are fully prepared to deploy to combat. We will continue to review our reset, force modernization and acquisition programs in order to more efficiently meet the needs and requirements of today and the future threat. I will work closely with the Secretary of Defense, Secretary of the Army and the combatant commanders to identify those capabilities needed to provide depth and versatility to the joint force in order to provide more effective and flexible forces for employment. I will continue to review and adjust leader development programs in order to develop thinking, adaptable, agile decision makers necessary to operate in an increasingly complex and unpredictable environment. I will review our soldier and Family Programs to ensure we are meeting their needs.

Question. What do you consider to be the most serious problems in the performance of the functions of the Chief of Staff of the Army?

At this point, I am not aware of any problems that would impede the performance of the Chief of Staff of the Army.

Question. If confirmed, what management actions and time-lines would you establish to address these problems?

If confirmed, I will vigorously uphold the standards expected by the American people and undertake a deliberate review of key policies to ensure that the Army is meeting its current responsibilities and is postured to meet the challenges of the future. I will work to maintain open lines of communication with this committee, and Congress writ large, so that I might benefit from the collective wisdom and experience.

I will also remain committed to improve, and if necessary, establish management systems that provide good stewardship of the precious, limited and valuable resources that the American people have given us to accomplish our mission.

Question. If confirmed, what broad priorities will you establish?

I will work closely with the Secretary of the Army to establish Army priorities within the guidelines of the President and Secretary of Defense. Within that framework, my #1 priority, if confirmed, will be readiness across the Total Force. When the Nation calls, the Army must be ready with soldiers that are confident they are well trained, well armed, and well led. At the same time, our #2 priority is to invest in the technologies, organization, and doctrine that will allow us to maintain overmatch against future adversaries while retaining the ability to adapt to unforeseen challenges. Additional priorities will include:

- Keep faith with the All Volunteer Force.
- Maintain our values and close relationship with the American People.
- Protect the Force—Our most valuable asset is our people—soldiers, families, civilians—and each deserve to be treated with dignity and respect and be afforded the best quality of life and an equal opportunity to excel based on their merit.
- Develop leaders of character, competence and resilience that are fit, agile, adaptive, and innovative.

ORGANIZE, TRAIN, AND EQUIP RESPONSIBILITY

Question. The Chief of Staff is responsible for organizing, training and equipping forces provided to fleet and component commanders, including the prioritization of funding and effort to meet these needs in the near term, while developing capabilities for the far term.

How would you characterize your experience in force management and capability requirement decisions?

Answer. While leading Forces Command it is my job to ensure that the Army is able to provide a sustained supply of highly capable land forces to combatant commanders. In that role, I became intimately familiar with both the combatant commanders' requirements and the Army forces ready to meet them. Additionally, my time serving on the Joint Staff and as the Military Assistant to the Secretary of Defense provided me significant experiences with the longer term challenges facing our military and the critical investment decisions that must be made now to ensure we have the capabilities we will need in the future.

Question. What innovative ideas are you considering for organizing, training and equipping the Army?

Answer. A decade and a half of war has taught us that the Army must continually adapt to the missions assigned and the operating environment. The Army will continue to innovate as we did in Iraq and Afghanistan, focusing our efforts on what soldiers and commanders need to accomplish their missions. Our organizational structures need agility in order to meet the combatant commanders' request for forces; our training must be realistic so that it meets the unique needs of the units' assigned mission, while developing the skills to fight and win future wars as part of the Joint Force. We need to procure equipment that is technologically feasible so that we can quickly and cost effectively provide incremental improvements to the field.

There are a wide variety of emerging technologies that may have significant impact on ground warfare including technologies in communications for mission command, robotics, nano-technologies, human performance, explosives and propellants, hypersonics, directed energy, cyber, protective materials for personnel and equipment, and a variety of developments in weapons technologies. All of these and more are areas of innovation the Army will explore in depth to assess applicability at affordable cost.

SECURITY STRATEGIES AND GUIDANCE

Question. How would you characterize current trends in the range and diversity of threats to national security we face today?

Answer. The range and diversity of potential threats is increasing concurrent with increasing instability in many parts of the world. Our adversaries—both state and non-state—recognize the limits of our capabilities and capacity. Both state and non-state adversaries have employed novel capabilities, created by combining increasingly available military and commercial technologies. Accordingly, our enemies are increasingly using "hybrid" warfare methods that blend aspects of conventional and irregular warfare. This creates ambiguity and achieves adversary gains below the threshold that has historically triggered a U.S. or Allied military response. However, given the increased uncertainty, and velocity of global instability converging with rapid technological, demographic, economic, and geo-strategic power shifts, it is my view that significant conflict with adversary-state or non-state actors threatening vital U.S. interests is increasing in all likelihood.

Question. The Defense Strategic Guidance issued January 2012 took into account a $487 billion dollar reduction in defense resources.

With the additional $500 billion in cuts to the Department of Defense as a result of sequestration, is the Defense Strategic Guidance still valid?

Answer. No. The additional cuts imposed by sequestration would impose a significant departure from the level of resources that the Defense Strategic Guidance (DSG) assumed. Sequestration will force the Army to reduce end strength, readiness, and nearly halt modernization. The consequences of these forced actions would degrade our ability to provide the trained and ready forces that the DSG requires and increase risk to the point where the U.S. Army could not fulfill the missions assigned to us in our National Security strategic guidance documents. In short, our ways and means will be significantly out of balance with our stated ends, which will increase risk to an unacceptable level for the Nation. If confirmed, I will provide my best military advice to properly balance the national strategic ends-ways-means in order to maintain National Security risk at acceptable levels.

Question. In your view, as the Defense Strategic Guidance was issued in January 2012, is that strategic guidance still appropriate for the threats we face today or do you think an update is warranted?

Answer. The 2012 Defense Strategic Guidance was based upon a number of assumptions, such as the duration of conflicts, the contributions of our allies, and the nature and location of future threats. Some of these assumptions now appear optimistic, particularly in light of the rise of ISIL, a resurgent Russia, Iran's actions in the Middle East, and challenges in the Pacific region. If confirmed, I will provide my best military advice to inform policy and guidance as we move forward to confront current and future threats.

Question. In your view, is our defense strategy and current establishment optimally structured, with the roles and missions of the Military Departments appropriately distributed, and U.S. forces properly armed, trained, and equipped to meet security challenges the Nation faces today and into the next decade?

Answer. I believe the structure of the defense establishment and the roles and missions of the services are sound. In my view, we need to continually reassess our defense strategy in order to update it to account for the changing security environ-

ment. Resourcing levels must also remain predictable and aligned with our national objectives. I am concerned that we may underestimate the degree of readiness, end strength, and modernization required to confront current and future security challenges.

Question. If confirmed, what changes, if any, would you propose to the capabilities, structure, roles, and missions of the Army?

Answer. If confirmed, I will conduct a deliberate strategic assessment to identify any needed changes to the Total Army's capabilities, structure, roles, and missions. Such assessments will also evaluate capacity. In doing so, I will work with the Chairman, Joint Chiefs of Staff, Services Chiefs, and combatant commanders along with both the Secretary of the Army and Defense to ensure the Army is the right size, with the right structure, and doing the right mission to protect the Nation.

MILITARY CAPABILITIES IN SUPPORT OF DEFENSE STRATEGY

Question. In your opinion, do current military plans include the necessary capabilities to meet the defense strategy stated in the 2014 Quadrennial Defense Review (QDR) and the 2015 National Military Strategy? Please identify areas of higher risk.

Answer. The defense strategy provides that the Army, as part of the Joint Force, has to accomplish three tasks. The first priority is to defend the homeland; the Army can meet our responsibilities in this mission set. The second task is build security globally. While we have the capability required, increasing demand for Army forces, while our force is getting smaller, strains capacity. We remain engaged in Afghanistan, Iraq, Korea, Europe, the greater Middle East, Africa, South America, and the Pacific region. The stress of increased missions on a smaller force is something I am especially concerned about. Tempo will likely increase given the instability around the world and the reduction of defense spending by our allies and partners. Lastly, the defense strategy tasks the Army to project power and win decisively. Here, the risk is significant and trending higher as we train our decisive action capability and meet warplan requirements with a smaller, less resourced force.

Question. Does the 2014 QDR specify the correct set of capabilities to decisively win in future state to state conflict?

Answer. The 2014 QDR was based on a set of facts and assumptions that did not include the current situation in Eastern Europe and Russia, the rise and spread of ISIS along with the disintegration of the nation-state in the Middle East, and the increasing military capability and foreign policy assertiveness of China. In short, the world has become more uncertain and unstable since the 2014 QDR was written and consequently we need to review the global assumptions and calculations embedded in the 2014 QDR in order to ensure the capabilities and priorities align to the realities of the emerging situation.

Question. According to the force sizing construct in the 2014 QDR, American forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region."

In your opinion, is the Army adequately sized to meet the Department's force sizing construct in order to address the country's current threat environment?

Answer. The current Chief of Staff of the Army, General Ray Odierno, has testified that the Army size in PB16 of 450,000 Regular Army, 335,000 Army National Guard, and 195,000 U.S. Army Reserve is adequate to meet the demands of the current and future threats but at "significant risk."

If confirmed, I pledge to work closely with the Secretary of Defense, the Secretary of the Army, the Chairman of the Joint Chiefs, and our combatant commanders to match end strength, structure, and tempo in our Army Force Generation rotational model to meet global demands as they change. I will continually evaluate the size and capability of the Total Army against emerging threats and provide candid assessments on our risk to our senior civilian leadership including the President, The Secretary of Defense, The Secretary of the Army, the National Security Council, and Members of the U.S. Congress.

Question. If the Army cannot meet the demands placed on it, how will you address this issue?

Answer. If confirmed, if I ever believe that in my professional military judgment that the Army cannot meet the demands in place, I will inform the Chairman of the Joint Chiefs, the Secretary of the Army, the Secretary of Defense and, if necessary, in my role as a member of the Joint Chiefs, the President. As a Nation, we must build our strategy based on the threat, resources available, and tolerance for risk. I will always provide my candid best military advice to protect our Nation.

SEQUESTERED BUDGET CONTROL ACT DISCRETIONARY CAPS STARTING IN FISCAL YEAR 2016 ONWARD?

Question. The fiscal year 2016 budget request assumes that the Budget Control Act will be amended in fiscal year 2016. The fiscal year 2016 Budget Resolution passed by the Senate and House of Representatives do not assume this, but instead provides $38 billion of the requested spending through the Overseas Contingency Operations (OCO) budget.

Should this OCO funding not be available, what recommendations would you have, if confirmed, for how the Army should manage additional cuts for fiscal year 2016?

Answer. This $38 billion constitutes the difference between the Fiscal Year 2016 President Budget request for Base requirements and the BCA funding level for DOD ($538 billion–$500 billion). The Army's portion of this $38 billion is $6 billion ($126 billion–$120 billion). For comparison, the fiscal year 2015 Base funding level is $120.6 billion, an amount that has created resourcing and readiness challenges this year.

The President's Budget request represents the minium resources necessary for the Army to support the National Security Strategy. A sequestered level budget will further reduce readiness and disrupt modernization efforts. Should the government not provide the $38 billion through additive OCO funding or another source, the Army would have no alternative than to further reduce structure, unit readiness and will all but stop investment in its Research, Development and Acquisition programs. The Army already reduced its force structure and military endstrength to the extent possible in fiscal year 2016. Impacts to readiness will include cancellation of home-station training, reduced maintenance and upkeep of facilities infrastructure; reduced logistics and maintenance readiness and IT & Cyber security would be further marginalized. The Army would reduce its investment account funding by approximately 12 percent of its requested amount, spread across its RDTE and procurement accounts.

Question. What are your views on the impact that these cuts could have on readiness for the Army?

Answer. The Budget Control Act degrades Army readiness. In the context of increased, unforecasted global demand, it creates the single greatest risk by undermining the Army's ability to provide the necessary capacity and capabilities for contingency operations, forcing the Army to ration readiness. Regardless of funding levels, if confirmed, I will keep training opportunities at our Combat Training Centers (CTCs) a priority. The trade off will mean significant reductions to home-station training, except for brigades going to CTCs, which will compound the readiness reductions. Subsequent decisions to commit Army forces will come with high risk and force senior leaders to choose between: committing Army units at lower readiness levels or delaying military operations. Long term consequences of underfunding are significant as operational readiness requires a cumulative investment and consistent funding. The Army needs consistent and predictable funding year after year to ensure it maintains a level of readiness commensurate with the current operational demands; we don't have the luxury of long train-up times to react to the emerging and immediate contingencies in the current security environment.

Question. What are your views on the impact that these cuts could have on Army capabilities?

Answer. Sequestration-level cuts leave the Army unable to meet Defense Strategic Guidance, including our ability to shape and prevent conflict in Europe and the Pacific and to deter adversaries across the globe.

Budget Control Act funding reductions will require the Army to further reduce force structure and end strength, and readiness levels and further delay modernization. My concern is the smaller force will lack the capacity to meet the Nation's security needs as currently outlined in the National Defense Strategy. Furthermore, modernization reductions will diminish equipping capacity and capability well into the future.

HEADQUARTERS STREAMLINING

Question. The Senate-passed Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the Military Departments.

If confirmed, and if the provisions in the bill become law, what would be your role in streamlining functions, as well as identifying and implementing reductions in the Army headquarters?

Answer. Over the course of the last two years, the Army assessed all of its Department Headquarters functions as required by the Department of Defense. Plan-

ning and implementation for reductions is already well underway. Associated with these reductions, each element of the Headquarters has closely examined the functions they perform with an eye towards streamlining, modernizing or eliminating the function. Should legislation impose further reductions, I would expect, if confirmed as Chief of Staff, that I would play a key role in advising the Secretary of the Army where I believe we can and cannot accept additional risk in our key Headquarters missions.

Question. What areas and functions, if any, do you consider to be priorities for possible consolidation or reductions within the Army?

Answer. As a result of continued downward trends in our funding, the Army has, over the last four years, made great strides in eliminating unnecessary functions and organizations. I am proud of what the Army has been able to accomplish despite losing billions of dollars of base budget funding. Having said that, there are always ways to streamline processes and functions. If confirmed, I will continue to push for smarter ways of doing business in order to apply maximum resources toward increased readiness. In pursuing these opportunities, the Army needs to go where the best value lies, examining each situation with a clear-eyed cost/benefit perspective. If confirmed, I intend to continue reducing Headquarters size and functions in order to optimize the tooth-to-tail ratio in favor of combat power in the Operating Force.

Question. To the extent that the Army has functions that overlap with the Department of Defense, Joint Staff, or other Military Departments, what would be your approach to consolidating and reducing redundancy?

Answer. The Army cannot avoid making tough choices in this budget environment. If confirmed, my priorities will be the readiness of our forces and the care and support of our soldiers, their families and our great civilian workforce. If another element of DOD can better accomplish a function currently performed by the Army, then I will so advise the Secretary of the Army. Similarly, if a function currently performed by another element of DOD can be better performed by the Army, it should be looked at as well. The Army cannot afford to be bound by the way functions and processes have been performed in the past and must make the best decisions for our Nation and our Armed Forces.

Question. Given the plan the Army announced on July 9, 2015, to downsize the regular Army by 40,000 soldiers, is headquarters downsizing a component of this plan? If so, what are the goals?

Answer. The reduction of headquarters is part of the Army downsizing; the planning and implementation of this is well underway. The goal is to reduce all 2-star and above headquarters, both military and civilian, as directed by the Secretary of the Army. If confirmed, I plan to further review this plan and continue to streamline headquarters strengths in order to retain as much combat power as possible and further reduce the Army's tooth-to-tail ratio.

INTERNATIONAL PARTNERSHIPS

Question. Interactions between the land forces of different countries are often negotiated at the Chief of Staff level, including international exercises, Foreign Military Sales, educational exchanges, and protocols for operations.

If confirmed, how do plan to ensure the U.S. Army continues to build strong partnerships, overcome challenges, and exploit opportunities in international cooperation?

Answer. If confirmed, I will emphasize our support to the combatant commanders as well as other international engagement programs. These include bilateral staff talks with more than two dozen allies and partners; adequate resourcing for our regionally aligned forces to participate in international exercises; sustaining foreign student attendance at the War College and Command and Staff College and other professional military education; maximizing U.S. participation at their schools through the Schools of Other Nations Program; continuing to expand the Military Personnel Exchange Program; and continuing to invest in the Army's Foreign Area Officer program. Maintaining strong allied partnerships will be one of my goals as Chief of Staff and I recognize that Allies are key to the long-term national security of the United States.

Question. How would you characterize your familiarity with international military leaders, forums, and processes?

Answer. At almost every rank over the course of my 35 year career, I have had the opportunity to work closely with our international partners during exercises and contingency operations and developed insights into foreign militaries and processes. As a Captain, I worked closely with the Columbian Army for nearly eight months. As a Special Forces Captain I worked closely with indigenous forces in Somalia. As

a Major, I was the S–3 Operations Officer for 2nd BCT, 10th Mountain Division, during Operation Uphold Democracy in Haiti and worked with multiple allied partners to include Argentinean leaders and those from six Caribbean nations. As a Lieutenant Colonel Battalion Commander in Korea, I worked closely with the 1st ROK Division along the DMZ. As a Colonel in command of the 2nd BCT, 10th Mountain Division, I worked closely with multiple armies in Afghanistan, to include international NATO Partners and the Afghan National Security Forces. In Iraq, in command of the same brigade, I worked closely with United Kingdom and Polish Forces, along with Iraqi Security Forces. As Deputy Commanding General for Regional Command-East in Afghanistan, I worked closely with multiple NATO allies, our Afghan Partners, and Pakistani military. As the Commanding General of ISAF Joint Command in Afghanistan, I was responsible for the planning and operations of coalition partners across the country. The coalition included over approximately 50 nations and my staff included senior leaders from many of these countries allowing me to incorporate several staff systems from partner nations. Most recently, as the Commanding General of United States Army Forces Command, I visited the United Kingdom and observed their force generation processes and operational systems and have had visits from several other key allies including Japan. If confirmed, I plan to continue to work closely with our international partners and allies throughout the world.

JOINT OPERATIONS

Question. How would you characterize your familiarity with other Services' capabilities including how they organize, train and equip their forces?

Answer. During my 35 years in uniform and through multiple joint assignments in addition to seven contingency deployments, I have had the opportunity to serve with and develop deep appreciation for the other Services' unique capabilities. I have worked very closely with the U.S. Air Force, Navy, Marines, and Coast Guard over many years in multiple capacities. If confirmed, I look forward to deepening my understanding by working closely with the fellow Service Chiefs as part of the Joint Chiefs of Staff.

Question. Are there other innovative ideas you are considering to increase Joint interoperability and ensure opportunities to improve cross-domain capability and capacity are not missed?

Answer. The Army is actively involved in joint concept development, war-gaming, and experimentation, all designed to improve cross-domain capability and capacity. If confirmed, I will work to ensure that sufficient resources are applied to implement change and enhance joint interoperability. This is a key task—the Army will always operate as part of the U.S. Joint Force.

UNITED STATES FORCE POSTURE IN THE ASIA-PACIFIC REGION

Question. The Department continues the effort to rebalance toward the Asia-Pacific as announced in the January 2012 Strategic Defense Guidance.

Are you satisfied with the rebalance efforts to date?

Answer. Yes, I am satisfied with the Army's rebalance efforts to the Asia-Pacific region to date and I will continue to emphasize the importance of the Asia-Pacific region if confirmed. Approximately 20 percent of the Active Army is assigned to U.S. Pacific Command. This includes one Corps Headquarters, two Division Headquarters, five Brigade Combat Teams and one Armored Brigade Combat Team's worth of equipment prepositioned on the Korean Peninsula. We are replacing forward stationed units with ready rotational units. For example, the Army is providing USPACOM with rotational forces, such as Terminal High Altitude Area Defense missile batteries and an Armored Brigade Combat Team. Shaping activities such as Pacific Pathways builds partner-nation capacity and multinational interoperability while also enhancing U.S. Army unit readiness and fostering an expeditionary mindset across the force. Both the size and importance of the Asia-Pacific region defines an integrated multi-service approach as a near imperative. Consistent with the Army's Regionally Aligned Forces policy, the Army's current force posture in the Asia-Pacific ensures that it is prepared to set the theater, shape the security environment and respond to contingencies across the full range of military operations in support of the combatant commander and National Strategic objectives.

Question. What do you see as the United States security priorities in the Asia-Pacific region over the next couple of years and what specific Army capabilities or enhancements are needed in to meet those priorities?

United States security priorities in the Asia-Pacific over the next several years are to maintain a credible deterrent posture and provide reassuring military presence in the region in order to maintain regional stability. The United States should

also work to strengthen and advance alliances and partnerships, continue to mature our military relationships, and maintain peace on the Korean Peninsula. We must work with our interagency and multinational partners to bring about the verifiable elimination of North Korea's nuclear weapons program. I also believe that the United States should continue to mature its strategic relationship with India, and work with our interagency and multinational partners in the region to counter transnational threats.

The Army contributes to rebalancing these priorities with a variety of Army Forces committed to the region in Korea, Japan, Hawaii, Alaska, and at Joint Base Lewis-McChord, along with rapid deployment capabilities in the Global Response Force. Through routine exercises and engagements such as Pacific Pathways and forward deployed forces in the Republic of Korea and Japan, the Army assures allies, deters adversaries and remains capable of responding to contingencies if required.

Question. Do the budget cuts and resource constraints associated with sequestration threaten the Army's ability to execute the rebalance to the Pacific?

Answer. Yes, budget cuts and resource constraints associated with the Budget Control Act and sequestration require the Army to reduce force structure, limit training and curtail modernization programs. The United States will continue to maintain a robust military footprint and pursue international agreements in key locations, to include the Asia-Pacific. Even in smaller numbers, the presence of soldiers is a strong security guarantee to U.S. allies and partners. Further, initiatives like Pacific Pathways demonstrate the United States' commitment to its Allies and partners by establishing a dynamic presence in the region. I am confident that our partners in the region want us to stand by our commitments to them.

RUSSIA

Question. What additional steps, if any, are likely to prove most effective at deterring Russian aggression in Eastern Europe?

Answer. To best deter Russian aggression, the United States must continue to work with allies using all the elements of national power. Militarily, I think it prudent for the Army to continue to work with NATO to strengthen its European posture and demonstrate the combined ability to respond with capable ground forces in Eastern Europe through a variety of exercises and prepositioning equipment contingency stocks. If confirmed, I would ensure that the Army supports NATO and EUCOM efforts to maintain and adapt capabilities, readiness, and responsiveness in our commitment to the sovereignty and security of every ally. In my view, we should also continue to fund European Reassurance Initiative at current or increased levels.

Question. What is the Army doing to help NATO? What more can the Army do?

Answer. The Army is supporting NATO with a number of initiatives. First, the Army demonstrates the United States' continued commitment to NATO through Operation Atlantic Resolve (OAR) actions and exercises designed to deter further Russian aggression and reassure NATO Allies and partners by maintaining a persistent Army presence in Central and Eastern Europe. Second, the Army uses European Reassurance Initiative (ERI) funds to increase the Army's presence and improve military infrastructure on NATO's eastern flank (to include the creation of a complete armored brigade combat team equipment set). Third, the Army supports NATO's Readiness Action Plan (RAP) with forces for the NATO Response Force (NRF). Last, the Army has a forward 2-star command post to assist USEUCOM in force employment and mission command of OAR exercises.

To do more, the Army can expand its support of OAR with additional rotations, leverage future ERI investments such as additional prepositioned equipment sets, and enhance the NRF by providing enablers. Like USPACOM, resource limitations have also affected the Army's support to USEUCOM. The Army can provide more support to Europe by redistributing forces from other theaters, or improve the readiness of uncommitted forces that could respond to Europe. Funding for increased readiness (through ERI) would allow the Army to increase the number of rotational forces. Specifically, the Army could increase the number of exercises and deploy staff expertise to augment our Allied and U.S. headquarters in Europe. Finally, establishing OAR as a "named operation" could allow funds to be used to pay for mobilization and deployment of Army National Guard to Europe as part of an overall program to use conventional ground forces to deter Russian aggression.

Question. Does the Army, as part of a combined joint force, have what it needs in Europe?

Answer. No, because of security condition changes in Europe, the current United States Army posture does not support a comprehensive response according to nec-

essary timelines. However, working with USEUCOM, we are in the process of addressing this posture shortfall and European Reassurance Initiative funding is critical to supporting that effort.

CHINA

Question. What is your assessment of the current state of the United States-China military relationship?

Answer. The United States-China military-to-military relationship is important to the overall bi-lateral relationship. The current state of United States-Sino military relations is stable with elements of both cooperation and competition.

Question. What are your views regarding China's interest in, and commitment to, improving military relations with the United States?

Answer. I am of the opinion all countries act in what they define to be in their national interests. In this respect, I believe China recognizes that it is in its interest to have a positive relationship with the United States military. I support those actions that lead to improved United States-China relations, of which the military plays a part. If confirmed, I am committed to improving military-to-military relations with China. Improved United States-China military-to-military relationships can increase that stability and reduce miscalculations during any crisis or incident situation.

Question. What is your view of the purpose and relative importance of sustained military-to-military relations with China?

Answer. The purpose of sustained military-to-military relations with China is to enable a stable, secure, and prosperous Asia-Pacific region in which the United States, as an enduring Pacific power, is a key leader. This is of particular significance to our five treaty partners in the region, and the relative importance of the region to the U.S. in economic, diplomatic, and military terms.

I believe we should continue to use our military engagement with China to establish deeper cooperation where there is clear, mutual benefit and to enhance dialogues to reduce risk and manage our differences.

Question. What role do you see for the Chief of Staff of the Army in this process?

Answer. If confirmed, my primary role will be to provide trained and ready forces to the combatant commander. Beyond that, the Chief of Staff of the Army's responsibilities include Army to Army engagements, both with China as well as with our treaty allies and partners in the region. As the Department continues to develop the military-to-military relationship with China, it will be important to also deepen cooperation with our allies and partners to maintain a stable and secure Asia-Pacific region.

STRATEGIC LEADERSHIP

Question. How do you plan to foster a dedicated, educated, and assigned group of strategic thinkers and planners who rise to the rank of general officer within the Army?

Answer. Developing strategic thinkers, planners, and leaders is one of the most important things we do, and is grounded in the best possible training, education, and experiences. If confirmed, I will work closely with the Secretary of the Army to make appropriate investments in our officer corps to ensure we provide opportunities for advanced civil schooling, training with industry, joint assignments, multinational experience, and other broadening assignments.

OFFSET TECHNOLOGIES

Question. During the Cold War, the DOD pursued three key technologies to offset the numerical superiority of Soviet conventional forces: precision guided munitions, stealth technology, and satellite-based navigation. These three technologies have given U.S. forces unparalleled superiority until now. However, with advancements by our emerging adversaries, it seems like the military technological superiority is beginning to erode. As a result, it is critical that the United States once again focus on offsetting the erosion of our technology advantages being achieved by our potential adversaries.

Which technology priorities do you believe the Army should be pursuing to maintain the military technological superiority of the United States?

Answer. I understand the concept of the Third Offset Strategy, emphasizing advanced emerging technologies to maintain a qualitative edge over any opponent and I strongly support the Secretary of Defense's Defense Innovation Initiative. The Army's technology priorities enable our future land combat role in the joint fight and align to the Army Operating Concept. If confirmed, my priorities will be to look at increased range and effectiveness; increased use of autonomy to augment existing

capabilities; and technology and approaches that drive down the cost of our systems. Specifically, the Army will explore emerging technologies in:

- Robotics
- Autonomous systems
- Cyber
- Big Data
- IT/Communications/Mission Command
- Human Performance
- Directed Energy weapons/Railguns
- Advanced explosives and propellants
- Nano technology/miniaturization
- Additive manufacturing and 3D printing
- Advanced materials for mobility and protection

Question. What strategies would you recommend be implemented to develop these technology priorities?

Answer. If confirmed, I will review the Army's long range thirty-year planning process and determine if our current investment strategies are appropriate for the future or need to be adjusted.

Question. What role should the Army play in their development?

Answer. The Army must remain globally aware of where and what technology is being developed and be ready to refine, leverage, adapt and/or acquire those that are necessary to retain dominance. If confirmed, I will ensure the Army remains a proponent for the development of these needed technologies—whether they are developed within our own Science and Technology laboratories/Engineering Centers, our sister Service/Agency labs, academia, industry or by our allies.

MODERNIZATION

Question. Is the Army fully modernized to execute its Operating Concept "Win in a Complex World"?

Answer. The Army equipment modernization program is designed in conjunction with the Army Operating Concept to enhance the lethality, mobility, and protection for all of our units and to give them the situational awareness they need in the future. Today, the Army continues to balance requirements for end strength, current readiness, and modernization under the Budget Control Act by accepting risk in equipment modernization. The Army cannot afford to fully equip and sustain the Total Army with the most modern equipment; therefore, we acknowledge fiscal realities by selectively modernizing equipment and formations across the Total Army.

The Army will mitigate future risk to our forces and mission accomplishment through sustained S&T investments, leveraging our current fleets by investing in incremental improvements, and building new by exception. Given fiscal constraints, the Army will likely have to continue to delay our next generation of platforms until they are cost effective and affordable in order to sustain readiness of the force, and maintain sufficient capacity to meet the demands of our National Security Strategy and combatant commanders' requirements.

Question. If it is not, are current acquisition plans adequate to achieve this goal?

Answer. The Army continues to develop acquisition strategies to address the gaps and required capabilities that support the Army Operating Concept (AOC). The acquisition strategies are dependent on stable and predictable resources. Approval of funding levels programmed for this requirement will determine how soon we can meet the approved AOC. If confirmed, I will work closely with Congress to facilitate support for the resourcing and acquisition efforts needed to enable implementation of the AOC.

Question. Does the Army have adequate funding for needed research, development test and evaluation?

Answer. The Army has been forced to make some difficult decisions—balancing force structure, operational readiness, and modernization. Given these three requirements, modernization is the near-term offset for the other two. Within the modernization accounts, I fully support the Army's continued investment in science and technology. Given the fiscal realities facing the Department, I believe that this strategy of spending our diminished modernization budget on science and technology is appropriate as the seed corn that will enable the Army to maintain the overmatch it has today.

Question. Is the Army at risk of being out matched by superior capabilities and weapons?

Answer. Proliferation of advanced technologies and information operations are leveling the playing field and the Army is at risk of being matched by near-peer competitors in the outyears. Additionally, the proliferating commercially available

technology is increasingly user-friendly and has empowered the individual, providing access to capabilities that were once the exclusive domain of countries and their militaries.

SCIENCE AND TECHNOLOGY

Question. One of the main objectives of the defense research enterprise is to develop advanced technologies that will be of benefit to the warfighter. In this regard, it is critical that advancements quickly transition from the development phase into testing and evaluation and ultimately into a procurement program for the warfighter.

What are some of the challenges you see in transitioning technologies effectively from research programs into programs of records?

Answer. In my view, the current acquisition system has not evolved sufficiently to keep pace with technological advances in the defense industry and the pace of the global commercial market. The rates of technological advancement and associated adaptation in today's environment have increased exponentially. I think it is prudent and necessary to adapt our acquisition system and procurement policies accordingly. I look forward to working with OSD and Congress in this important area.

Question. As the Chief of Staff, what steps will you take to ensure that the services are benefitting more quickly and directly from the research being performed by the defense research enterprise?

Answer. If confirmed, I will review the Army's long-range planning process and will encourage this process to look holistically at incorporating the capabilities being developed within the broader defense research enterprise as part of the Army strategy. As necessary, in conjunction with the other Service Chiefs, I will pursue recommendations that will enable the Department to take advantage of advanced technologies and make the process more timely and effective.

Question. Do you feel that defense technologies and systems, especially in areas such as mobile communications, computing, and robotics, are keeping pace with global and commercial technological advances As you know, robust investment in S&T underpins technological advances in our military capabilities and is vital for maintain our military technological superiority over emerging adversaries.

Answer. I concur that robust investment in S&T underpins technological advances in our military capabilities and is vital to maintaining technological superiority. While keeping pace with advances in technology is critical in some areas, there are steps to help offset advances in other areas. The Army leverages the latest commercial technologies and invests in critical enabling technologies that are not available off-the-shelf. The Army has protected its S&T investments in this fiscally challenging environment. If confirmed, I will continue to support a robust S&T investment.

Question. If confirmed, what metrics would you use to assess whether the Army is investing adequately in S&T programs?

Answer. The Army measures how well S&T transitions into a program, which provides some indication of whether we are investing our dollars wisely. If confirmed, I will require our S&T community to appropriately address the most critical needs of our Army and establish firm metrics to ensure our soldiers dominate the battlefield.

Question. How would you assess the value and appropriate investment level for basic research programs?

Answer. The Army's investment in basic research helps to investigate fundamental science that can be used to develop novel and innovative capabilities that benefit the Army. The Army included $425.1 million for basic research in the Fiscal Year 2016 President's Budget request. This is approximately 19 percent of the Army's S&T budget. I have been advised that a reasonable range of investment levels for basic research is approximately 16–20 percent of the Army S&T budget and if confirmed, I will continue to support strong basic research.

Question. What tools would you use to ensure that appropriate technologies are transitioning quickly into programs of record?

Answer. If confirmed, I will review the LIRA (Long-Range Investment Requirements Analysis) which maps resources to requirements, programs, S&T and logistics. This planning tool, which looks out over 30 years, was designed to ensure that a defined plan with resources is in place to connect our valuable S&T efforts into our programs at the quickest point possible. I will ensure the LIRA provides a systematic planning of technology insertion into programs of record.

TECHNICAL WORKFORCE

A significant challenge facing the Department of Defense today is an impending shortage of high quality scientific and engineering talent to work at Defense laboratories and technical centers.

Question. In your view, what are the pros and cons of having Active Duty Army personnel trained and working as scientists and engineers within the Army research and acquisition system?

Answer. My view is that Active Duty Army personnel trained and working as scientists and engineers in Army research and acquisition can help operationalize technologies from a soldier's perspective. The cost, however, requires the Army to commit to advanced civil education for these personnel to ensure necessary professional qualifications. The benefit, in my view, outweighs the cost.

Question. How would you ensure that directors of labs in your service have the tools they need to dynamically shape their S&T workforce?

Answer. I understand that Congress has already provided significant tools to the Army that enables the directors of the labs to shape their science and technology workforce through various National Defense Authorization Act authorities. Those authorities allow additional capabilities such as direct hire authority for qualified science and engineering candidates and managing performance through alternative personnel systems. If confirmed, I will encourage and support appropriate additional authorities the Army may require.

TEST AND EVALUATION ISSUES

Question. Are you satisfied with the Army's test and evaluation capabilities, including workforce and infrastructure?

Answer. Based on what I know now, the Army has sufficient infrastructure and the appropriate workforce to provide services to all test customers. In my view, test and evaluation is critical to ensuring the Army continues to reduce program lifecycle cost, as well as to ensure future weapon systems are suitable, survivable and effective to improve the capabilities of soldiers. If confirmed, I will work closely with the Army test and evaluation community and the Office of the Secretary of Defense test and evaluation leadership to ensure the Army's test and evaluation infrastructure maintains necessary test capabilities and processes.

Question. In which areas, if any, do you feel the Army should be developing new test and evaluation capabilities?

Answer. I have been advised the Army is investing in new test capabilities to support unmanned and autonomous systems, survivability, hypersonics, directed energy and cyber. The Army is also examining opportunities to upgrade existing test capabilities to reduce high-cost drivers to make current testing methods more efficient. If confirmed, I will work closely with the Army test and evaluation community and in concert with the Deputy Under Secretary of the Army and the Office of the Secretary of Defense test and evaluation leadership to ensure the Army's test and evaluation infrastructure maintains necessary test capabilities and processes.

Question. What are your views on the appropriate roles of OSD developmental and operational testing organizations with respect to testing of Army systems?

Answer. It is my understanding that by law, OSD developmental and operational test and evaluation organizations are responsible for overseeing all major defense acquisition programs, major automated information systems, and other acquisition programs. The OSD testing organizations ensure appropriate testing is being conducted and that the right questions at the each level have been asked and answered.

RECRUITING AND RETENTION

Question. What do you consider to be the key to the Army's success in recruiting the highest caliber American youth for service and retaining the best personnel for leadership responsibilities?

Answer. The key to successful recruiting is explaining the Army in a manner that resonates with "today's" talented youth. Serving on a cohesive team with trusted professionals could be one of the most important things they ever do is a key message to today's youth who want to serve a purpose greater than themselves. If confirmed, I will work closely with the Secretary of the Army to ensure sustaining the All-Volunteer Force remains a strategic imperative for our Army.

Question. What steps, if any, do you feel should be taken to ensure that current operational requirements and tempo do not adversely impact the overall readiness, recruiting, retention, and morale of soldiers?

Answer. We must ensure that soldiers have the time and resources to prepare for and recover from their operational missions. With an appropriately sized force we can ensure soldiers have adequate dwell time between deployments. Additionally, quality leadership, training, meaningful work, and just compensation contribute to overall readiness, recruiting, retention, and soldier morale. If confirmed, I will work closely with the Secretary of the Army to provide the necessary resources to commanders so they can ensure overall readiness, recruiting, retention and morale of their soldiers.

Question. What impact, if any, do you believe the Department's proposals aimed at slowing the growth of personnel and health care costs will have on recruiting and retention in the Army?

Answer. I need to study the longer-term institutional implications of the personnel and health care costs, to include how these may affect recruiting and retention. On health care, we must continue to find ways to deliver high quality healthcare to our soldiers and families in effective and economical ways without degrading readiness.

Question. The Army requested a provision for enhanced recruiting authorities for the fiscal year 2016 National Defense Authorization Act. What programs does the Army plan to implement and what specific recruiting needs will those programs address?

Answer. No response required; question withdrawn.

Question. If confirmed, will you review the Department of the Army, to include the Army National Guard, use of sports marketing and advertising purchases as a means of recruitment?

Answer. Yes, if confirmed, I will work with the Secretary of the Army and the Director of the Army National Guard to review sports marketing and advertising to ensure our expenditures in this area are effective, efficient, and ethical in recruiting the high quality soldiers we need.

MILITARY COMPENSATION

Question. What is your assessment of the adequacy of military compensation?

Answer. My sense is that current military compensation is adequate. If confirmed, I will work with the Secretary of the Army to re-evaluate and assess compensation to ensure we sustain a high quality All-Volunteer Force.

Question. What recommendations would you have for controlling the rising cost of personnel?

Answer. Controlling the rising cost of personnel will require a holistic look at how we compensate our personnel (both monetary and non-monetary). What I know is that we must continue to provide fair compensation to our soldiers that is competitive with other opportunities. If confirmed, I will work closely with the Secretary of the Army to establish a total compensation package that is competitive and maintains a high quality All-Volunteer Force.

Question. Do you support the Department's compensation and health care proposals?

Answer. Yes, I support the Department's plans for recommendations that preserve compensation, health care, and quality of life for soldiers, retirees and their families. I think it is important to honor our previous commitments to serving soldiers and veterans.

Question. What is your assessment of military compensation as compared to civilian compensation?

Answer. Military compensation, in general, is adequate, when compared to civilian compensation. However, the nature of the work and the sacrifice demanded from our soldiers and their families does not compare to the civilian sector. If confirmed, I will work closely with the Secretary of the Army, to ensure the Army can continue to attract our Nation's top talent and compensate them appropriately.

Question. What areas of military compensation, if any, do you believe warrant improvement or modernization?

Answer. I am interested in the details of the Military Compensation and Retirement Commission, specifically the reforms for blended retirement options. Whatever decisions are made must be accompanied with a robust training and education program so that our soldiers can make informed financial decisions for themselves and their Families. If confirmed, I will work closely with the Secretary of the Army and the other Service Chiefs to implement any final decisions.

EDUCATION FOR SOLDIERS

Question. An important feature of the Post-9/11 GI Bill is the ability of career-oriented servicemembers to transfer their earned benefits to spouses and dependents.

Answer. What is your assessment of the effect of the Post-9/11 GI Bill on recruiting and retention of soldiers?

Answer. I think the Post 9/11 GI Bill is a valuable incentive and helps the Army attract and retain quality soldiers.

Question. In your view, what has been the effect of the transferability option on retention and career satisfaction of soldiers?

Answer. I believe a soldier's ability to transfer his/her Post 9/11 GI Bill benefit helps the Army retain quality mid-grade and career soldiers.

Question. How important do you believe tuition assistance benefits are to young soldiers, and what trends do you see in the Army's ability to pay for such programs at current levels over the FYDP?

Answer. The ability to educate our soldiers is an important benefit and I believe it's one of the primary reasons our young Americans join the military. It is a key benefit and incentive to sustain the All Volunteer Force. There are several education benefits available, of which tuition assistance is one. In today's era of reduced budgets, we must balance benefits against the money available. If confirmed, I will strive to ensure we balance the benefits desired by soldiers with the funding provided to us by the Congress.

Question. What changes, if any, would you recommend to current eligibility criteria for tuition assistance?

Answer. Tuition Assistance is both a valuable benefit to our soldiers and our Army and evidences our commitment and investment in their future. If confirmed, I will work closely with the Secretary of the Army to explore potential improvements and ensure policy changes do not adversely affect the force.

Question. Do you believe that tuition assistance should be used to enhance a soldier's career while he or she is in the Army?

Answer. Absolutely. Tuition assistance is a valuable benefit to our soldiers and our Army and supports our culture and beliefs in life-long learning.

Question. Do you agree with the Military Compensation and Retirement Modernization Commission that tuition assistance should be limited to courses and education that contribute to a soldier's professional growth?

Answer. In principle, I generally agree; however, I am concerned about too narrow a scope in defining "courses and education that contribute to a soldier's professional growth." The Army's current TA policy requires soldiers to first meet with a counselor in order to establish a degree plan before taking courses and receiving benefits; continued TA benefit receipt is contingent upon working toward that degree plan. We want all our soldiers to aspire to be lifelong learners.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. As you know, two years ago, the Department rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the Military Services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services have opened a large number of positions to service by women and continue to work to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role, if any, will you play in the development of these standards?

Answer. My basic position is that all people should be afforded equal opportunity to rise in accordance with their merit. Currently, U.S. Army Training and Doctrine Command is working to validate the standards for all Army occupations. If confirmed, I will work with the Secretary of the Army and the other Services Chiefs to ensure that the Army has the appropriate mental and physical standards for all military occupations.

Question. Will you ensure that the standards will be realistic and will preserve, or enhance, military readiness and mission capability?

Answer. Yes, I am committed to ensuring the standards are realistic for every occupation and that soldiers have the opportunity to serve to their full potential. If confirmed, I will work closely with the Secretary of the Army and the other Service Chiefs to ensure that the standards are realistic and will preserve and enhance military readiness and mission capability.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements, and that assignment decisions should be made solely on

the basis of a servicemember's ability to meet validated gender-neutral occupational standards?

Answer. Yes, positions should be opened based on validated military requirements, tied to specific capabilities, skill sets, and established gender-neutral standards.

Question. If so, what steps will you take, if confirmed, to ensure that such decisions are made on this basis?

Answer. If confirmed, I will work with the Secretary of the Army to ensure decisions are made based on validated military and force readiness requirements.

Question. To what extent is the Army coordinating with the Marine Corps in this effort? Are results from the assessments being shared between services?

Answer. The Army and the Marine Corps have collaborated and shared information on their efforts. It is my understanding that the Army has shared results with all the Services when preparing the recommendations to open positions, units or occupations.

Question. If the Marine Corps were to make the decision to not open all positions as of January 1, 2016, what effect, if any, will that have on the Army's decision?

Answer. If the USMC decides not to open all positions, and if I am confirmed, I will work closely to understand the other Services' position and rationale in order to provide a fully informed recommendation to the Secretary of the Army. That said, my recommendation to the Secretary of the Army will be based on my best military judgment about what is best for the Army. My recommendation will be based on standards and readiness requirements.

Question. What is your position on whether the Selective Service Act should be opened to all genders if the decision is made to open all units on January 1, 2016?

Answer. I believe in maintaining the All-Volunteer Force and that we must do everything in our power to preserve it. The opening of previously closed positions to women is a step in the right direction for women who can meet the physical and mental standards. If confirmed, I will review if there is a need to change the Selective Service Act and provide my military advice to the Secretary of the Army.

FORCE MANAGEMENT

Question. Modularity refers to the Army's fundamental reconfiguration of the force from a division-based to a brigade-based structure. Although somewhat smaller in size, modular combat brigades are supposed to be just as, or more, capable than the divisional brigades they replace because they will have a more capable mix of equipment—such as advanced communications and surveillance equipment. To date, the Army has established over 90 percent of its planned modular units, however, estimates on how long it will take to fully equip this force as required by its design have slipped to 2019.

What is your understanding and assessment of the Army's modularity transformation strategy?

Answer. My understanding is the Army has completed modular transformation of combat and support brigades. Modular Transformation reorganized the Army's Operating Force from large division-sized formations designed to defeat traditional threats in conventional campaigns to more versatile and deployable brigade-sized units designed to support joint force requirements for full spectrum operations. Importantly, modularity has allowed the Army to organize as we fight, and standardized our brigade combat teams into three configurations—Armored, Infantry, or Stryker, and established adaptive, Joint Task Force capable headquarters at the 2-star level.

Question. If confirmed, what actions or changes, if any, would you propose relative to the Army's modular transformation strategy?

Answer. The Army is constantly changing. If confirmed, I will continue to assess the requirements of the national strategy against known and emerging requirements and threats to ensure the Army provides the best force structure (both capacity and capability) to support combatant commanders and the Nation.

Question. What is your understanding and assessment of the employment and performance of modular combat brigades and supporting units in Operations Iraqi Freedom, New Dawn, and Enduring Freedom?

Answer. I commanded modular brigade combat teams (BCTs) of all types in both Iraq and Afghanistan. The modular BCTs have greater utility across a broader range of military operations than those of previous brigade designs. In Iraq and Afghanistan, modular BCTs were effective during both combat and stability operations and far better at integrating the capabilities of other tactical elements of the Joint Force. Command and control functions are streamlined through the permanent task organization of critical core components such as engineer, field artillery, and mili-

tary intelligence. Additionally, the standardized designs facilitated transitions and streamlined logistics.

Question. What changes, if any, would you propose to the modular design, the mix of combat and supporting brigades, or modular unit employment to improve performance or reduce risk?

Answer. Currently, I have no proposals to change the Army's modular designs. As a matter of routine, the Army analyzes and assesses requirements, threats, performance and risk the optimal force mix and equipment, spread across the Total Force. The results of this analysis will continue to inform Total Force Policy, design and structure. If confirmed, I will continually review the designs of our units to ensure the proper force mix delivers the right capability at the right time to the combatant commanders.

Question. With respect to the Army's modular combat brigade force structure design, General Dempsey's June 2011 pamphlet titled "CSA's Thoughts on the Army's Future," directs the Army to assess the feasibility of adding a third maneuver battalion to each heavy and infantry brigade.

What is your understanding and assessment of the need to add a third maneuver battalion to the modular heavy and infantry brigades?

Answer. Adding a third maneuver battalion to our brigade combat teams increases the Army's operational capability and flexibility and is the direct result of the lessons of 14 years of war and operations around the world. The change makes the brigade more lethal, flexible, and agile. The reorganization also represents a transition to a force that is prepared to effectively operate across a broader range of potential missions.

Question. If confirmed, will you continue to implement the decision to add a third maneuver battalion to the heavy and infantry combat brigades? What force structure or capabilities would you propose to reduce in order to increase maneuver forces within the combat brigades?

Answer. Yes, conversion will continue and is planned to be complete in the Active Component by the end of fiscal year 2015. The addition of the third maneuver battalion is nearly complete in the Active Component and will begin next year for the Army National Guard. I believe the third maneuver battalion in a Brigade Combat Team provides the combat power necessary to dominate the battlefield at the tactical level.

Question. How will you manage this given the current drawdown of the Active Army?

Answer. If confirmed, I will assess combatant commander requirements to ensure that we provide the best possible mix of capabilities within our end strength to support the National Military Strategy. The addition of a third maneuver battalion has been underway for years, and as a result, our brigade combat teams (BCTs) are more capable. Recent force structure reductions will diminish the aggregate capacity of the Army without affecting the remaining BCT's capability.

AVIATION RESTRUCTURING INITIATIVE

Question. The Aviation Restructuring Initiative is intended to fully modernize Total Army Aviation by 2028 and reorganize by 2019. Is this effort on track? If not, what challenges do you face?

Answer. The Aviation Restructuring Initiative is on track to ensure our Total Army Aviation Force is fully modernized, ready, and tailored to meet mission demand in all three components. However, fiscal and resource constraints have limited the Army's flexibility.

Any significant changes to the proposed realignment of aircraft and units, or an increase in Army Acquisition Objectives will have an adverse effect on unit readiness, modernization programs, and industry partners. Current and projected Army force structure and funding levels and current Congressional appropriations allow us to keep the best, most modern aircraft; standardize the structure of our aviation brigades; and balance the capabilities across the components.

TOTAL ARMY END STRENGTH

Question. Is the Total Army large enough to execute the National Military Strategy?

Answer. The current CSA has testified "yes, but with significant risk." The level of resourcing provided under the President's Budget, the Army has sufficient capacity, although the ability to execute the strategy depends on more than end strength alone. Maintaining adequate readiness and capability are also necessary components. Readiness, capacity, and capability require sufficient, predictable budgets to plan against.

Question. Is an Active Duty Army of 450,000 large enough to execute all potential missions for the operational force while maintaining required capabilities in the institutional force?

Answer. A 450,000 Active Army, 980,000 Total Army force provides the minimum capacity to execute the missions envisioned in the current national strategy at significant risk, while maintaining the required level of generating forces in the institutional Army. The risk to the force and missions increases if assumptions in the Defense Strategic Guidance (regarding the duration of conflicts, the contributions of our allies, and the nature and location of future threats) are invalidated.

Question. Can the Active Duty Army successfully execute its mission at an end strength of 420,000?

Answer. The U.S. Army cannot execute the missions currently assigned in the National Security strategic guidance documents if the total Army is reduced to 920,000 (420,000 Active Component, 315,000 ARNG, 185,000 USAR).

THE NATIONAL COMMISSION ON THE FUTURE OF THE ARMY

Question. Will you be prepared to receive and act on recommendations from the national commission in 2016?

Answer. Yes.

"INSTITUTIONALIZING" SUPPORT FOR IRREGULAR WARFARE

Question. A major objective of the Department over recent years has been increasing emphasis on lower-end, irregular, counterinsurgency, and stability type operations—all of which are areas that place a high premium and demands on Army capabilities. In order to ensure that a rebalance achieves this objective, and perhaps more importantly is then sustainable, senior leaders have stressed the need for the Department to "institutionalize and finance" the support necessary for the irregular warfare capabilities that have been developed over the last several years and will be needed in the future.

What, in your view, does it mean to "institutionalize" capabilities and support for irregular warfare capabilities in the Army?

Answer. The Army is institutionalizing capabilities and support for Irregular Warfare through the development of appropriate doctrine, organizations, training, materiel, leadership and education, personnel, facilities and policy (DOTMLPF–P) across the Army. Building on our experience of the last 14 years, Irregular Warfare has been institutionalized into doctrine, leader development and individual and collective training. The DOTMLPF–P is an ongoing and standing process.

Question. What is your understanding and assessment of Army efforts to date to institutionalize and support these capabilities?

Answer. The last 14 years has demonstrated the Army's ability to identify and adapt needed capabilities. A key component to institutionalizing any capability is to appoint a lead office with responsibility and authority for its oversight. The Army has established the following leads for the core activities constituting Irregular Warfare:

1) The U.S. Army Special Operations Command (counterterrorism, unconventional warfare, foreign internal defense)
2) The U.S. Army War College's Peacekeeping and Stability Operations Institute (stability operations)
3) TRADOC's Combined Arms Center (counterinsurgency, security force assistance, asymmetric warfare).

The Army also serves as the Executive Agent for the Joint Center for International Security Force Assistance which supports the Joint Force. The Center for Army Lessons Learned, the Stability Operations Lessons Learned and Information Management System ensure that the capabilities and skill sets developed over the last 14 years of conflict remain relevant. If confirmed, I will continue to assess our progress and make any necessary adjustments going forward.

Question. In your view, what are the obstacles, if any, to institutionalizing this kind of support, and what will be necessary to overcome them?

While force structure and program changes may be necessary, they are unlikely to prove sufficient to achieve full institutionalization. The greater challenge may be found in changing Army culture, attitudes, management, and career path requirements and choices, for example through adjustments to organization, training, doctrine, and personnel policies.

Answer. Fiscal uncertainty and the subsequent need to downsize remain the biggest obstacles to institutionalize and support these capabilities. As pressures for cuts in defense spending and force structures increase, the Army has to assess which of these capabilities it must retain and at what level. Finding the right bal-

ance is a challenge. Maintaining our doctrine and lessons learned databases is achievable, but retaining all of the necessary force structure will be more challenging. The Army requires consistent, on-time funding to maintain readiness, achieve efficiencies, and ensure that the Total Force is prepared to meet the Defense Strategic Guidance and win in a complex world.

Question. In your view, what are the most important changes, if any, that might be necessary to complement programmatic changes in support of the further institutionalization of capabilities for irregular warfare in the Army?

Answer. The most important changes are how we educate our leaders about the conduct of Irregular Warfare, to include Counterinsurgency (COIN), Unconventional Warfare (UW), Counterterrorism (CT), Foreign Internal Defense (FID), Stability Operations (SO), and Security Force Assistance (SFA). Through our professional military education, we must maintain competent and committed leaders of character with the skills and attributes necessary to meet the warfighting challenges of a complex world.

Question. Institutionalizing support for irregular, counterinsurgency, and stability capabilities in the force does not mean ignoring the requirement for the Army to be trained, equipped, and ready for major combat at the high-end of the full spectrum of operations.

If confirmed, how would you propose to prioritize and allocate the Army's efforts and resources to ensure that the force is prepared for major combat while at the same time it increases and institutionalizes support for irregular, counterinsurgency, and stability operations?

Answer. Current global instability reinforces that irregular, asymmetric and hybrid threats will continue to be central to the future operating environment. Consequently, in accordance to the Army Operating Concept, we must train and educate our leaders to operate effectively in the spectrum of conflict against multiple conflict forms. In the training environment, we are replicating those threats and conditions to ensure the Army is able to operate in the increasingly complex global security environment. We maintain a responsive training system underpinned by a robust lessons learned process and professional military education that incorporates both regular and irregular war to ensure the Army is ready. In light of changing threats and the evolving operating environment, we continuously review all areas in the span of DOTMLPF–P to ensure the Army remains well set to face emerging challenges. This ensures the Army is able to respond rapidly to crises and skillfully transition between types of military operations as the threat changes.

EQUIPMENT REPAIR/RESET

Question. In your view, is this level of funding sufficient to not only prepare Army forces for operations in Afghanistan but to also improve the readiness of non-deployed forces for other potential contingencies?

Answer. From my understanding, the Army requested the funding it needs to restore combat capability to the equipment returning from Afghanistan, commensurate with the Army's enduring need for this equipment.

Question. Is it your understanding that our repair depots are operating at full capacity to meet rebuild and repair requirements for reset?

Answer. From my understanding, our repair depots are meeting our rebuild and repair requirements.

Question. What additional steps, if any, do you believe could be taken to increase the Army's capacity to fix its equipment and make it available for operations and training?

Answer. If confirmed, I will assess the Army's current capacity to repair and replace equipment and make recommendations if necessary. The Army will continue to explore new technologies and emerging methods to fix equipment and support logistic operations.

Question. What impact is this level of funding likely to have, if any, on the ability of Army National Guard units to respond to Homeland Defense and support to civil authorities' missions?

Answer. Support to the homeland is the Total Army's highest priority. Homeland defense and support to civil authorities centers on the Army National Guard but utilizes assets from all components. Since the Army National Guard is a component of the Total Army, it will be affected by decreases in the levels of funding. Decreased funding will have a negative impact on the Total Army (Active, National Guard, and USAR) readiness levels with decreased capability to respond to Homeland Defense and Support to Civil Authorities.

SPECIAL OPERATIONS ENABLING CAPABILITIES

Question. If confirmed, how would you work with the Commander of USSOCOM to address the enabling requirements of Army SOF throughout the deployment cycle?

Answer. The Army works closely with the Joint Staff and USSOCOM in the Global Force Management process to ensure resources are provided to Geographic Combatant Commanders in accordance with Department of Defense priorities. Additionally, Army SOF and conventional interoperability training remains a top priority at the Combined Training Centers to ensure units maintain the level of shared understanding developed throughout the last 14 years of conflict. We value our relationship with USSOCOM and continue to evaluate the way we support all Geographic Combatant Commands. The continued refinement of the Regionally Aligned Force concept and establishment of a Department of the Army level liaison cell within USSOCOM should optimize the support the service can provide. Sustaining the close relationship that conventional forces and SOF have developed during combat operations over the past decade and a half is a key training priority.

Question. Do you agree that Army special operations personnel should be managed by U.S. Special Operations Command? Please explain.

Answer. No, the Army has considerable interaction with the U.S. Special Operations Command related to the assignment and development of its personnel. If confirmed, I will work with the Secretary of the Army to ensure current personnel management policies related to all combatant commands are adequate.

ACTIVE ARMY READINESS

Question. Does the Army have adequate readiness levels? If not, why?

Answer. As a result of the Budget Control Act and increased global demand, the Army implemented a sustained readiness approach to maintain a contingent response capability and fulfill current requirements. With the implementation of the Budget Control Act, the Army has only been able to sustain approximately one-third of the Regular Army (Active Component) at acceptable combat readiness standards. Our objective is to maintain two-thirds of the Active component at combat ready standards. Similarly, we have not been able to maintain Army National Guard units at acceptable levels of readiness. The principal driver for this status is inadequate funding to maintain appropriate levels of capacity, readiness, and modernization.

Question. What must be done to improve readiness levels of the Active Army?

Answer. Consistent and predictable funding is necessary to restore the appropriate balance between modernization, procurement, end-strength and force structure. This will stabilize the resource elements of Army Readiness: Manning, Equipment, Sustainment, Training and Installation Support. This stability coupled with continued gains in training proficiency over time will allow the Army to address current global demand, while maintaining the readiness required to support National Military Strategy contingency requirements.

Question. What percentage of Active Army units must be fully ready?

Answer. Readiness requirements are determined across the Total Force based on time, capacity, and capability—against planning contingencies, combatant command requirements, and resources. Because of the constrained fiscal environment, only about 30 percent of Army brigades are at acceptable levels of combat readiness. The U.S. Army BCT combat readiness rate should be between 60–70 percent.

Question. How would you characterize Army readiness in its deployed and non-deployed units?

Answer. All Army units and soldiers actively supporting combatant commands deploy at the highest levels of assigned mission readiness. Outside of deployed forces, the Army has had to focus resources on a small number of non-deployed brigade combat teams and enabling forces for the global response force. For those non-deployed units at lower readiness levels, it will take longer to get them ready to get to the fight, potentially losing opportunities with rapid deployment, or sending those units quickly but less ready and risking higher casualties.

118. Do you believe the current state of Army readiness is acceptable?

Answer. The CSA, GEN Odierno, has testified that currently the Army provides a sufficient amount of forces to fulfill all the requirements of the Defense Strategic Guidance but at "significant risk" due to readiness. Given current readiness levels and uncertain global demands, if confirmed, I will assess our readiness levels closely as our #1 priority and provide candid military advice on our capability to meet requirements.

Question. How do you see operations in Iraq and Afghanistan impacting the readiness of Army forces that may be called upon to respond to an attack or another contingency?

Answer. Global demand for Army forces continues to consume resources needed to rebuild Army readiness required for contingency plans. Iraq and Afghanistan are not the sole source of demand. Reductions in planned demand have been supplanted by growth in un-forecasted global requirements. With decreasing force structure capacity and resources, the Army prioritizes readiness efforts for Iraq, Afghanistan, and elsewhere at the expense of the non-deployed force readiness. The Army will need more time to ready and deploy additional forces to meet contingencies, potentially incurring higher casualties or jeopardizing mission accomplishment.

RESERVE COMPONENTS AS AN OPERATIONAL RESERVE

Question. What is your understanding and assessment of the Army's Reserve components in regard strategic depth?

Answer. I am mindful that, as established in federal statute, the purpose of our Reserve Components—the Army National Guard of the United States and the United States Army Reserve—is to provide trained units and qualified persons for Active Duty whenever more units and persons are needed than can be provided by the Regular Army. As such, our Reserve Components fulfill many operational demands as well as providing strategic depth. If confirmed, I will continue to ensure the Total Army is ready to meet the needs of combatant commanders.

Question. In your view, what are the major challenges to maintaining and enhancing the Army Reserve and Army National Guard as a relevant and capable operational Reserve?

Answer. As resources and opportunities for training and operational deployments decrease, our principal challenges for preserving the Reserve components as an operational Reserve are retaining relevant operational experience and readiness. Both the Army National Guard and the U.S. Army Reserve are critical to the Nation's defense to provide strategic depth and as an operational Reserve. I am, therefore, deeply committed to maintaining their readiness as a top priority.

Question. What are your views about the optimal role for the Reserve Component forces in meeting combat missions?

Answer. Combat missions are conducted by all types of units from all three of our components—Regular Army, Army National Guard, and the U.S. Army Reserve. The Army must retain the authority to integrate personnel and units from all three components to provide our Joint force commanders with the best Army force mix for the job at hand. In some cases, depending on the types of units required and the specific mission, our Reserve and Guard forces can effectively fulfill early deploying requirements. In other cases, they are better suited for providing operational and strategic depth. The optimal role for Reserve component forces will depend on the specific mission requirement generated by the combatant commanders and requires careful analysis of mission, enemy, terrain, troops available, and significantly, the time required to respond to the combatant commander requirement.

Answer. No. The Nation needs the flexibility to employ personnel and units from all three components to fulfill the operational demands of our state governors and combatant commanders.

Question. In your view, how will predictable cycles of 1 year mobilized to 5 years at home affect the viability and sustainability of the all-volunteer Reserve force?

Answer. Soldiers, families, and employers have shown strong support for the one year mobilized to five years at home rotation rate goals as established by the Secretary of Defense. Additionally, mobilization experience from the last decade substantiates this as well. The viability of the All Volunteer Force is inextricably linked across all components. Sustainment of the All Volunteer Force across all three Army components—Regular Army, Army National Guard, and U.S. Army Reserve—is critical to the long term security of the United States. If confirmed, I will remain committed to ensure the operational tempo of all three Army components is structured at a pace to sustain the All Volunteer Force.

Question. Advocates for the National Guard and Reserve assert that funding levels do not meet the requirements of the Reserve components for operational missions.

Do you agree that the Army's Reserve components are inadequately resourced, particularly in view of the commitment to maintaining an operational Reserve?

Answer. No, but I do agree that the spending caps under the Budget Control Act have placed significant downward pressure on our budget such that a number of hard choices have been made and will need to be made if relief does not come. Most of those hard choices have been disproportionately taken in the Total Army by the Active Component. In fact, as Total Army resources have been reduced since 2011, the proportional share of available Total Army resources allocated to our Reserve and Guard forces has increased. According to Army projections for fiscal year 2021,

Reserve and Guard shares of the Army budget will have increased by 12.7 percent and 27.8 percent, respectively, since fiscal year 2001. Resourcing of any Army component or any Army program is a reflection of the total resources provided to Department of the Army to fulfill its statutory and strategic roles and responsibilities. If confirmed, I will work to ensure that our Reserve Components are resourced to provide the Army both operational Reserve and strategic depth as we train to confront current and future threats.

NATIONAL GUARD

Question. What is your understanding and assessment of changes in the global and domestic roles and missions of the Army National Guard and the National Guard Bureau in the last decade?

Answer. The Army National Guard of the United States remains one of two viable and important reserve components in the Army. As the Army's global and domestic roles and missions change, the personnel and units from all three components will be employed to meet demand. The experiences of the last decade illustrate this. We have learned that "reserve" is no longer solely defined by geography, but also includes both capacity and response time.

Question. What is your understanding and assessment of the Army's commitment to fully fund Defense Department requirements for Army National Guard equipment?

Answer. PB16 funds Total Army endstrength of 980,000. General Odierno assesses this is as "significant risk" and sufficient to fulfill the 2012 DSG but at "significant risk." PB16 does not fully fund modernization. These shortages are shared across the Total Force.

At this time, the Army cannot afford to fully fund requirements, to include equipment for any of the components—Regular Army, Army National Guard, and U.S. Army Reserve. If confirmed, I will work to balance forces, readiness, and modernization across the Total Army to best fulfill our responsibilities within the Defense Strategy given the resources we are given.

Question. In your view, do Army processes for planning, programming, budgeting, and execution sufficiently address these requirements for National Guard equipment?

Answer. Requirements for National Guard equipment and the two other Army components are driven by the process of "Total Army Analysis" of how the Army will fulfill the National Military Strategy. The challenge is managing risk by balancing forces, modernization, and readiness across all components to fulfill Army roles and responsibilities for national defense.

The PPBE process is adequate for the Total Force to include the National Guard. What is lacking is sufficient funds for all the components. Shortages reflect resourcing shortfalls vice processes.

Question. If confirmed, how would you ensure that these equipment needs of the Army National Guard are fully considered and resourced through the Army budget process? In your view, what is the appropriate role for the Chief of the National Guard Bureau in this regard?

Answer. If confirmed, I would work closely with the Secretary of the Army to fulfill the strategic and fiscal guidance provided by the President and the Secretary of Defense within the resource levels provided. Federal statute clearly defines the advisory role of the Chief of the National Guard Bureau. The Director of the Army National Guard, on behalf of the Chief of the National Guard Bureau, is a full participant in the discussions and deliberations of how we equip the Army and if confirmed, I will work closely with the Director of the National Guard to meet the Total Army resourcing challenges.

Question. What is your understanding and assessment of the role and authority of the Director of the Army National Guard, and, in your view, how does this compare with the role and authority of the Chief of the Army Reserve?

Answer. The Chief of the Army Reserve is also the Commanding General of U.S. Army Reserve Command, and exercises command authority over all U.S. Army Reserve personnel and units assigned to the command. As such, the Chief of the Army Reserve can more readily adapt Army Reserve forces and programs to dynamic strategic and fiscal guidance. The Director of the Army National Guard on the other hand does not command the Army National Guard. By law, when not federalized, personnel and units of the Army National Guard are controlled by the Governors of the 54 states and territories to which they are apportioned. When federalized, they usually fall under the command of the Commander, U.S. Army Forces Command, before they are provided to a combatant commander in response to a request

for Army forces. The Director of the Army National Guard assists the Chief of the National Guard Bureau in the performance of his or her duties.

FAMILY READINESS AND SUPPORT

Question. Soldiers and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for soldiers and their families?

Answer. If confirmed, I will continue to maintain Family readiness by fully supporting the important range of services and programs that provide soldiers peace of mind that their Families are being cared for during long deployments, changes of station and continued times of high operational tempo. At issue here is adequacy of funding to enable our support. I will sustain the Army's commitment to a high quality of life for soldiers, families and civilians. Our program for this is Total Army Strong, which provides commanders the ability to tailor services and programs to meet the needs of local military community.

Programs and services such as the Exceptional Family Member Program (considers family members with special needs during the assignments process), Child Development Centers (provides soldiers with affordable, quality day care), and the Financial Readiness Program (offers soldiers financial counseling throughout their careers) are just a few examples of the different ways the Army enables soldier and family readiness.

Question. How would you address these family readiness needs in light of future reductions in end strength?

Answer. If confirmed, my goal would be to maintain an Army of strong and resilient soldiers and families. I would, however, as a result of the Army's upcoming end-strength reductions, focus on the Army's Soldier for Life (SFL) initiative that emphasizes the Army's commitment to those who serve from the day the recruit reports for duty through transition and continued service as a veteran. The SFL program will provide many opportunities for soldiers and families leaving the Army as a result of the drawdown.

MILITARY QUALITY OF LIFE

Question. The Committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare and recreation services, especially as DOD faces budget challenges.

If confirmed, what further enhancements, if any, to military quality of life programs would you consider a priority in an era of intense downward pressure on budgets?

Answer. With the restructuring of the Army and the current fiscal climate, if confirmed, I would apply resources to programs and services that have the greatest impact on sustaining soldier and family resilience and thereby Army readiness. I would also look to partner with the other Military Departments and local communities to assist the Army in ensuring availability of key programs as reasonable cost to all soldiers and families, and to strengthen the Army's Soldier for Life initiative. If confirmed, I would also want to hear from our soldiers and families about those programs that are most important to them and those services that they need but we are not providing.

SUICIDE PREVENTION

Question. What is your assessment of the Army's suicide prevention program?

Answer. We need to do more for our soldiers and family members when it comes to preventing suicide and mitigating the factors of suicide and other high risk behaviors. Our Ready and Resilient efforts deliver training, tools, and resources to improve soldiers performance, strengthen their resilience and make them stronger and the Army has made good progress in the last few years. However, more work needs to be done. If confirmed, I will work with the Secretary of the Army to continually assess this program to ensure we are meeting the needs of our soldiers and that we continue to understand the myriad of causes that lead to self-harm. I am committed to prevention and intervention to help soldiers who are suffering and risk harm to self.

Question. In your view, what role should the Chief of Staff of the Army play in shaping policies to help prevent suicides and to increase the resiliency of all servicemembers and their families?

Answer. If confirmed, my role is to work with the Secretary of the Army to provide policy and resources to Commanders to help them prevent suicides and increase resiliency in the force. In my view, suicide preventions continue to be a priority mission for all commanders and soldiers.

Question. If confirmed, what actions will you take to ensure that sufficient mental health resources are available to servicemembers in theater, and to the servicemembers and their families upon return to home station?

Answer. If confirmed, I will ensure that soldiers and their family members have access to quality mental health care. As one of my priorities, the Army will continue to make quality behavioral health care available in innovative ways, such as embedded providers with combat units in theater and at home station. We will continue to lead the DOD in placing providers where soldiers' families can also easily access mental health care. It is critical that soldiers view seeking mental health care as a sign of strength. I will maintain the focus on mental health care and take every opportunity to improve on the gains made in the past several years.

MEDICAL CARE FOR WOUNDED SOLDIERS

Question. Is the Army adequately resourced to provide all needed combat medical support in our active theaters?

Answer. At the current rate of combatant commander demand, we are adequately resourced to provide the needed combat medical support in our active theaters. The nature of the strategic environment requires the Army to continuously assess its capabilities and force requirements. It has taken years to achieve the medical size, structure, and capability required. Total Army Analysis has resulted in a medical force sufficient to support combatant commands, that best meets guidance under established resource constraints, and that fulfills the roles and missions we ask of these key battlefield enablers.

Question. Is the Army adequately resourced to care for soldiers in the continental United States and overseas garrisons?

Answer. Current funding levels provide adequate resources to sustain medical readiness and provide quality healthcare for soldiers worldwide. Army Medicine continues to seek efficiencies and opportunities to collaborate with other services, the Veteran's Affairs, and the private sector to minimize costs. The successful transition to a System for Health is vitally important to the survival of Army Medicine as an affordable and viable means to maintain the force.

Question. How does the Army provide follow-on assistance to wounded personnel who have separated from Active service?

Answer. The Army's primary system to assist our wounded personnel separating from Active service is through the Soldier for Life Transition Assistance Program (SFLTAP). This program provides points of contact for assistance once out of the military. For the population consisting of the most seriously wounded soldiers, they may qualify for the Army Wounded Warrior Program, whose cadre maintains contact with seriously injured veterans to provide a continuum of care and support as well as smooth transition to the Department of Veteran Affairs. We also refer Wounded Warriors who qualify to the Veterans Affairs Vocational Rehabilitation and Employment program that further assists in the transition process.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase the Army's support for wounded personnel, and to monitor their progress in returning to duty or to civilian life?

Answer. Warrior care will remain an Army priority; it is an enduring mission and our sacred obligation. The Army will remain committed to ensuring our wounded, ill, and injured soldiers have the best health care possible to either successfully remain on Active Duty or transition from Military Service and into communities as productive Veterans. Additionally, we will continue our collaboration efforts with Veterans Affairs to facilitate the seamless transition for our Wounded.

Question. What is your understanding and assessment of the Army's disability evaluation system?

Answer. The Army is committed to ensuring that all soldiers receive the care they need and the benefits they have earned through their selfless service. It is my understanding that the disability evaluation system (DES) is approaching a steady state balance, as soldier disability cases are completed at a rate equal to or greater than cases being enrolled on a monthly basis. Collaboration between the Physical Disability Agency, Medical Command/Office of the Surgeon General and the Veteran's Affairs, and the application of increased manpower and resources have dramatically improved capacity, created efficiencies and reduced timelines. Average time of completion for Active and Reserve Component Soldier cases now meets and exceeds OSD Warrior Care Policy goals. The DES Dashboard provides transparency

and predictability for soldiers, families and commanders and soldiers are increasingly satisfied with their understanding of the process and the amount of time it takes to complete DES. My assessment is that maintaining timelines and improvements will require continued commitment of resources in order to care for our most precious asset—our soldiers. If confirmed, I will be committed to ensuring we sustain our progress and continue to improve where possible.

Question. Is the Total Army Health care system adequate to meet the health care needs of soldiers, families and retirees?

Answer. Army Medicine is well prepared to support the health care needs of soldiers, families and retirees. The Army direct care system is made up of 32 primary military treatment facilities and smaller clinics across our camps, posts and stations. There is also care available through TRICARE contracts near military bases. In addition, beneficiaries may access care through non-contracted providers in the areas not supported by TRICARE contracts. There are also virtual resources available to beneficiaries, such as nurse advice line, that supplement face to face care.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. The Fiscal Year 2014 Department of Defense Annual Report on Sexual Assault in the Military reflects that substantiated reports of sexual assault in the Army resulting in preferral of court-martial charges increased by 56 percent from 272 reports in fiscal year 2013 to 424 reports in fiscal year 2014.

What is your assessment of this report?

Answer. Any sexual assault in the U.S. Army is unacceptable. Recent survey data estimates that the prevalence of sexual assault in the military is decreasing. At the same time, reports of sexual assault have seen unprecedented increases in the last three fiscal years. The Army views these results as indicators of a continued growing trust and confidence in our system, as more victims are reporting. However, if confirmed, this issue will have my full attention and continued intense focus on this issue by commanders at all levels.

Question. What is your assessment of the problem of sexual assaults in the Army?

Answer. Sexual assault has no place in our Army and I am personally committed to its elimination. Sexual assault not only has a long-lasting effect on the individual victim, but it also erodes unit readiness and command climate. If confirmed, this issue will have my full attention.

Question. What is your assessment of the Army sexual assault prevention and response program?

Answer. As I said earlier, any sexual assault is unacceptable. I see some positive progress and have been told the Army Sexual Harassment/Assault Response and Prevention (SHARP) Program is moving in the right direction. However, I also believe that there is still much work to be done. We must continue to increase reporting and eradicate prevalence. We must focus on the issue of retaliation to ensure that victims feel safe in reporting and that we have established a command climate that demands dignity and respect for all soldiers, civilians and family members. This issue will have my personal attention.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. Protecting and supporting the victim of sexual assault is imperative. Though Army policy favors unrestricted reporting as a bridge to offender accountability, I understand that some victims do not want an investigation for a variety of personal reasons. In those instances, restricted reporting is a vital avenue to allow these soldiers to obtain advocacy, medical, mental health, and legal services. If we do this right, the services and support provided to victims who initially make a restricted report will provide those victims with the confidence to convert to an unrestricted report. I believe that allowing victims options and multiple avenues for reporting sexual assault has been and will remain critical to our progress.

Question. What is your view about the role of the chain of command in providing necessary support to victims of sexual assault?

Answer. Commanders and anyone in a leadership position must set, teach, and enforce the best possible standards for supporting victims of sexual assault. Specifically, committed, engaged leadership and grass-roots prevention campaigns at the squad leader level are critical to providing the necessary support to victims of sexual assault. Commanding officers are also responsible for setting positive command climates that not only help prevent the crime of sexual assault but also provide a safe environment where victims feel confident coming forward to report. The entire chain of command is absolutely critical in creating a climate that prevents sexual assault, protect the victims, and hold the perpetrators fully accountable in accordance with appropriate legal processes. Our current focus is on the challenge of retaliation.

Commanders must have visibility of any potential retaliation or reprisal and must monitor investigations to ensure appropriate accountability.

Question. What is your understanding of the adequacy of Army resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. The Army provides several resources to aid victims of sexual assault, including local Medical Treatment Facilities, Sexual Assault Response Coordinators (SARCs), Victim Witness Liaisons (VWLs), family advocacy, social services, chaplain services, and legal services. Army psychiatric counselors and chaplains are confidential counseling channels.

The Army has transformed response services over the past years, including professionalizing the Sexual Assault Response Coordinators and Victim Advocate education, implementing the Special Victim Counsel (SVC) program, and establishing one-stop shops for victims in SHARP Resource Centers. The U.S. Army Medical Command sexual assault medical management team is designed to provide immediate and long-term patient care, which includes assessment and treatment of acute medical injuries, assessment of risk for pregnancy, options for emergency contraception, assessment of risk of sexually transmitted infections, including HIV prophylaxis, to necessary follow-up care and services. All patients are offered a referral to behavioral health at their first medical encounter and are encouraged to receive psychological care and victim advocacy support. In addition, there are long-term care plans tailored to meet the individual's patient's medical and behavioral health care needs.

The Army SVC Program makes available to all sexual assault victims a specially trained and certified military attorney to represent the victim during all phases of a case, including investigation, military justice and administrative proceedings. The SVC is also a legal assistance attorney who provides both independent representation to the victim in the military justice context, and help with any legal issues the victim might have. This allows victims to form an attorney-client relationship with one attorney to whom they can turn for all their legal needs. To provide maximum coverage across the force and facilitate face-to-face communication between the SVC and victim, the Army maintains approximately 75 SVC stationed at 35 locations. I believe this is the right model for the Army and adequately protects the legal interest of sexual assault victims.

Question. What is your view of the steps the Army has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. The Army has made significant, measurable progress to prevent sexual assaults both at home and in deployed locations, but there is much more work to be done. I have been and will remain committed to combating this serious crime. If confirmed, I will build on the hard work that has been done and will ensure that Army leaders and soldiers across all our formations know that preventing sexual assault is one of my highest priorities.

Question. What is your view of the adequacy of the training and resources the Army to investigate and prosecute allegations of sexual assault?

Answer. The Army has one of, if not the best training programs for sexual assault investigators in the Nation. The basic two-week course is taught by nationally recognized civilian experts in trauma, alcohol facilitated sexual assaults, and the psychological effects of sexual assault. Course instructors also include experts in the medical aspects associated with child sexual assault, and renowned civilian police experts from highly regarded special victim investigative units. Additionally, I have been informed that the course's lead instructor, Mr. Russ Strand, developed the Forensic Experiential Trauma Interview (FETI) technique. This innovative interview technique has been crucial to obtaining thorough and detailed testimonial evidence from victims of sexual assault, thereby setting the stage for successful prosecution. Mr. Strand was recognized with the Visionary Award by the Ending Violence Against Women International Association for his work on this advancement. Furthermore, the sexual assault investigation course and training are being taught to civilian law enforcement agencies, and college campus police, throughout the United States and Canada. The training has been nominated for the 2015 International Association of Chiefs of Police/Thomson Reuters Award for Excellence in Criminal Investigations. I have been informed that over half of the Army investigators in the field have received this training, and are employing its principles and processes daily, worldwide. Follow-on training courses focus on domestic violence, child abuse and advanced forensic crime scene processing. As a result, the Army's investigators bring unmatched investigative capabilities to the installations' special victim teams. Furthermore, it is my understanding that the Army has resourced its Criminal Investigation Command, with 30 specially trained, expert civilian Sexual Assault Investigators (SAIs), and stationed them at key locations around the world. Each SAI

brings the wealth of his/her training and expertise to every sexual assault investigation. Additionally, the SAIs use their knowledge and expertise to mentor less experienced investigators. Working hand-in-hand with specially trained sexual assault prosecutors, the special victim capability teams on each Army installation work tirelessly to ensure that all available evidence is collected and recorded to ensure successful prosecutions.

The military justice system has undergone the most comprehensive revision since its implementation more than 50 years ago. Time is needed to implement and assess these changes. The training and resourcing of specially-selected and trained investigators and prosecutors has been a focus of Army efforts and has resulted in improved proficiencies for accountability. If confirmed, I will ensure that the Army continues to focus on these critical functions.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. I firmly believe the role of the commander is central to sexual assault prevention within the military including those behaviors and actions that could lead to sexual assault. The commanding officer of every unit is the centerpiece of an effective and professional warfighting organization. They are charged with building and leading their teams to withstand the rigors of combat by establishing the highest level of trust throughout their unit.

Commanding officers are responsible for setting and enforcing a command climate that demands dignity and respect for all soldiers. Trust in the commander and fellow soldiers is the essential element in everything we do. Developing this trust, dedication, and esprit de corps is the responsibility of the commanding officer. They do this by setting standards, training to standards, and enforcing standards that clearly demonstrate intolerance to sexual assault. If confirmed, I will ensure standards for sexual assault prevention are met.

Question. Surveys report that up to 62 percent of victims who report a sexual assault perceive professional or social retaliation for reporting. If confirmed, what will you do to address the issue of retaliation for reporting a sexual assault?

Answer. The issue of professional or social retaliation is deeply concerning and the Army has been working proactively to address what is a complex and challenging aspect of changing a culture. Past efforts have included the expedited transfer program and the implementation of the Special Victim Counsel. Most recently, the Army has spoken with and surveyed victims, implemented policy to prohibit retaliation, developed training to assist soldiers in identifying and preventing retaliation, and implemented policy to investigate and monitor all allegations of retaliation.

Based on recent surveys, the Army has sharpened its focus on addressing retaliation. The Army has implemented policy, adapted training, and begun collecting data for analysis. Committed, engaged leadership and grass-roots prevention campaigns at the squad leader level are critical to solving the problem of retaliation.

Question. Sexual assault is a significantly underreported crime in our society and in the military. If confirmed, what will you do to increase reporting of sexual assaults by military victims?

Answer. Recent survey data shows the Army is making significant progress in strengthening the Army culture in order to reinforce positive command climates where victims: are encouraged to report sexual assaults; know they will receive the best medical care and support services; their incidents will be thoroughly investigated by independent law enforcement experts in coordination with specially trained and selected Special Victim Prosecutors; and feel confident that offenders will be held appropriately accountable.

Indicators of this progress include a significant decrease in prevalence, particularly for female soldiers, combined with an unprecedented increase in reporting. In the past year, the Army also experienced the highest conversion rate from restricted to unrestricted reports (triggering command notification and law enforcement investigation) since the inception of restricted reporting in 2005. The Army has also seen a substantial increase in the percentage of male victims reporting, an encouraging trend in one of the most challenging aspects of this fight given the complex nature of male on male assault.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command, instead of a military commander in the grade of O–6 or above as is currently the Department's policy, to determine whether allegations of sexual assault should be prosecuted?

Answer. The Commander is responsible for everything the unit does and fails to do. This responsibility cannot be overstated. I strongly support the Department's current policy. The Uniform Code of Military Justice operates both as a criminal justice system and a critical component of a commander's authority to maintain good order and discipline. I believe our soldiers and national security interests are best

served by retaining the military commander's key role in the military justice decision process. While I greatly value the advice and recommendations of our highly proficient judge advocates, I firmly believe the military commander's role is indispensable in the prosecutorial process. With this responsibility comes accountability. I also strongly support holding those few commanders who fall short of their responsibilities accountable for their actions or inaction.

When a unit enters combat, success is directly dependent on the Commander's ability to enforce his or her orders and standards. The Commander's authority to refer charges to court-martial, especially for the most serious offenses such as sexual assault, is essential.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Army?

Answer. I am encouraged by the progress the Army has made, but there is much more work to be done. If confirmed, I am committed to sustaining the momentum and progress. We have focused significant efforts on senior leadership engagement to address this cultural issue. To achieve continued progress we will place additional emphasis on junior leader/first line leaders taking ownership and helping to achieve the culture of dignity and respect required to eradicate sexual assault in our Army.

Question. What is your assessment of the effect, if any, of recent legislation concerning sexual assault on the capability of Army commanders to prosecute sexual assault cases, including cases where prosecution is declined by civilian prosecutors?

Answer. The Army is in the process of implementing all the requirements of the fiscal year 2014 NDAA concerning sexual assault and the capability of Army commanders to prosecute sexual assault cases. It is too soon in the process to evaluate the effects of all of the changes. The Army, like the other Services, will be carefully studying the effects, both intended and unintended, of all of the rapid and robust changes to the military justice system over the past few years and we will share our observations with Congress.

RELIGIOUS GUIDELINES

American military personnel routinely deploy to locations around the world where they must engage and work effectively with allies and with host-country nationals whose faiths and beliefs may be different than their own. For many other cultures, religious faith is not a purely personal and private matter; it is the foundation of their culture and society. Learning to respect the different faiths and beliefs of others, and to understand how accommodating different views can contribute to a diverse force is, some would argue, an essential skill to operational effectiveness.

Question. In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. A number of religious (and belief) accommodation protections are afforded to soldiers beginning with the First Amendment and proceeding through title 10, DOD Directives, and Army policies. Yes, I believe our current protections appropriately balance the Army's compelling interest in unit cohesion and good order and discipline, on the one hand, and soldiers' adherence to their religious beliefs, on the other.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Yes, current law and policy appropriately balance unit cohesion and good order and discipline with individual expressions of belief. Leaders at all levels develop soldiers to embody Army values, which emphasize the importance of treating others with dignity and respect. These values help create a culture of respect for the religious rights and expressions of others, including those who hold to no religious beliefs.

Question. In your view, does a military climate that welcomes and respects open and candid discussions about personal religious faith and beliefs in a home-port environment contribute in a positive way to preparing U.S. forces to be effective in overseas assignments?

Answer. It has been my experience that being tolerant and accepting of differences is a virtue valued by our soldiers, and I believe this has been the case since our Nation's founding. America's soldiers are diverse. Treating others respectfully clearly has a positive impact on operations within or outside of our Nation.

Question. Would a policy that discourages open discussions about personal faith and beliefs be more or less effective at preparing servicemembers to work and operate in a pluralistic environment?

Answer. In my opinion, denying varying attitudes or opinions does not provide an opportunity to work through any differences that may exist. The Army develops leaders and builds teams. Part of that process involves respecting each other's values and beliefs as Americans, without forcing others to accept those values or beliefs.

Question. In your view, when performing official military duties outside a worship service, should military chaplains be encouraged to express their personal religious beliefs and tenets of their faith freely, or must they avoid making statements based on their religious beliefs?

Answer. As I understand current legal protections, all servicemembers' beliefs and the expression of those beliefs are protected. When opinions are expressed, religious or otherwise, in thoughtful consideration of those hearing the discussion or comment, an opportunity for meaningful dialogue is opened. All soldiers must treat each other with dignity and respect within The Army Profession.

Question. Do you believe chaplains should be tasked with conducting non-religious training in front of mandatory formations, even if they may be uniquely qualified to speak on the particular topic, such as suicide prevention or substance abuse? If so, do you believe guidance provided to those chaplains on what they should and should not say with respect to their faith is adequate?

Answer. If confirmed, I will seek the advice of the Chief of Chaplains, the member of the Army Staff charged with advising me on these and other matters. Chaplains serve in two distinct roles as officers in our Army, both as staff officers and religious leaders. Chaplains have historically maintained a balance in both of those roles and in their functions of providing religious support and advising commanders. If confirmed, I will review the guidance on this topic and assess if it is adequate.

JOINT OFFICER MANAGEMENT

Question. What is your assessment of the effectiveness of the Goldwater-Nichols-required Joint Qualification System?

Answer. Without question, Goldwater-Nichols has brought a joint mindset to military operations and in doing so improved the Department of Defense. Clearly collaboration among Services has improved. If confirmed, I will work with the Secretary of the Army to determine to what extent Goldwater-Nichols supports the Force of the Future and what, if any changes might be needed.

Question. Do you think additional changes in law or regulation are needed to respond to the unique career-progression needs of Army officers?

Answer. While I do not now see any urgent need for change, if confirmed, I will work with the Secretary of the Army to determine to what extent the current laws and regulations support the Force of the Future in a changing environment.

Question. In your view, are the requirements associated with becoming a Joint Qualified Officer, including links to promotion to general officer rank, consistent with the operational and professional demands of Army line officers?

Answer. Yes, in my judgment, it is important that Army General Officers be joint qualified.

Question. If not, what modifications, if any, to the requirements for joint officer qualifications are necessary to ensure that military officers are able to attain meaningful joint and service-specific leadership experience and professional development?

Answer. I feel the joint requirements are adequate today and, if confirmed, I will work with the Secretary of the Army to manage the officer corps so as to preserve the joint qualification process in the future.

Question. In your view, what is the impact of joint qualification requirements on the ability of the services to select the best qualified officers for promotion and to enable officer assignments that will satisfy service-specific officer professional development requirements?

Answer. I feel the joint requirements are adequate today and help identify the best officers for promotion. If confirmed, I will work with the Secretary of the Army to manage the impacts on the officer corps.

Question. Do you think a tour with a combatant command staff should count toward the Joint tour requirement?

Answer. Yes. Combatant commanders are inherently joint and provide a rich professional experience.

DEPARTMENT OF THE ARMY CIVILIAN PERSONNEL

Question. The committee continues to have an acute interest in the Department of Defense civilian and contractors who support our soldiers.

What is your assessment of the current morale of the Department of the Army civilian and contractor workforces?

Answer. The Army civilian workforce has been nothing short of stellar and steadfast in support of our Army at war. That said, I am concerned with the impact on morale of several years of pay freezes, a year without performance bonuses, two rounds of furloughs, and messages about downsizing. If confirmed, I will work with the Secretary of the Army to ensure we maintain visibility on morale of our workforce. Maintaining positive civilian morale is as important as soldier morale to the readiness of the Total Force.

Question. What do you believe is the appropriate proper balance of manpower between Department of the Army for uniformed personnel, civilian Department employees, and contractor personnel?

Answer. The appropriate balance should reflect the primacy of the warfighter; the Army needs sufficient civilian employees and contract support to ensure the most efficient and effective use of uniformed personnel. That differs at each echelon of command and by installation and organization. If confirmed, I will work with the Secretary of the Army to ensure we maintain an appropriate balance of manpower which provides the Nation the most effective use of all available resources.

Question. What workforce flexibilities do you consider necessary for the Department of the Army to better manage its workforce?

Answer. The Army requires greater flexibility from Recruiting and Accession to Development, Employment, and Transition to better manage its workforce. If confirmed, I'll work closely with the Secretary of the Army to examine the policies and resources required to obtain this flexibility that allows us to retain top talent.

Question. How will you manage the further reduction of civilian employees?

Answer. As needed, the Army will continue to promote voluntary measures as much as possible to reduce the civilian workforce. Commands are encouraged to use reshaping tools such as release of temporary employees, not extending temporary and term employees, separation of highly qualified experts (HQE), separation of reemployed annuitants, attrition, management-directed reassignments, hiring controls, the Department of Defense Priority Placement Program and Voluntary Early Retirement. If confirmed, I will work with the Secretary of the Army to manage reductions in a responsible and compassionate manner.

ACQUISITION

Question. Has acquisition as currently conducted provided the Army weapons, equipment and supplies effectively and in a cost efficient manner?

Answer. The defense acquisition system needs to improve in timeliness and cost effectiveness in order to provide our soldiers with the systems, technologies, and equipment to dominate our adversaries.

Question. Does the current acquisition system ensure the Army is fully modernized in a timely manner?

Answer. The complexity of processes and rules in the defense acquisition system limit flexibility and add time and cost to the process of developing and fielding new warfighting capabilities. While all involved strive to ensure our soldiers have the best equipment, the acquisition process could be simplified and streamlined while retaining emphasis on sound program planning and risk mitigation. To achieve this goal and ensure our systems can be developed and fielded more quickly, we must reduce redundant documentation, provide more flexibility to program managers, and place greater emphasis on sound acquisition planning. This will inject much-needed agility and flexibility into the process while maintaining robust oversight of taxpayer dollars.

Question. Should the Chief of Staff of the United States Army have the authority and responsibility to control Army acquisition programs?

Answer. The Chief of Staff of the Army plays a critical role in the development of Service requirements and the allocation of funding necessary to successfully develop and field programs. The operational experience and leadership of Service Chiefs are invaluable to generating and stabilizing achievable requirements and ensuring the resources necessary to achieve these capabilities. Additionally, the Service Chiefs are ideally positioned to provide strategic priorities and areas of emphasis in the development of warfighting capabilities that respond to current and emerging operational threats. If confirmed, I will work with the Secretary of the Army to explore opportunities for an increased role in the acquisition process in order to drive requirements, resources, and acquisition to ensure our soldiers have the best possible equipment in a timely manner.

Question. How will you meet your responsibilities to ensure Army acquisition programs stay on schedule, within cost and perform to expectations?

Answer. Achievable and affordable requirements, as well as stable and predictable funding, are critical to the success of acquisition programs. As a representative of

our soldiers' needs, if confirmed, I will work to validate and prioritize realistic requirements and request stable and sufficient funding be provided to successfully meet our capability gaps. This role is especially important during times of decreased budgets, such as now, when the Department must implement investment decisions with limited resources. Additionally, acquisition programs cannot be successful without a trained, professional, and experienced workforce. If confirmed, I will promote the qualifications, expertise and capability of the acquisition workforce by focusing on the recruitment, development, and retention of individuals with critical acquisition skill sets in order to provide the Army essential capabilities for continued success.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the Administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Chief of Staff of the Army?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JIM INHOFE

READINESS OF THE FORCE

1. Senator INHOFE. General Milley, how do lower readiness levels and a smaller force impact our ability to deter aggression?

General MILLEY. In order to deter aggression, our capability and capacity to rapidly deploy and conduct combat operations to defeat enemy objectives must be understood and believed by our opponents. Readiness is the core requirement, which underpins deterrence of rational opponents. High readiness will result in an increased likelihood of deterrence. Size, skills, capability and capacity are required to deter rational adversaries. Lower readiness levels and a smaller force decrease the likelihood of deterrence and increase the likelihood of aggression with respect to rational actors.

2. Senator INHOFE. General Milley, if a major or even minor contingency operation were executed today given the Army's current state of readiness and current global commitments, is it possible the Army would have to send forces into combat that are not fully trained and ready?

General MILLEY. The possibility that the Army would have to send forces into combat that are not fully trained depends greatly on the nature of the contingency, combatant commander timelines, and national priorities on our ability to re-allocate forces. Given current readiness levels and uncertain global demands, if confirmed, I will assess our readiness levels closely as my top priority. I will provide candid military advice on our capability to meet requirements to avoid having to send forces into combat that are not fully trained and ready.

3. Senator INHOFE. General Milley, should the United States be postured to fight two Major Contingency Operations simultaneously? What is the impact of only being postured to fight one Major Contingency Operation?

General MILLEY. Yes, the U.S. should be postured to fight two major contingency operations simultaneously, which is in accordance with the 2014 QDR. The 2014 QDR asserts that U.S. forces must be capable of defeating a regional adversary in a large-scale, multi-phased campaign and denying the objectives of—or imposing unacceptable cost on—a second aggressor in another region. Being postured to fight two major contingency operations simultaneously prevents potential adversaries from exploiting a crisis to pursue their objectives and allows us to mitigate the risk of unanticipated crises and requirements. Being postured to fight only one major contingency operation could force undesirable choices between vital national interests and leave the U.S., allies, and partners at risk.

4. Senator INHOFE. General Milley, does priority for readiness, training and equipment go to deployed/forward stationed forces followed by forces getting ready to deploy? If so, how does that impact the readiness of follow on forces back in the U.S. and their ability to respond to unforeseen crisis?

General MILLEY. All Army units and soldiers actively supporting combatant commands deploy at the highest levels of assigned mission readiness. Outside of deployed forces, the Army has had to focus resources on a small number of non-deployed brigade combat teams and enabling forces to preserve a small contingency response capability. For non-deployed units at lower readiness levels, it takes longer to get them ready to respond to an unforeseen crisis, undermining the advantages of rapid deployment.

FORCE STRUCTURE

5. Senator INHOFE. General Milley, the Army recently announced its plan to cut 40,000 soldiers, many having served multiple combat tours in Iraq and Afghanistan, and will announce specifics on a cut of 17,000 civilians from its ranks in Sep. Is this the correct size for our Army given threats around the world and demands for ground forces everywhere?

General MILLEY. This personnel drawdown supports the President's Fiscal Year 2016 Budget and is part of the Army's effort to rebalance endstrength, readiness, and modernization efforts to shape a 980,000 Total Army (450,000 AC, 335,000 ARNG, and 195,000 USAR). This force is capable of supporting the Defense Strategy, but at a "significant" level of risk. I believe that a 1.045M Total Force (490,000 AC, 350,000 ARNG, and 205,000 USAR) at a level of funding adequate to balance end strength, readiness, and modernization could better address an increasingly unpredictable future security environment.

6. Senator INHOFE. General Milley, there are currently just over 20,000 soldiers in South Korea alone. If the Army had to respond to a Korea scenario today given its reduced readiness and force structure, would the Army be able to source all its combat ready forces from the U.S. or it have to take forces from other theaters such as EUCOM and CENTCOM, who are already short of forces and resources?

General MILLEY. If confirmed, I will thoroughly review the forces required in the event of a Korea contingency. However, it is my current understanding, in the event of crisis or conflict in Korea, we would first deploy ready units not already committed to other operations in other theaters. The sourcing of forces for contingency operations (such as the Korea scenario) is dependent on the state of readiness and commitment of all forces in the Army inventory at the time of execution. The possibility exists that the Army would have to draw forces away from other combatant commands, such as EUCOM or CENTCOM, in order to respond to a Korea scenario.

7. Senator INHOFE. General Milley, how do you see the three components of the Army contributing most effectively to this Nation's land power requirements? How important is it to balance the three components?

General MILLEY. Balancing the three distinct and equally important components of the Total Army is critical. The optimal blend of each component will depend on the specific mission requirement generated by the combatant commanders and requires careful mission analysis and, significantly, the time required to respond to the combatant commanders' requirement. If confirmed, I will assess the Total Army force structure and recommend adjustments as necessary.

8. Senator INHOFE. General Milley, do you believe our Army has the force structure, training and equipment to meet all the requirements in the National Military Strategy today?

General MILLEY. As outlined in the 2014 QDR, the Army (as part of the Joint Force) has to accomplish the three tasks of the defense strategy: defend the homeland, build security globally, and project power and win decisively. The Army has the force structure, training, and equipment to accomplish the first mission, but the second and third missions present growing challenges. The Army has the capability to build security globally, but ongoing force reductions place a greater strain on that capacity. Emergent demands and decreased resources may change underlying assumptions, increasing risk to our ability to project power and win decisively as our capacity and resources continue to decrease.

9. Senator INHOFE. General Milley, do you think the Army is accepting too much risk given the growing instability around the globe?

General MILLEY. I concur with GEN Odierno's assessment that a 980,000 Total Army (450,000 AC, 335,000 ARNG, and 195,000 USAR) will be capable of executing the defense strategy outlined in the 2014 QDR at a "significant" level of risk. The 2014 QDR, however, did not account for the growing instability that we now see in Russia's aggression in the Ukraine, the rise of ISIL, the Ebola crisis, and increasing challenges in the Pacific region.

10. Senator INHOFE. General Milley, how will you know when our military has accepted too much risk?

General MILLEY. I will know we have accepted too much risk when the risk to mission or risk to force is unacceptable. If the Army's capacity (i.e., number of troops available) is insufficient to meet the National Security and combatant commander requirements, to include war plan contingencies, we have reached an unacceptable level of risk to mission. If the Army has the capacity, but not the capability (i.e., skills and readiness) and is not resourced to fix that shortfall before deploying the force, we will have reached an unacceptable level of risk to the force. In either case, I will know our Nation has accepted too much risk.

11. Senator INHOFE. General Milley, what are the indicators that you look for?

General MILLEY. Indicators I look for include the capacity and capability of the force to accomplish the mission. Capacity is measured by the force's size; capability by its skill and readiness, where readiness is a function of manning, training, equipping, and leading. A decrease of any of these indicators illustrates or creates increased risk. Additionally, any change in the global security environment (e.g., increasing instability or volatility) is an indicator of risk. Lastly, any increase in our adversaries' relative capability or capacity is an indicator of increasing risk.

SECURITY OF THE FORCE

12. Senator INHOFE. General Milley, what are your thoughts regarding the security status of Army personnel serving at locations both on and off-post?

General MILLEY. Force protection is a key task for any commander, and there are a wide variety of active and passive measures commanders can employ. In all environments, leaders must balance force protection with mission accomplishment. As with everything that we do, Army leaders at all levels conduct risk analysis to ensure that we mitigate risk as low as possible while still maintaining the ability to accomplish our missions. For example, commanders can harden structures, e.g. bulletproof glass, increase patrols, and coordinate closely with federal and civilian law enforcement. It is especially necessary to reevaluate all measures due to the recent shootings in Tennessee, as DOD is currently doing.

13. Senator INHOFE. General Milley, do we need to reassess our security levels, rules of engagement, training requirements, ability to increase manning of armed security personnel, and authorization for military personnel to carry government firearms both concealed and openly carry to and from duty?

General MILLEY. Yes. If confirmed, I will work with OSD to assess all those factors. The Army is currently evaluating our options for increasing the security posture of our personnel to include both active and passive security measures. Arming well-trained soldiers would fall into the active measure category while increasing additional security layers to facility access points qualify as passive measures. Any option considered must comply with existing law. Whichever option we decide upon must take into consideration not only the safety and security of our soldiers but the communities in which they work.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

SHORTFALLS IN EUROPE—DETERRING PUTIN

14. Senator AYOTTE. General Milley, in your advance policy question responses, you stated that the Army in Europe does not have what it needs. Specifically, what does EUCOM need that it does not have?

General MILLEY. EUCOM needs additional assets, permanent or rotational, to deter Russian aggression and assure allies. The Army is in the process of placing activity sets and pre-positioned equipment in Europe manned with forces rotating on a temporary basis to assist with this mission. I have been briefed that EUCOM is estimating it needs additional armor, sustainment, engineering, intelligence, medical, fires, and signal; furthermore EUCOM may require additional military police assets. If confirmed, I will continue to work with EUCOM to further develop these requirements.

NH ARMY NATIONAL GUARD MILITARY CONSTRUCTION

15. Senator AYOTTE. General Milley, in times of fiscal strain, one of the first things that gets cut or delayed is military construction. The problem is that these cuts exact a growing readiness toll over time. For that reason, I continue to be troubled by the condition of New Hampshire Army National Guard readiness centers—a trend that I know is reflected around the country. However, the condition of readiness centers in New Hampshire is particularly unacceptable. According to the Army National Guard Readiness Center Transformation Master Plan final report to Congress last year, the average condition index (CI) of New Hampshire Army National Guard readiness centers is Poor (64 out of a 100 scale), ranking New Hampshire 51 out of the 54 states and territories evaluated nationwide.

In total, the New Hampshire Army National Guard has 1 readiness center rated 'Fair', 12 rated 'Poor', and 3 rated 'Failing'.

The Manchester readiness center was constructed in 1938 and does not comply with building code standards—as well as life, health, safety and Anti-terrorism Force Protection standards. Members of the New Hampshire Army National Guard—and servicemembers like them around the country—deserve better.

I am pleased that the Department is finally requesting funding for New Hampshire Army National Guard vehicle maintenance shops in Hooksett and Rochester for fiscal year 2017, as well as readiness centers in Pembroke and Concord for fiscal years 2018 and 2020, respectively. Considering the poor state of New Hampshire Army National Guard facilities, it is essential that these projects not be postponed and that they go forward as currently scheduled.

When confirmed, will you examine the allocation of military construction dollars not only between the Active and Reserve component, but also the allocation among the state Army National Guards to ensure the optimal allocation?

General MILLEY. Yes, if confirmed, I will examine the allocation of military construction resources across the Total Army, to include New Hampshire Guard facilities.

ENDSTRENGTH REDUCTIONS—STRATEGIC RATIONALE?—HOW MANY INVOLUNTARY SEPARATIONS?

16. Senator AYOTTE. General Milley, under the current plan, the Army will have to cut about 40,000 Active Duty soldiers in the next couple of years in order to reach an Active Duty endstrength of 450,000 soldiers. In your responses to the advance policy questions, you said, "Right now the level of uncertainty, the velocity of instability, and potential for significant inter-state conflict is higher than it has been since the end of the Cold War in 1989–91." You also note that, "the demand for ground forces will continue to increase even more so since many of our longstanding allies have significantly reduced their military forces over the last 25 years."What is the strategic rationale for cutting the size of our Active Duty Army by 40,000 soldiers (8 percent) in the next two years?

General MILLEY. The Army was forced to make reductions as a result of the Budget Control Act. Within those resource constraints, the Army developed a plan to maintain a balance between endstrength, readiness, and modernization. The reductions were informed based on a comprehensive analysis of mission requirements and installation capabilities.

17. Senator AYOTTE. General Milley, if defense sequestration is not reversed and the Army must go down to 450,000 or even 420,000 Active Duty soldiers, how many well-performing non-commissioned officers and officers will have to be involuntarily separated (given pink slips)?

General MILLEY. The Army anticipates that as it reduces from 490,000 to 450,000 in the Active Component, it will have to involuntarily separate approximately 15,000 Noncommissioned Officers and Officers. If the Army is directed to go to 420,000, it will have to involuntarily separate an additional 13,000 Noncommissioned Officers and Officers (28,000 total).

18. Senator AYOTTE. General Milley, we talk about not breaking faith with our soldiers. When we give a well-performing soldier who has deployed (often multiple times) a pink slip simply to meet a budget-drive endstrength reduction, I think that is breaking faith.I hope Congress will provide the funding necessary to maintain the Army endstrength our national security interests require. When confirmed, will you work to minimize the use of involuntary separations of well-performing soldiers?

General MILLEY. Yes.

POOR ARMY READINESS

19. Senator AYOTTE. General Milley, in your responses to the advance policy questions, you said that "only about 30 percent of Army brigades are at acceptable levels of combat readiness." You note that number should be between 60–70 percent.What is the primary reason for this poor readiness, and what can Congress do to help improve Army readiness?

General MILLEY. The primary reason is the budget reduction driven requirement to make unforecasted trade-offs between endstrength, readiness, and modernization and resulting budget uncertainty. Congress can assist by providing the predictable funding necessary to restore the appropriate balance between modernization, endstrength, and readiness.

20. Senator AYOTTE. General Milley, what is the optimal balance between having the number of personnel the Army needs and having the right equipment to achieve today's strategy?

General MILLEY. The optimal balance, informed by resourcing, weighs readiness, modernization, and endstrength against National Security Requirements. If confirmed, I will ensure no soldier is deployed in harm's way without the proper training and equipment. Right now, within PB16, the Army can, with "significant risk," field a 980,000 Total Army (450,000 AC, 335,000 ARNG, and 195,000 USAR). If the current Budget Control Act funding levels remain in place, I will have to work with the Secretary of the Army to reduce the Army, perhaps to 920,000 Total Army (420,000 AC, 315,000 ARNG, and 185,000 USAR) in order to ensure we have the right balance of readiness, modernization, and endstrength.

21. Senator AYOTTE. General Milley, there has been discussion recently about the balance between light infantry forces, medium forces, and heavy forces. In view of requirements and likely missions in the future, what do you believe is the optimal balance of these types of forces?

General MILLEY. The Army continually reassesses mission requirements to inform decisions regarding force structure. If confirmed, I will review the COCOM operational planning requirements to ensure the Army has the appropriate force mix.

ARMY MODERNIZATION PROGRAMS

22. Senator AYOTTE. General Milley, how should the Army balance developing and fielding new systems such as the Future Fighting Vehicle versus modernizing existing systems such as the Abrams tank and the Bradley Fighting Vehicle.

General MILLEY. Deployed soldiers must always have the most advanced capabilities available while the Army must also prepare for future threats. To accomplish this, the Army modernization strategy mixes limited development of new capabilities with incremental upgrades to existing platforms while also investing in key enabling technologies to support future efforts.

In the current fiscal environment, the Army's Combat Vehicle Modernization Strategy focuses on cost-effective replacement of obsolete vehicles, maintenance and improvement of proven platforms to ensure relevance, and aggressive pursuit of technology development to fill anticipated capability gaps. Until resources are available to fully develop a Future Fighting Vehicle, the Army will continue Science and Technology investment in Infantry Fighting Vehicle enabling technologies while focusing its vehicle modernization efforts on procurement of the Armored Multi-Purpose Vehicle and incremental upgrades to the Abrams, Bradley, and Stryker families of vehicles.

QUESTIONS SUBMITTED BY SENATOR JONI ERNST

DRAWDOWN IN FORCES

23. Senator ERNST. In light of troop reductions and growing threats, what recommendations do you have for developing the Army of the future that allows fighting units to be scalable and expeditionary for a variety of missions?

General MILLEY. The U.S. Army is and must remain the world's premier ground combat force, capable of conducting sustained campaigns on land to achieve U.S. National Security objectives while remaining true to our national values. Individual and collective training creates capable formations and develops leaders as the source of future flexibility. Army units are designed to be scalable and expeditionary in order to execute a variety of missions. The Army traditionally task organizes forces based on mission analysis and deploys/employs only those units necessary for mission accomplishment. Brigade Combat Teams, for example, can be task organized by capability, by capacity, or by function to execute a variety of missions, from support and assistance to major combat operations. If confirmed, I will continually assess and collaborate with the other Service Chiefs and adapt the Army to meet current needs and position itself for the future.

24. Senator ERNST. How will a reduction in forces affect readiness in the future?

General MILLEY. The National Military Strategy requires the Army to simultaneously defend the homeland, assure our allies, deter adversaries and, when required, defeat one regional aggressor and deny an aggressor in another region. Lower readiness levels, constant demand and a smaller force will erode readiness for surge missions. The Army is prioritizing current operations and shaping over-surge capacity. As a result, senior leaders responding to future contingencies will soon be forced to decide between committing forces at lower readiness levels and partially incurring higher casualties, or delaying the deployment of forces to build readiness, jeopardizing mission accomplishment.

25. Senator ERNST. In conversations with soldiers from the non-commissioned officer to field grade levels, I am told our soldiers are concerned with the operational tempo of the Active Duty force. Some of these soldiers claimed Army leaders were failing soldiers by not scaling the amount of requirements to the reduced size of the force. How will you ensure unit commanders are accurately portraying their ability to accomplish assigned tasks and protecting the long-term readiness of the force?

General MILLEY. The Army relies on the Commander's Unit Status Report (USR) to show the unit's ability to accomplish assigned tasks. This report requires standard entries which indicate unit readiness trends over time and also allows the commander to raise any concerns. Long-term readiness trends of the force are reflected in performance trends at Army training venues, like maneuver combat training centers. The Army strives to communicate combatant command operational tempo with the Joint Staff and OSD so that we can prioritize missions for a decreasing Army force. Finally, the Army has multiple forums to synchronize, manage and distribute mission assignments across the force. If confirmed, I will work with the Chairman, Secretary of Defense, and Congress on balancing demand with the supply of Army forces. I will also personally stress to our commanders that I will accept nothing less than their honest assessments on the USR.

WORLDWIDE THREATS

26. Senator ERNST. If Russia represents our greatest threat, what recommendations would you offer to deter Russia and reassure allies?

General MILLEY. I would recommend that our Army continue to support the combatant commander's plans and requirements by increasing our posture on NATO's eastern flank, providing additional rotational forces and prepositioned stocks, and building additional combat power capacities to support multilateral training exercises and enable rapid force projection. In my judgment, only a strong posture and close cooperation with regional allies will provide this level of both assurance and deterrence. Continued funding of the European Reassurance Initiative is critical to effect this and support the combatant commander's strategy.

27. Senator ERNST. During your testimony, you said that Russia was the greatest existential threat to the United States. How will you improve the Army's support to U.S. Army Europe with respect to enhancing military intelligence support to operations and force protection?

General MILLEY. The Army currently provides military intelligence support, including counterintelligence force protection, at the strategic level with intelligence

personnel assigned to the United States Army NATO Brigade and the 650th Military Intelligence Group (Supreme Headquarters Allied Powers Europe; and at the operational level through the assignment to U.S. European Command (EUCOM) of the 66th Military Intelligence Brigade. The 66th has the ability to downward reinforce tactical units operating within EUCOM area of responsibility, and is currently doing so in the form of counterintelligence support to the units forward deployed to the Baltics in support of Operation Atlantic Resolve. Additionally, the Army has regionally aligned the 4th Infantry Division with EUCOM, which provides additional intelligence support and analytic capacity to EUCOM through reachback and through a forward deployed detachment of intelligence officers and analysts in Germany. Finally, the 902nd Military Intelligence Group, part of the Army Intelligence and Security Command, provides general support to counterintelligence efforts as required. If confirmed, I will assess whether this level of support meets the combatant commander's needs.

28. Senator ERNST. During your testimony, you said that Russia was the greatest existential threat to the United States. How will you enhance the Army's support to U.S. Army Europe (USAREUR) with respect to enhancing USAREUR's ability to reassure our allies and deter Russian aggression through the training of Ukrainian forces?

General MILLEY. While the Army is enhancing the U.S. Army Europe's (USAREUR) efforts to build Ukrainian capacity within their National Guard security forces through a moderate training and equipping package, we will remain prepared to increase our assistance to Ukraine by providing similar support to the Ukrainian armed forces, if authorized. These efforts, if expanded beyond their police-like National Guard, will certainly improve their interoperability with NATO and build capacity to protect their borders and defend their sovereignty, assuring our allies and further deterring Russia. If confirmed, I will work closely with USAREUR to ensure we are poised to provide ready forces at the right time to meet emerging requirements.

29. Senator ERNST. As the Army considers sending a second brigade's worth of equipment to Europe that would be solely for contingencies as well as dedicating the entire 4th Infantry Division to rotating in and out of Europe for training, exercises and partner activities, how will you balance the threat posed by Russia with the possible need to place United States troops further forward in the fight against ISIL in Iraq?

General MILLEY. While the Army remains committed to meeting the emergent demands of both combatant commanders, budget cuts and force structure reductions present the Army with significant challenges given declining resources and force structure. At a 980,000 Total Army (450,000 AC, 335,000 ARNG, and 195,000 USAR) and structure levels, we can satisfy demand and meet the strategy at significant risk. At lower budget levels at a 920,000 Total Army (420,000 AC, 315,000 ARNG, and 185,000 USAR), we face an unacceptable risk to these strategies. In either case, the threats posed by Russia and ISIL require different Army capabilities. The Army's support to EUCOM focuses on our armored formations and building regional interoperability and multilateral training, while the current counter-ISIL strategy requires more agile and light units trained for advise and assist missions. If confirmed, I will work with both combatant commanders to ensure we prudently manage risk at whichever end strength the budget allows and provide trained and ready forces to meet their differing requirements.

SMALL ARMS WEAPONS AND AMMUNITION MODERNIZATION

30. Senator ERNST. The primary weapon system of the soldier is used to accomplish the Army's mission to engage and destroy our Nation's enemies in close combat. Despite this, and 14 years of lessons learned in thousands of ground combat engagements with the enemy across the globe, the Army has not prioritized the development and fielding of new small arms weapons. In general, the rifles, pistols, and machine guns in the Army provide generally the same capabilities with respect to lethality, range, and reliability as they did decades ago. While minor modifications have been made to some M4 carbines, these were only accomplished after great resistance by the Army and did not address lethality and range of the weapon. How will you seek to prioritize the modernization of the Army's small arms weapons?

General MILLEY. The Army developed a Small Arms Weapon Strategy in 2014 to ensure our modernization programs provide our soldiers the most capable weapons in combat. As you mentioned, all of our current M4 carbines will be upgraded to

M4A1's by 2022. The Army is also conducting a comprehensive Small Arms Ammunition Configuration Study that addresses several criteria, to include lethality, range, and reliability. This study will determine a feasible, suitable, and acceptable ammunition configuration in order to develop and implement a small arms strategy that ensures overmatch at the lowest tactical level in 2025 and beyond. Finally, we must ensure our simulators and simulations accurately reflect current small arms capabilities to ensure our training is both effective and realistic. If confirmed, I will look holistically at our modernization efforts.

31. Senator ERNST. According to a 2013 RAND study, which was conducted on behalf of the Deputy Chief of Staff, Force Development (G–8), RAND found that the Army dismounted squad had "the least amount of decisive advantages with respect to current and foreseeable threats." How will you seek to modernize the Army's small arms weapons and ammunition inventory for our maneuver squads?

General MILLEY. Army Training and Doctrine Command is now conducting a Small Arms Ammunition Configuration Study, with the Maneuver Center of Excellence at Fort Benning, Georgia, leading the study. The USMC and SOCOM are participating as well. Completion of the study is expected by Second Quarter fiscal year 2017.

The study is investigating emerging and future ammunition capabilities to ensure continued overmatch for the dismounted individual soldier, fire team and squad to 2025 and beyond considering both current and emerging threats. The Army will use this foundation to inform and update our Soldier Weapons Strategy.

The study evaluates conventional and non-conventional calibers used in carbines, rifles, and light or medium machine guns. This evaluation includes existing small arms ammunition system capabilities, commercial off-the-shelf capabilities, and emerging and developmental small arms ammunition capabilities. The study also includes an extensive review of previous ammunition studies by the Army and USMC dating from 2006, operational lessons learned collected by the Army, USMC, SOCOM, and other joint and coalition forces, and Army post-combat surveys and reports.

If confirmed, I will work with the Committee to address any concerns with the Army's small arms strategy.

32. Senator ERNST. Specifically what new materiel technologies is the Army pursuing in small arms to increase range and lethality of the Army's small arms weapons?

General MILLEY. The Army is funding research to develop and demonstrate technologies to increase small arms range and lethality. These investments will provide the soldier the ability to provide variable effects (from non-lethal to lethal) in a single cartridge at ranges greater than currently available. The investments should also yield new ammunition with reduced weight and signature, improved terminal performance, and increased soft and hard target penetration. The Army is also developing an advanced fire control capability that rapidly and accurately determines the range of a target, sensors that can measure local and downrange conditions, and ballistic sensors to reduce trajectory errors.

33. Senator ERNST. According to U.S. Special Operations Command, Lessons Learned/Operational and Strategic Studies Branch, special operations servicemembers felt that, "In Afghanistan, a more rural environment, the majority of effective fire is received at greater than 300 meters. So, when in the open, and engaging targets at a distance, most prefer the SCAR–H with the 7.62 ammunition, but when operating in tighter spaces, the M4A1 is still the preferred weapon." Do you concur with this assessment of Special Forces engaged in ground combat in Afghanistan that an assault rifle which uses a larger caliber round than the 5.56mm EPR would provide greater effects on targets located at greater ranges than 300 meters?

General MILLEY. Yes, a larger caliber such as 7.62mm provides greater effects at greater range. Although, the caliber of ammunition and target range are important to the effects on a target, there are other factors too. The Army Training and Doctrine Command is conducting a Small Arms Ammunition Configuration Study, with the Maneuver Center of Excellence at Fort Benning, Georgia, leading the study. The results of the study are important to informing future decisions regarding the right mix of ammunition and weapons platforms needed to engage different types of targets at varying ranges across diverse operational environments. I have been advised that the Army will use the results of the study to determine the best caliber and other weapons characteristics to best achieve the desired target effects at various ranges.

34. Senator ERNST. According to U.S. Special Operations Command, Lessons Learned/Operational and Strategic Studies Branch, special operations servicemembers felt that, "In Afghanistan, a more rural environment, the majority of effective fire is received at greater than 300 meters. So, when in the open, and engaging targets at a distance, most prefer the SCAR–H with the 7.62 ammunition, but when operating in tighter spaces, the M4A1 is still the preferred weapon." Understanding the organic capability provided by a squad designated marksman, do you believe with this battlefield assessment's implication that "pure-fleeting" of 5.56mm ammunition carbine rifles created a capability gap within maneuver squads?

General MILLEY. At issue is whether the capability gap, if any, creates an unacceptable level of risk to force and mission accomplishment. While a larger caliber such as 7.62mm provides greater effects at greater range, the Army's current assessment is that the inherent capabilities of the M4A1, including extensive modifications over the past 10 years, appropriately mitigates that risk. The M4A1's M855A1 enhanced performance round provides greater range and improved down range effect and the M249 Squad Automatic Weapon, organic to infantry squads and other networked lethality capabilities, provides the ability to engage and destroy point targets at 600 meters. Moving forward, the ongoing Small Arms Ammunition Configuration Study is intended to inform the process of determining the optimal ammunition and caliber combinations for future squad small arms, taking into account desired target effects at various ranges.

35. Senator ERNST. During your testimony, you said that Russia was the greatest existential threat to the United States. Currently, Russia is aggressively modernizing its small arms and individual soldier equipment as a part of its overall military modernization strategy. Will you prioritize fielding small arms and ammunition which will provide the infantry soldier with weapons and ammunition that have greater range, reliability, and lethality, than the current legacy small arms weapons in use today?

General MILLEY. Yes, if confirmed, I will ensure that, within budgetary constraints, we strive to achieve and maintain overmatch against any adversary, including at the individual soldier level.

36. Senator ERNST. In my conversations with soldiers who have served in Afghanistan, I am told insurgent forces developed a full understanding of the small arms capabilities and limitations of our infantry squads. This understanding caused our enemies to use tactics, techniques, and procedures to exploit the limited range of the 5.56mm ammunition and the M4 carbine by attacking from distances they knew an infantry squad could not return effective fire. While infantry squads have the capability of a designated marksman with a 7.62mm weapon, soldiers had difficulty concentrating small arms fire on enemy positions outside of the M4's maximum effective range for a point target. What is your response to these reports from soldiers? Do you believe our infantry squads are currently equipped with the best small arms and ammunition against enemies located at the maximum effective range of adversary 7.62mm weapon systems?

General MILLEY. Our Infantry squads possess weapons capabilities to combat threats at multiple ranges. Adding to the increased capability of the M4A1 is the M855A1 enhanced performance round, which provides greater range and improved down range effect. The M249 Squad Automatic Weapon, also organic to Infantry squads, provides the ability to engage and destroy point targets at 600 meters. The Army will continue to leverage science and technology and use the Small Arms Ammunition Configuration Study to provide our soldiers small arms overmatch capability for 2025 and beyond.

37. Senator ERNST. Last year the Center for Strategic and International Studies (CSIS) found serious issues with the Army's ability to develop, procure, and field equipment for soldiers and squads to include small arms. The report blames a culture of mistrust between Army stakeholders with different chains of command and unnecessary paperwork required by neither the Office of the Secretary of Defense or by Congress which results in a significant drag on the Army's acquisition system in this area. A potential example of this is that the Army will take more than a decade to acquire a non-developmental handgun. Are you willing to conduct an impartial investigation of the issues raised in this report?

General MILLEY. If confirmed, I will review and assess the issues raised in this report. I agree that achieving soldier/squad systems integration is a significant challenge. To address this, the Army approved the first dismounted soldier baseline in September 2014, which views soldier systems as a common integrated platform that

optimizes size, weight, and power to support the mission. The Materiel Development, Science and Technology, and requirements communities—in particular the Maneuver Center of Excellence—work together to more effectively integrate and perform trade-offs among disparate systems. To ensure continued innovation, the Soldier Enhancement Program, which uses a "buy, try, decide" model to bring innovative solutions into the formal requirement systems, leverages the input from multiple stakeholders to procure the most innovative and effective equipment for our soldiers.

Furthermore, the Army is committed to pursuing improvement in our acquisition process by prioritizing proper oversight of weapon system development, prevention and mitigation of cost and schedule growth, and reduction of unnecessary bureaucracy. Accordingly, the Army is taking a close look at its own internal acquisition policies and processes to remove unnecessary bureaucracy and eliminate unnecessary or redundant requirements on acquisition programs imposed by Army regulation. I have been advised that this effort will be completed later this year.

SUPPORT OF DEPLOYING AND DEPLOYED UNITS

Senator ERNST. I understand there are currently three pending Operational Needs Statements (ONS) from deploying or deployed Army units for the Palantir system. The ONSs in question are for the 95th Civil Affairs Brigade (#15–20234), 1/1 Special Forces Group (#15–20390), and 10th Special Forces Group (#15–20428). These ONS were filed between 6 and 8 months ago and have yet to be rejected or approved by the Army. The Army approved identical ONSs from the 1st and 5th Special Forces Groups earlier this spring, yet it is my understanding the three ONSs in question remain in limbo. To help my office better understand the issue I request answers to the following questions:

38. Senator ERNST. What is the current status on these three ONSs?

General MILLEY. The Army remains committed to providing soldiers with what they need to accomplish their missions and recognizes the importance of good stewardship and fiscal responsibility. When an Operational Needs Statement (ONS) is received, distinct, in-depth analyses focused on specific considerations of the request are completed at different echelons; each of the three actions is at a different stage in the process.

The ONS from 1/1 Special Forces is still being reviewed at the United States Special Operations Command (USASOC) and has yet to be passed to Headquarters, Department of the Army (HQDA) for action. USASOC is completing a detailed analysis of the request based on its Command priorities and the range of potential solutions. They will assess the unit's current need and the long term operational and sustainment impact of introducing a commercial, non-program of record capability into the network architecture of multiple combatant commands. For instance, intelligence and signal staffs must coordinate accreditation and authority to operate for all new systems introduced to each network.

The ONS from the 95th Civil Affairs Brigade has been endorsed at USASOC and is undergoing a detailed review and assessment at HQDA. The DA review and analysis carefully weighs the impact of a decision to support deployed or deploying commander's requests for force tailoring against an equally critical requirement to protect the viability of the Army's tested and competitive acquisition program and its related funding stream. The DA review process is iterative in order to clarify the requirement. On occasion, the requesting unit is able to modify its concept for capability employment and amend the scope of the request. The 95th ONS is still early in the process and has already experienced refinements.

The ONS from 10th Special Forces has completed the DA review and assessment process. It will be presented to the acquisition decision authority for approval by the end of the month.

39. Senator ERNST. When does the Army expect to respond to these ONSs?

General MILLEY. The original purpose of the Operational Needs Statement (ONS) process is to provide deploying commanders a method to request materiel capability to address gaps in the unit's organic means to accomplish assigned missions. The urgency of these requests is evident as the unit will be at risk for mission failure if the capability is not provided. The analysis required to support this type of request is relatively straight forward. In most cases, decisions to adjust existing prioritization and resourcing plans can be reached relatively quickly.

Over time, and in order to fully capitalize on technical advances and new capabilities developed in the commercial sector, the Army expanded the ONS process to be used for force tailoring and enhancement. The calculus surrounding the decision to

support this type request is far more complex and time consuming. More important, these requests are submitted by units that generally already have a basic, less capable capability for task accomplishment and are not at risk for mission failure. This allows the Army to place a premium on getting the answer right.

The three requests for Palantir fall in this category. As the Army remains committed to providing soldiers with the best available capability to accomplish their missions, the Army is equally committed to making the best decisions when confronted with competing priorities. The Army approved 10th Special Forces ONS on 31 July 2015. The review and assessment of the final two requests will not be complete until later in the summer.

40. Senator ERNST. Why were identical ONSs filed by 1st and 5th Special Forces Groups approved while these ONSs are still pending?

General MILLEY. The Operational Needs Statements submitted by the 1st and 5th Special Forces Groups were endorsed by the United States Army Special Operations Command and forwarded to Headquarters, Department of the Army for action more than 90 days earlier than the requests from the other units. Although the requests are for the same commercial solution, the review, assessment, and eventual validation decision must take into account the specifics of each unit's situation. The three remaining requests each outline distinct concepts for the employment of the requested capability with the requesting units slated to deploy and operate in different regions of the world. The uniqueness of these considerations makes the depth and duration of each review different.

The Department also has resourcing options for requirements identified by units deploying into the named operational contingency theater. Without this funding, the strategy to support approval of the capability for the later requirements is more challenging. Additionally, the 95th Civil Affairs Brigade has a significantly different organization, mission set and manning posture when compared to the Special Forces groups. The unit's concept for employment of the capability is also unique and requires different certifications and accreditations.

41. Senator ERNST. What do you view as an acceptable time period for a unit to wait for a response to an ONS?

General MILLEY. The Army regulation governing the Operational Needs Statement (ONS) process does not prescribe a specific timeframe for subordinate unit review and assessment. It does, however, prescribe a total of 14 days for the Army G–3/5/7 to lead the DA staff's review and analysis of the request and provide a response to the requestor. In cases where a requesting unit will be at risk for mission failure if the capability is not provided, decisions to adjust existing prioritization and resourcing plans can be reached relatively quickly. However, when units that already have a basic capability for task accomplishment submit an ONS to obtain a new or more advanced capability, the calculus surrounding the decision to support is far more complex and time consuming. On these occasions, the Army places a priority on getting the answer right.

POST-TRAUMATIC STRESS DISORDER

42. Senator ERNST. How would referencing Post-Traumatic Stress Disorder (PTSD) as Post-Traumatic Stress help improve the Army's efforts to de-stigmatize PTSD?

General MILLEY. The Army recommends against referencing Post Traumatic Stress Disorder (PTSD) as Post-Traumatic Stress (PTS). Efforts to normalize soldiers' response to combat stress are important. However, it is essential to clearly define PTSD to ensure that soldiers who experience serious impairment receive the clinical treatment they need. All behavioral health diagnoses, including PTSD, are defined according to the American Psychiatric Association and International Classification of Diseases diagnostic manuals. A term like "PTS" is inconsistent with other conditions that can occur as a result of trauma (e.g., major depressive disorder). As such, the American Psychiatric Association, RAND Corporation, and VA National Center for PTSD have all stated that the term "PTS" should be avoided.

It is important for the Army, Department of Defense and Veterans Affairs medical practice to remain consistent with national clinical standards and diagnostic nomenclature. Clinicians, health care administrators, and insurance companies rely upon this standard nomenclature for treatment and disability evaluation purposes. Finally, the strongest predictors of soldiers willingness to engage in behavioral health treatment are their awareness that they have a problem and their perceptions of behavioral healthcare. According to our medical professionals, both in and outside the Army, changing the name PTSD to PTS will not address the known reasons that

soldiers are reluctant to seek care. The key is to continue efforts to de-stigmatize the condition, regardless of the term.

QUESTIONS SUBMITTED BY SENATOR DAN SULLIVAN

EXECUTING A CREDIBLE PACIFIC REBALANCE AND THE ARMY'S FORCE STRUCTURE

43. Senator SULLIVAN. General Milley, does the U.S. Army listen to and follow the President's strategic guidance?

General MILLEY. Yes.

44. Senator SULLIVAN. General Milley, does this include the President's Rebalance to the Asia-Pacific Region?

General MILLEY. The Army follows the national strategic guidance given to us by the President, including the re-balance to the Asia-Pacific.

45. Senator SULLIVAN. General Milley, does the U.S. Army still believe that permanent, forward-stationed units, are critical to deterrence?

General MILLEY. Yes, a forward presence is critical to both assure our allies and deter our adversaries.

46. Senator SULLIVAN. General Milley, in your personal opinion, does it make any strategic sense for the U.S. Army to reduce forward-based forces at Alaska's JBER by two-thirds since 2012, especially in the middle of Rebalance to the Asia-Pacific?

General MILLEY. Given the fiscal realities we face, global balancing and disposition of Army forces must be made in accordance with National Strategy. The Army is balanced in favor of an Asia-Pacific Rebalance. With nearly 350,000 U.S. Military assigned, PACOM is the largest combatant command in terms of manpower. PACOM has nearly 3.5 times the number of assigned military personnel than the next largest COCOM. Active duty Army personnel committed to PACOM total approximately 80,000; EUCOM is the next largest at 32,000. The Army has and will continue to maintain forces both CONUS and OCONUS-based that are ready to respond to threats from any region around the globe. Given approximately 24 percent of the Army's Operational Force's combat power is in the Asia-Pacific, even with continued reductions in endstrength, the reduction of forces in Alaska does not significantly undermine the Rebalance. The Army has substantial ground capabilities committed to the Asia-Pacific, positioned throughout continental United States, Hawaii, Alaska, Washington State, South Korea and Okinawa that have and will continue to perform security cooperation activities with our Pacific allies, and remain ready to respond in crisis. Given the current situation, our posture towards the Asia-Pacific presents a capable response to mitigate regional threats.

47. Senator SULLIVAN. General Milley, how does reducing forces in Alaska NOT undermine the Rebalance to the Pacific?

General MILLEY. Given the fiscal realities we face, global balancing and disposition of Army forces must be made in accordance with National Strategy. The Army is balanced in favor of an Asia-Pacific Rebalance. With nearly 350,000 U.S. Military assigned, PACOM is the largest combatant command in terms of manpower. PACOM has nearly 3.5 times the number of assigned military personnel than the next largest COCOM. Active duty Army personnel committed to PACOM total approximately 80,000; EUCOM is the next largest at 32,000. The Army has and will continue to maintain forces both CONUS and OCONUS-based that are ready to respond to threats from any region around the globe. Given approximately 24 percent of the Army's Operational Force's combat power is in the Asia-Pacific, even with continued reductions in endstrength, the reduction of forces in Alaska does not significantly undermine the Rebalance. The Army has substantial ground capabilities committed to the Asia-Pacific, positioned throughout continental United States, Hawaii, Alaska, Washington State, South Korea and Okinawa that have and will continue to perform security cooperation activities with our Pacific allies, and remain ready to respond in crisis. Given the current situation, our posture towards the Asia-Pacific presents a capable response to mitigate regional threats.

48. Senator SULLIVAN. General Milley, if you were one of our allies in Asia-Pacific, would you think that, from an Army force perspective, that our Rebalance is still credible? Is our Rebalance still credible?

General MILLEY. Yes, our rebalance is credible. Approximately 24 percent of the Army's combat power is in the Pacific. The Army is participating in an increased

and accelerated exercise and training program. With nearly 350,000 U.S. military assigned, USPACOM is the largest combatant command and has almost 3.5 times more assigned personnel then the next largest COCOM.

49. Senator SULLIVAN. General Milley, even though the U.S. Army has more forces OpCon to PACOM and JBLM has increased 54 percent since 2001, don't more forward-stationed troops, like those in Alaska and Hawaii provide more credible deterrence?

General MILLEY. Forces positioned closest to a threat generally provide a strong deterrent capability to known challenges. Also, missions such as Pacific Pathways, theater security cooperation with allies, and power projection capabilities, provide an additional deterrent. Lastly, the Global Response Force still maintains an airborne IBCT capability with a worldwide 96-hour deploy capability.

50. Senator SULLIVAN. General Milley, which forces—those at JBLM or those in Alaska and Hawaii—provide a better deterrence posture against threats in the Pacific and the Arctic?

General MILLEY. No single location provides a "better" deterrent posture. The best deterrence is provided by an array of forces forward deployed across the AOR coupled with partner-nation exercises, as we currently have.

ALASKA'S BCTS (RUSSIA AND ARCTIC IMPORTANCE)

Senator SULLIVAN. General Milley, please consider these points when answering the next set of questions:

- **Point #1:** Thus far, this committee has heard me discuss what the Russians are doing the in the Arctic with a huge military build-up. The CRS map included with this document "207856 Arctic Push Chart" is evidence of that.
- **Point #2:** Recently, the Finnish Defense Ministry told the WSJ:
  - o "In the Arctic area [the Russians] have twofold objectives. To secure the Northern Sea Route and [exploit] the energy-resources potential. They are increasing their ability to surveil that part of the world, to refurbish their abilities for the air force and the Northern Fleet. They are exercising their ability to move their airborne troops from the central part of Russia to the north." Importantly he added, "[The Russians] are masters of chess, and if something is on the loose they will take it . . . "
- **Point #3:** According to recent news reports,
  - o "Moscow has undertaken a construction blitz across the Arctic to establish military superiority in the region. Russia is constructing ten Arctic search-and-rescue stations, 16 deepwater ports, 13 airfields, and ten air-defense radar stations across its Arctic coast."—Business Insider (June 10, 2015)
- **Point #4:** According to CRS, the Russians recent conducted a HUGE military exercise which included:
  - o 38,000 troops
  - o 3,360 military vehicles
  - o 41 ships
  - o 15 submarines
  - o 110 Aircraft
  - o Elements of Russia's Western Military District and elite Airborne troops
  - o Lasted 5 days and included the long-range destruction of simulated enemy land and naval units.
- **Point #5:** Just a couple months ago Russia's Minister of Natural Resources Sergey Donskoy said of the Arctic,
  - o "There is no alternative to the fields on the shelf. Even the so-called shale revolution in the USA has not stopped the companies' urge, with support from the state, to extract Arctic oil."
- **Point #6:** According to our own estimates, the Arctic could hold as much as 15 percent of the world's remaining oil, up to 30 percent of its natural gas deposits, and about 20 percent of its liquefied natural gas.
- **Point #7:** The U.S. Army just announced last night that they are removing 2,600 airborne soldiers from our Nation's only Arctic State.

51. Senator SULLIVAN. General Milley, in your personal opinion, what is Russia doing in the Arctic?

General MILLEY. Given above Russian actions and behavior, it is my personal opinion that Russia is trying to expand its strategic influence in the Artic in order to exploit previously unavailable natural resources. Objectively, Russia has increased its military presence in the Arctic, reopened abandoned Soviet-era bases,

boosted troop presence, built new facilities, and refurbished infrastructure and air fields across a region that stretches from Russia's borders with Norway and Finland to the seas off Alaska. Russian President Putin has said a unified system of naval bases for ships and next-generation submarines should be created in the region, establishing the Russian Arctic Strategic Command in December 2014. Additionally, in October 2015 President Putin said two satellites will be deployed to monitor the Arctic, which he described as a priority because of its strategic location and natural resources. The Arctic is one of the world's richest regions in oil and natural-gas fields. President Putin has said Arctic zones claimed by Russia are believed to hold significant amounts of such resources. Additionally, in recent years, Russia has been increasing its military presence in the region, where it has competing territorial claims with other countries, including Canada and Denmark.

52. Senator SULLIVAN. General Milley, in your personal opinion, how late are we to recognizing the importance of the Arctic? In comparison to Russia and their forces, their ice breakers, and their large exercises, are we even in the game?

General MILLEY. We are still in the game. The Army is well-postured to respond to combatant commander requirements in the Artic or throughout the Pacific. While the U.S. Army is fulfilling the requirements outlined in the 2013 Arctic Strategy, I will work closely with the Department as they develop an operation plan.

53. Senator SULLIVAN. General Milley, in your personal opinion, does the Administration's current 13-page Arctic Strategy, published a year before Russia invaded a sovereign country, fully address the increased threat environment in the Arctic?

General MILLEY. I have not yet had the opportunity to discuss the strategy with the COCOM Commanders, the Service Chiefs, or the Administration. If confirmed, I will work with those commanders to assess the overall strategy and the Army's role in it and participate with the Department in development of an operation plan.

54. Senator SULLIVAN. General Milley, in your personal opinion then, does it make strategic—or even practical sense—to remove forces from the Arctic and my state of Alaska, before we have a strategy? Isn't this a classic example of putting the cart before the horse?

General MILLEY. Optimally, I would prefer to have a strategic plan prior and then determine force structure to support the plan. However, given the reduction of the Regular Army by nearly 120,000 soldiers over five years, the Army is faced with only undesirable choices. The planned reduction of forces in Alaska is based on a comprehensive review of strategic requirements and installation capabilities intended to best posture a smaller Army to balance the full range of strategic demands. That said, the timing of the inactivation and conversion of the 4/25 Airborne Brigade Combat Team should allow for completion of the DOD Arctic strategy and a review of force structure plans.

55. Senator SULLIVAN. General Milley, do you believe that Russia is threat in the Arctic, and if so, how big of a threat?

General MILLEY. While I believe Russian nuclear capability possess the greatest and only military existential threat to the United States, they are also a significant regional conventional threat. However, I do not believe the Kremlin currently has a desire for a direct armed confrontation with the West either in Europe, Asia, or the Artic. I define threat as capability plus intent. Russia is clearly increasing its capability in the Artic, however it is my opinion that Russia does not currently have the intent to militarily confront the United States in the Artic. It is my opinion that current Russian intent is to maintain and increase access to resources previously unavailable in the Artic by establishing transit routes to exploit various oil and mineral deposits. Historically however, we know that intent can change quickly, and we must remain vigilant and monitor Russian activity in the Artic closely. Russia is reactivating several Soviet-era bases and constructing ten search-and-rescue stations, 16 deep-water ports, 13 airfields, and ten air-defense radar stations across its Arctic coast. Moscow is also creating a Joint Strategic Command North (JSCN) from components of the Northern Fleet in order to maintain a permanent military presence in the region. When complete, it will include a naval infantry brigade, two mechanized brigades, an air defense division, and a coastal missile defense system.

ROLE OF THE SECDEF IN ARMY DECISIONS

56. Senator SULLIVAN. General Milley, in DOD, does SECARMY or the Army CoS have the direct responsibility to consult with our international allies and friends, or does that responsibility rest more with the SECDEF?

General MILLEY. The Army is responsible to the Office of the Secretary of Defense for coordination regarding international relations and arrangements. Regarding matters the Army has been given the authority to directly coordinate with our allies and friends, the responsibility is shared by both the SECARMY and Army Chief of Staff—with the SECARMY having ultimate responsibility, and the Army Chief of Staff managing the execution of those responsibilities.

57. Senator SULLIVAN. General Milley, do you believe that the SECDEF should at least have a say in important force structure decisions in strategic OCONUS locations, especially the dynamic threat environment?

General MILLEY. Yes, I do.

58. Senator SULLIVAN. General Milley, should the SECDEF have been consulted in the important force decision to remove forces from Alaska and Hawaii?

General MILLEY. I do not know if SECDEF was consulted on that decision. However, I believe SECDEF should be consulted on major force structure decisions.

4–25 ABCT CAPABILITIES AND SPARTAN PEGASUS

59. Senator SULLIVAN. General Milley, where would this Army's arctic training, equipment, and force projection come from, if not from the two BCTs in Alaska?

General MILLEY. The Army's center for arctic training and equipment resides in the United States Army Alaska within the Northern Warfare Training Center (NWTC) at Fort Wainwright, Alaska, which the Army plans to maintain. The NWTC is the U.S. military's premier cold-weather and mountain environment training center, which is also tasked with developing tactics, techniques and procedures to enhance the Joint Forces Doctrine. With regard to force projection, in the event of a contingency in the region the Army will provide combat-ready assigned, allocated, or apportioned forces to the combatant commander consistent with classified contingency plans. Additionally, GEN Brooks has said that the airborne battalion task force that will remain after the inactivation of 4/25 Airborne Brigade Combat Team will serve as a nucleus of arctic/cold weather expertise around which other forces can form with prior training to conduct airborne operations in Arctic environments such as Exercise Spartan Pegasus, which this year involved approximately 150 paratroopers or a company-plus of combat power. The airborne battalion task force remaining in Alaska will retain the capability to conduct Exercise Spartan Pegasus as well as other operations elsewhere in the Indo-Asia Pacific Region.

60. Senator SULLIVAN. General Milley, could Exercise Spartan Pegasus have been done with any other Army Airborne unit in the Pacific or in CONUS?

General MILLEY. The Army's center for arctic training and equipment resides in the United States Army Alaska within the Northern Warfare Training Center (NWTC) at Fort Wainwright, Alaska, which the Army plans to maintain. The NWTC is the U.S. military's premier cold-weather and mountain environment training center, which is also tasked with developing tactics, techniques and procedures to enhance the Joint Forces Doctrine. With regard to force projection, in the event of a contingency in the region the Army will provide combat-ready assigned, allocated, or apportioned forces to the combatant commander consistent with classified contingency plans. Additionally, GEN Brooks has said that the airborne battalion task force that will remain after the inactivation of 4/25 Airborne Brigade Combat Team will serve as a nucleus of arctic/cold weather expertise around which other forces can form with prior training to conduct airborne operations in Arctic environments such as Exercise Spartan Pegasus, which this year involved approximately 150 paratroopers or a company-plus of combat power. The airborne battalion task force remaining in Alaska will retain the capability to conduct Exercise Spartan Pegasus as well as other operations elsewhere in the Indo-Asia Pacific Region.

61. Senator SULLIVAN. General Milley, what do you suppose Vladamir Putin or Kim Jong-un are thinking now that we are dramatically reducing the only Arctic-capable Airborne Brigade in the Pacific?

General MILLEY. In my assessment, the reduction of the airborne brigade to an airborne battalion task force has not had any real influence on Russian thinking or decision-making. NATO has been the primary threat expressed by President Putin and driving Russia's military doctrine in regards to the Arctic. As a general principle, I think that North Korea would welcome any drawdown of U.S. forces in the region.

62. Senator SULLIVAN. General Milley, what is the strategic risk that we are assuming by reducing the 4–25, in terms of both the Arctic and Pacific regions?

General MILLEY. The Army assessed that although 4/25 Airborne Brigade Combat Team is converting to an airborne infantry battalion task force, it allows USARPAC to retain an airborne capability for rapid deployment and vertical insertion as part of joint entry operations, or other missions, as needed throughout the entire Pacific area of responsibility, to include any potential operations on Fire Cross Reef. Based upon approved combatant commander plans and OSD requirements, the Army assessed there is limited strategic risk assumed in both the Arctic and Pacific regions by reducing 4/25 Airborne Brigade Combat Team. If confirmed, I will review the strategic risks associated with the 4/25 Airborne Brigade Combat Team decision.

SECRETARY GATES' COMMENTS, THE 2014 QDR, AND THE SEQUESTER

63. Senator SULLIVAN. General Milley, in your personal opinion, are the President and the Pentagon still making Army force size decision based on the comments of Former Secretary Gates and the resulting military strategy documents, including the most recent 2014 QDR?

General MILLEY. I have no personal knowledge of planning and budgeting decisions under Secretaries Panetta or Hagel and have not had the opportunity to discuss with Secretary Carter. However, I believe the budget cuts associated with the 2011 Budget Control Act are the dominant factor in current planning and budgeting decisions. Furthermore, I believe the decisions for sizing the Army are fundamentally based upon available fiscal resources and, if confirmed, I will advocate for a strategy-based force sizing construct.

64. Senator SULLIVAN. General Milley, if the Congress fixes Sequestration, will Army Force structure automatically return to 490,000 or above, or will it remain at the 2014 QDR level of 450,000?

General MILLEY. The funding requested by the Fiscal Year 2016 President's Budget will resource a 980,000 Total Army (450,000 AC, 335,000 ARNG and 195,000 USAR), and if Congress does not fix sequestration, then the Army would reduce to 920,000 Total Army (420,000 AC, 315,000 ARNG and 185,000 USAR). If the Congress wants to reverse the reductions to the Army and also to Alaska, the Congress and the President would have to avert Sequestration at a funding level higher than proposed by the President. I have been advised that to keep the Total Force at 980,000 (450,000 AC, 335,000 ARNG, 195,000 USAR), the President and Congress would have to agree to fund the Army at nearly $6B per year above the President's request. There is no automatic return to 490,000; it must be funded in the President's Budget and approved by Congress.

65. Senator SULLIVAN. General Milley, given that 50,000 of the 80,000 reduction came from the elimination of the temporary end strength increase (22,000) and wartime allowance (10,000), reductions to Europe (11,300), and the number of trainees, transients, and students (7,300), what type strategic thinking did the U.S. Army use to decide remove forward forces from Alaska, before looking at CONUS installations?

General MILLEY. When making any major force structure decision the Army considers both quantitative and qualitative factors. These include the Military Value Analysis (MVA) Model: Training, Power Projection, Well Being and Mission Expansion. The Army takes into account Strategic Considerations, Cost and Efficiencies, Readiness Impact, Mission Command, Statutory Requirements, Feasibility, Environmental & Socioeconomic Impacts and Community Input.

66. Senator SULLIVAN. General Milley, General Odierno testified that The Army size of 450,000 is adequate to meet the demands of current and future threats but at "significant risk." What exactly does "significant risk" mean, said in way the American people would understand?

General MILLEY. "Significant risk" means that it is questionable whether or not the U.S. can achieve stated combatant commander objectives without extended delay and substantial cost and casualties.

67. Senator SULLIVAN. General Milley, your testimony states that some of the assumptions made in the 2012 Defense Strategic Guidance "now appear optimistic, particularly in light of the rise of ISIL, a resurgent Russia, Iran's actions in the Middle East, and challenges in the Pacific region." In your personal opinion, do agree with General Odierno, is 450,000 adequate to meet the threats of ISIL, an

aggressive China, a Resurgent Russia, and unpredictable North Korea, and perhaps new threats that will emerge in the next few years?

General MILLEY. I agree with General Odierno that a 980,000 Total Army (450,000 AC, 335,000 ARNG and 195,000 USAR) provides the minimum capacity to execute the missions envisioned in the current national strategy at "significant risk." I believe, however, that a 1.045 million Total Army (490,000 AC, 350,000 ARNG and 205,000 USAR) resourced at a level of funding adequate to balance end strength, readiness, and modernization would address an unpredictable future security environment at less risk.

68. Senator SULLIVAN. General Milley, if not, what is? Is 490,000 sufficient?

General MILLEY. I believe that a 1.045 million Total Army (490,000 AC, 350,000 ARNG and 205,000 USAR) at a consistent, predictable level of funding adequate to balance end strength, readiness, and modernization would be more sufficient to address an increasingly unpredictable future security environment.

69. Senator SULLIVAN. General Milley, is it disingenuous for Administration to entirely blame Sequester for causing Army the drawdowns, when the President's own strategic desires for a smaller Army are largely driving these reductions within the Pentagon, regardless of budgets?

General MILLEY. Budget Control Act funding reductions required the Army to make some very difficult decisions in order to find some balance between end strength, readiness, and modernization. The Pentagon's and President's decision to reduce the size of the Army is driven by the QDR 2014. It takes both the Congress and the President to pass a law and provide funding to avert sequestration and return the Army to an Active component endstrength greater than 450,000 or 420,000. Reducing force structure and end strength, while maintaining the barest acceptable level of readiness along with delays in modernization was the only responsible way for the Army to execute missions within the budget. As the current Chief of Staff of the Army has testified, the Army size in PB16 of 980,000 Total Army (450,000 AC, 335,000 ARNG, and 195,000 USAR) is adequate to meet the demands of the current and future threats, but at "significant risk." If confirmed, I will assess combatant commander requirements to ensure that we provide the best possible mix of capabilities within our resourcing.

70. Senator SULLIVAN. General Milley, is this our generation's Task Force Smith moment?

General MILLEY. If confirmed, I am committed to preventing a repeat of Task Force Smith. The historical experience of Task Force Smith graphically illustrates the risks our Nation takes when we fail to maintain readiness and invest in modernization. As I assess risk to mission and risk to force, our Army's history—including Task Force Smith—will inform that assessment. As the Army struggles to balance end strength, readiness, and modernization in a year of fiscal constraint and uncertainty, the lessons of Task Force Smith must not—and will not—be forgotten.

REVERSIBILTY OF THE ARMY'S DECISIONS

71. Senator SULLIVAN. General Milley, is it accurate that the Brigade Task Force left at Fort Richardson, was left there so that the Army's decision to remove forces could be reversed?

General MILLEY. Converting the 4/25 Airborne Brigade Combat Team in Alaska to an airborne battalion task force allows us to preserve combat power and provide the foundation for regeneration of combat power in the future.

72. Senator SULLIVAN. General Milley, what specific things would have to happen for this decision to be reversed?

General MILLEY. If confirmed, I commit that I will work with you, your staff and the Senate Armed Services Committee to ensure the Army remains postured and ready to respond to the strategic environment. The reductions of the Brigade Combat Teams in Alaska and Georgia to battalion task forces are designed to be reversible should the fiscal environment improve.

73. Senator SULLIVAN. General Milley, if confirmed, do you commit to work with me to reverse the Army's decision and to return forces to my strategically important state?

General MILLEY. If confirmed, I commit that I will work with you, your staff and the Senate Armed Services Committee to ensure the Army remains postured and ready to respond to the strategic environment. The reductions of the Brigade Com-

bat Teams in Alaska and Georgia to battalion task forces are designed to be reversible should the fiscal environment improve.

AGREE WITH ARMY'S RECENT FORCE STRUCTURE DECISION

74. Senator SULLIVAN. General Milley, from a strategic location perspective, where other than Alaska does placing an airborne BCT best address your top three threats of Russia, China, and North Korea?

General MILLEY. Russia and China are both regional powers with global reach. In a resource constrained environment, a CONUS-based airborne brigade combat team, which we have with the Global Response Force, is best positioned to respond to the complete range of global threats.

75. Senator SULLIVAN. General Milley, if your personal opinion then, considering the location and the severity of all the threats, do you agree with the U.S. Army's decision to downsize strategically centric forces in Alaska?

General MILLEY. As I discussed in our office call, if confirmed, I will rigorously review the decision to downsize forces in Alaska, and I will visit Alaska soon to personally review the facts on the ground.

76. Senator SULLIVAN. General Milley, in your military judgement, is this a strategically-wise decision for the long-term security of the United States against threats like Russia, China, and North Korea?

General MILLEY. Because of budgetary pressure, the Army had to make several difficult decisions to meet the requirements outlined in the National Security Strategy while balancing endstrength, readiness and modernization. The Army has and will continue to maintain forces—both CONUS- and OCONUS-based—that are ready to respond to threats from any region around the globe.

JBLM

77. Senator SULLIVAN. General Milley, do units at JBLM give you as much power projection into the Pacific as units in Hawaii and Alaska?

General MILLEY. Power projection is a function of both physical location and co-located or available resources: airfields, position of shipping, port throughput capacities, and rail infrastructure. These variables are taken into account to determine deployment timelines. However, without access to that analysis and specific contingency requirements, I cannot directly answer the question. If confirmed, however, I will review the Army's power projection capabilities against the combatant commanders' requirements.

78. Senator SULLIVAN. General Milley, why is a CONUS-based installation (i.e. JBLM) seeing dramatic increases as a result of the Rebalance to the Pacific, but the two OCONUS states—that lean into the Pacific—are seeing dramatic reductions? Is our Rebalance really credible from the continental U.S.?

General MILLEY. Without question, the Army has had to make very difficult choices, consistent with a reduced budget, to ensure we are able to meet National Security objectives and combatant commander requirements across all regions. Yes, a rebalance is still credible given the facilities, infrastructure, and posture of Army forces at JBLM in concert with Alaska and Hawaii. With about 24 percent of the Army's combat power residing in the Asia-Pacific, our posture there presents a credible assurance to our allies and deterrent to our adversaries. Through this posture and continued security cooperation activities with our Pacific allies the Army will remain ready to respond in crisis.

79. Senator SULLIVAN. General Milley, how much longer would it take to deploy an airborne or styrker unit from JBLM versus Hawaii or Alaska?

General MILLEY. Without question, movement of Army forces from CONUS to points in the Pacific will take longer than a movement of forces already stationed in the Pacific; how much longer is dependent on a host of variables, such as shipping, port throughput, rail, infrastructure, airfield capability, as well as size of the force and destination. If confirmed, I am willing to provide the Committee scenario-based timelines in an appropriate classified forum.

YOUR INPUT INTO THE ARMY FORCE STRUCTURE DECISION

80. Senator SULLIVAN. General Milley, what was your personal input into this force structure decision?

General MILLEY. Army Forces in Alaska do not come under U.S. Army FORSCOM command or control. Therefore, specific to downsizing forces in Alaska, I did not render a recommendation nor participate in discussion with respect to those forces.

81. Senator SULLIVAN. General Milley, did you advocate on behalf of CONUS-based forces, and to detriment of Pacifically-aligned OCONUS forces?
General MILLEY. No.

TRAINING IN ALASKA (MVA, F–35)

82. Senator SULLIVAN. General Milley, have you ever trained in Alaska?
General MILLEY. No, but if confirmed, I look forward to getting to Alaska and seeing firsthand the training opportunities Forts Richardson, Wainwright and Greely have to offer.

83. Senator SULLIVAN. General Milley, given Alaska's diverse training lands, the size of training space, the possibility for joint training and international training that already goes on, does it make any sense to you of how JBER would be in the bottom third of the training category? Does this pass your smell test?
General MILLEY. I have been briefed that Joint Base Elmendorf-Richardson's (JBER) ranking in the bottom third of installations at which one or more Brigade Combat Teams are stationed was the result of the limited training acreage that is part of the installation, the number of ranges, size of impact area and training restrictions. This criteria was based on JBER's 54K acres as addressed in the 2013 Programmatic Environmental Assessment.

84. Senator SULLIVAN. General Milley, given the F–35 will be the Air Force's new close-air-support platform, and that it will begin to arrive in 2019, did the Army's analysis weight the need for joint training with the F–35 in close-air-support missions? Is there anywhere else in the U.S. other than the JPARC where the Army could fully train the CAS mission with the F–35A?
General MILLEY. To my knowledge, the Military Value Analysis, which informs decision making, does not consider any potential future weapons systems capabilities of the other Services. Close Air Support (CAS) can be trained at the majority of the Army's major installations and CAS can also be trained at the three Maneuver Combat Training Centers as part of instrumented Brigade Combat Team live fire and force-on-force exercises.

85. Senator SULLIVAN. General Milley, before you are confirmed, will you release the entire Military Value Analysis (MVA) and Total Army Analysis (TAA) documents for all the bases considered to U.S. Congress? Please include those documents in your response.
General MILLEY. If confirmed, I commit to being transparent with the Senate Armed Services Committee and with the entire Congress as I work with the Secretary of the Army to carry out my title 10 responsibilities. In this case, to my knowledge, the Army has followed its established processes for decision making. I have been briefed the Army has provided the detail requested to the Senate Armed Services Committee and Committee staff. If confirmed, I will release any documents within my authority that the Committee requests to exercise oversight responsibilities, and I will be happy to sit down with you and any member of the Committee to further explain our process and rationale.

86. Senator SULLIVAN. General Millley, if for any reason you cannot release the MVA and the TAA documents, if confirmed, do you commit to doing so once you are confirmed?
General MILLEY. If confirmed, I commit to being transparent with the Senate Armed Services Committee and with the entire Congress as I work with the Secretary of the Army to carry out my title 10 responsibilities. In this case, to my knowledge, the Army has followed its established processes for decision making. I have been briefed the Army has provided the detail requested to the Senate Armed Services Committee and Committee staff. If confirmed, I will release any documents within my authority that the Committee requests to exercise oversight responsibilities, and I will be happy to sit down with you and any member of the Committee to further explain our process and rationale.

GENERAL QUESTIONS REGARDING THE U.S. ARMY FORCE STRUCTURE ADJUSTMENTS (FISCAL YEAR 2016–17)

87. Senator SULLIVAN. General Milley, in your personal opinion, what alternatives should the U.S. the Army have considered, as opposed to reducing strategically-important forces in Alaska and Hawaii?

General MILLEY. As stated in my previous testimony and office calls, if confirmed, I will participate in the Arctic strategy review with the Joint Chiefs of Staff and will review the reduction of forces as necessary to determine if there are appropriate alternatives. As I previously mentioned, I will visit Alaska soon to personally review the facts on the ground.

88. Senator SULLIVAN. General Milley, what is the exact number of soldiers that will be reduced in Alaska and can you provide an installation-specific profile of how many soldiers will reduced from each installation and how many soldiers will remain following the reductions?

General MILLEY. Joint Base Elmendorf-Richardson (JBER) is reduced by ~2,603 spaces and Fort Wainwright is reduced by ~73 spaces for a combined total of ~2,676 spaces. JBER retains ~2000 spaces and Fort Wainwright retains ~6,223 spaces for a combined total of ~8,223 spaces.

89. Senator SULLIVAN. General Milley, specifically what elements of are being reduced in Alaska and specifically what elements are being kept?

General MILLEY. In addition to conversion of 4/25 Airborne Brigade Combat Team to an airborne battalion task force, reductions are also being made to portions of a Chemical, Biological, Radiological, Nuclear company, aviation units, music performance teams, the Stryker brigade combat team, an explosive ordnance company and a contingency contracting team. Most of these reductions are based on design changes that impact a significant amount of like units across the Army and are not limited to the units in Alaska.

90. Senator SULLIVAN. General Milley, what are the exact dates that these reductions in Alaska officially begin and end?

General MILLEY. These phased reductions will begin in January of 2016 and continue until 15 October 2016 when the 4/25 Airborne Brigade Combat Team inactivates and becomes an airborne battalion task force.

91. Senator SULLIVAN. General Milley, what specific cost/strategic factors did the U.S. use to make this decision and can you provide all of that information to me?

General MILLEY. The Center for Army Analysis used four criteria consisting of 16 attributes to determine the rank order of the installations to best support the Army in meeting defense strategic requirements. The most important criteria for ranking installations were Training and Power Projection; the other two criteria analyzed were Well-Being and Expansibility.

The Training criteria considered five key attributes: 1) the number of acres of maneuver area; 2) training area without environmental restrictions; 3) training facilities; 4) volume of restricted airspace and 5) the size of an impact area. Power Projection considered: 1) the rating of surface deployment infrastructure such as rail loading tracks, marshalling area and truck loading ramps; 2) the rating of air deployment infrastructure; and 3) deployment support infrastructure (e.g., container transfer pads, vehicle scales, and vehicle staging areas).

I have been advised that your comprehensive data request to the Secretary of the Army, dated August 4, 2015, for all MVA and TAA related data is under review and that you will be advised of the status of that review in the forthcoming response.

92. Senator SULLIVAN. General Milley, what will be the remaining combat elements of the 4–25 ABCT and what missions will they be capable of and what missions will they no longer be capable of?

General MILLEY. A battalion task force will remain from the 4/25 Airborne Brigade Combat Team. Planning for its structure is almost complete and it will consist of four airborne infantry companies, one field artillery battery, one engineer company and a support company with a total strength of 1050 soldiers. This airborne battalion task force will have the capability to conduct combined arms maneuver missions in support of the full range of military operations (Phase 0–V) in support of a brigade combat team or a division. This airborne task force will have a more robust staff and support elements than normally found in other battalions throughout the Army enabling them to operate independently for 24–48 hours, including sustainment, support, intelligence, and communications capabilities. In short, the

airborne battalion task force will be able to conduct a wide range of combined arms maneuver and wide area security missions and will be used in conjunction with other Army, joint or combined forces to achieve tactical and operational end states.

93. Senator SULLIVAN. General Milley, in terms of threats in the region and the AOR, including North Korea, China, and Russia, what are the specific risks that the United States Army is assuming in relation to each of these threats, and in your personal opinion, is the U.S. Army accepting too much risk?

General MILLEY. Regarding Russia, because of security condition changes in Europe, the current United States Army posture does not support a comprehensive response for timelines or capacity to deter, deny, or defeat Russian aggression. However, working with the United States European Command, the Army is in the process of mitigating this posture shortfall through expansion and prepositioned equipment—the European Reassurance Initiative funding is critical to supporting that effort.

Regarding the Asia-Pacific, the key United States security priority is to maintain a credible deterrent posture and provide reassuring military presence in the region in order to maintain regional stability. North Korea's nuclear weapons are the leading risk to United States Army forces and the security of its partners. We must work with our interagency and multinational partners to bring about the verifiable elimination of North Korea's nuclear weapons program. To mitigate the risk of contingencies in the Asia-Pacific, the United States Army is working to rebalance its forces committed to the region in Korea, Japan, Hawaii, Alaska, and at Joint Base Lewis-McChord, enhance the rapid deployment capabilities in the Global Response Force, and mature our military relationships through routine exercises and engagements such as Pacific Pathways.

The budgetary pressures forcing the Army to downsize, defer modernization, and potentially ration readiness further delay the time at which these three essential elements will finally come into balance. I am concerned that we not underestimate the degree of readiness, end strength, and modernization required to confront current and future security challenges in the Pacific AOR and around the globe and, I will work to ensure that we do not.

94. Senator SULLIVAN. General Dunfrod, in your personal opinion, are the U.S. Army's reductions in fiscal year 2016 and fiscal year 2017 more driven by Sequestration or the 2014 QDR?

General MILLEY. The Army's reductions in fiscal year 2016 and fiscal year 2017 are driven by both the Budget Control Act of 2011 and the 2014 QDR. The Budget Control Act reduced the Army's funding. This funding reduction resulted in the 2014 QDR, which was the basis for the reduction in the Army's end strength.

95. Senator SULLIVAN. General Milley, in the U.S. Army's decision, what, if any, thought was given to the recent actions of President Putin and the Russian in the Arctic and how heavily were his recent aggressive actions weighed?

General MILLEY. I have been advised that the decision was made with full understanding of Russia's actions in the Arctic and with equally full knowledge that the Army is capable of projecting combat power from the continental United States on very short notice.

96. Senator SULLIVAN. General Milley, recently, General Brooks (USARPAC) alluded that he could respond to contingencies in the South China Sea, specifically at Fire Cross Reef, utilizing the 4–25 ABCT and could do so "tonight." Following these reductions, would this still be a true statement?

General MILLEY. The Army assessed that although 4/25 Airborne Brigade Combat Team is converting to an airborne infantry battalion task force, it allows USARPAC to retain an airborne capability for rapid deployment and vertical insertion as part of joint entry operations, or other missions, as needed throughout the entire Pacific area of responsibility, to include any potential operations on Fire Cross Reef. Based upon approved combatant commander plans and OSD requirements, the Army assessed there is limited strategic risk assumed in both the Arctic and Pacific regions by reducing 4/25 Airborne Brigade Combat Team. If confirmed, I will review the strategic risks associated with the 4/25 Airborne Brigade Combat Team decision.

97. Senator SULLIVAN. General Milley, how do these reductions in Alaska impact the response to a Korean Peninsula contingency and what specifically is that impact?

General MILLEY. Even with the reduction of 4/25 Airborne Brigade Combat Team, the United States Military and the United States Army in particular retains sufficient capability and capacity to respond to a conflict on the Korean Peninsula.

98. Senator SULLIVAN. General Milley, how do these reductions in Alaska impact the Army's ability to quickly respond to contingencies in the Arctic?

General MILLEY. According to the briefings I have received, the reductions in Alaska will not severely limit the Army's ability to quickly respond to contingencies in the Arctic. The Army has substantial ground capabilities committed to the Asia-Pacific, positioned throughout continental United States, Hawaii, Alaska, Washington State, South Korea and Okinawa. Active duty Army personnel committed to U.S. Pacific Command total approximately 80,000, which is more than double those Army forces committed to U.S. European Command, the next largest at 32,000. Given fiscal realities and our National Strategy, the Army must remain globally balanced given world-wide threats. With that in mind, the Army has and will continue to maintain forces both CONUS and OCONUS-based that are ready to respond, including rapid response, to threats from any region around the globe.

99. Senator SULLIVAN. General Milley, how much excess facility capacity will Fort Richardson have after the 4–25 ABCT is reduced and specifically what excess facilities will those be?

General MILLEY. This analysis is ongoing. Overall, Joint Base Elmendorf-Richardson's permanent party Army authorizations will decrease by about 2,600 from fiscal year 2015, so the Army anticipates excess capacity will exist. U.S. Army Alaska and the 25th Infantry Division will provide revised facility requirements to the Air Force Joint Base Commander in the coming months. If confirmed, I will work with the Alaska delegation and the Air Force to ensure you are provided this data once available.

100. Senator SULLIVAN. General Milley, will the reduction of the 4–25 negatively affect the DOD/VA Joint venture hospital on JBER?

General MILLEY. The DOD/VA Joint Venture Hospital at Joint Base Elmendorf Richardson is a venture between the Air Force and Department of Veterans Affairs (VA). Over the course of the next few months, Joint Base leaders will work with U.S. Army Alaska (USARAK) to assess JBER's end state requirements for mission support, infrastructure and personnel, to include the joint venture with the VA. This assessment will determine the impact of the 4/25 Airborne Brigade Combat Team reductions on the DOD/VA Joint Venture Hospital. I have been informed, until these requirements are firmly understood, there are no planned reductions of services or personnel.

101. Senator SULLIVAN. General Milley, how much input did USPACOM have in the U.S Army's decision to reduce forces in Alaska and Hawaii and what specifically was that input and how heavily was it weighed?

General MILLEY. I have been briefed that United States Pacific Command (USPACOM) was represented by U.S. Army Pacific (USARPAC) throughout the process that determined the recently announced Army force structure decisions. This includes: USARPAC input at the resourcing panels for units and the Council of Colonels; 2–Star General Officer Steering Committee; 3–Star General Officer Steering Committee; and culminating briefings to Department of the Army Senior Leaders for the Total Army Analysis (TAA) and Military Value Analysis (MVA). Their input was weighted commensurate with strategic priorities to include the Asia-Pacific rebalance, world-wide operational demands, budgetary pressures, and a shrinking Army. Even after this reduction of 40,000 soldiers from the Army's endstrength, USPACOM will have more Army forces available to it than any other overseas combatant command.

Additionally, during confirmation preparation, I personally discussed the Army's decision with both GEN Brooks, Commander USARPAC, and ADM Harris, Commander USPACOM. They both indicated to me that the reduction of 4/25 Airborne Brigade Combat Team to an airborne battalion task force was within the range of acceptable risk.

102. Senator SULLIVAN. General Milley, how much input did USEUCOM have in the U.S Army's decision to reduce forces in Alaska and what specifically was that input?

General MILLEY. I have been briefed that United States European Command, as represented by United States Army Europe, participated in the Army's comprehensive process that facilitated the recent force structure decisions. Their input helped

inform a decision to best posture a smaller Army to fulfill strategic priorities, including the Asia-Pacific rebalance, and world-wide operational demands. I do not know the specifics of their input or how it was weighted.

103. Senator SULLIVAN. General Milley, I have been told that the final decision to reduce forces in Alaska and Hawaii came down to tradeoff between those forces and the 173rd ABCT in Vicenza, Italy. Is this accurate, and if so, specifically what strategic considerations (location, deterrence, proximity to threats, access to nearby or organic lift, and capabilities) went to making this decision?

General MILLEY.I have been briefed this is not accurate. The decision to reduce forces in Alaska and Hawaii did not involve a tradeoff with forces of the 173rd Airborne Brigade Combat Team in Vicenza, Italy.

104. Senator SULLIVAN. General Milley, how much input did USNORTHCOM have in the U.S Army's decision to reduce forces in Alaska and what specifically was that input?

General MILLEY. I have been briefed that United States Northern Command, as represented by United States Army North, participated in the Army's comprehensive process that facilitated the recent force structure decisions. Their input, like others, helped inform a decision to best posture a smaller Army to fulfill strategic priorities, including the Asia-Pacific rebalance, and world-wide operational demands. I do not know the specifics of their input or how it was weighted.

105. Senator SULLIVAN. General Milley, to what extent was the U.S Army's decision to reduce forces in Alaska coordinated with ALCOM and what concerns were raised/mitigated from this coordination? To what extend was this decision coordinated with the Air Force side of JBER and what concerns were raised/mitigated from this coordination?

General MILLEY. I have been briefed that Alaska Command, as part of Northern Command, and represented by Army North, participated in the Army's comprehensive process that facilitated the recent force structure decisions.

I have been briefed that Joint Base Elmendorf-Richardson (JBER), like the other 29 installations at which substantial Army forces are stationed, helped inform and facilitate the Army's decision process through participation in two environmental and socio-economic analyses, providing input to the Military Value Analysis, and facilitating "listening sessions" for installation communities. Commands were solicited to ensure the accuracy of data and Army awareness of issues and concerns associated with their installations. While analysis focused on potential losses at the former Fort Richardson, it considered impacts to JBER as a whole. In both the 2013 and 2015 processes, JBER and the surrounding community were informed of the substantial potential losses, the command provided data and information to support the process, and community listening sessions were conducted in April 2013 and February 2015. I do not know the specific concerns raised or how they were mitigated.

106. Senator SULLIVAN. General Milley, to what extent were our South Korean Allies consulted on the U.S Army's decision to reduce forces in Alaska?

General MILLEY. To my knowledge, our South Korean allies were not consulted on pending force structure decisions in Alaska.

107. Senator SULLIVAN. General Milley, if so, what were their concerns and how much were those concerns weighed?

General MILLEY. To my knowledge, our South Korean allies were not consulted on pending force structure decisions in Alaska.

108. Senator SULLIVAN. General Milley, to what extent were our Japanese Allies consulted on the U.S Army's decision to reduce forces in Alaska? If so, what were their concerns and how much were those concerns weighed?

General MILLEY. To my knowledge, our Japanese allies were not consulted on pending force structure decisions in Alaska.

109. Senator SULLIVAN. General Milley, to what extent was section 1043 of the Fiscal Year 2016 NDAA considered in the U.S Army's decision to reduce forces in Alaska?

General MILLEY. I have been briefed that section 1043 of the Fiscal Year 2016 NDAA was considered in the Army's decision.

110. Senator SULLIVAN. General Milley, in your personal opinion, is it strategically wise to reduce forces in the Arctic before we have a new Arctic strategy and OPLAN?

General MILLEY. Optimally, I would prefer to have a strategic plan prior and then determine force structure to support the plan. However, given the reduction of the Regular Army by nearly 120,000 soldiers over five years, the Army is faced with only undesirable choices. The planned reduction of forces in Alaska is based on a comprehensive review of strategic requirements and installation capabilities intended to best posture a smaller Army to balance the full range of strategic demands. That said, the timing of the inactivation and conversion of the 4/25 Airborne Brigade Combat Team should allow for completion of the DOD Arctic strategy and a review of force structure plans.

111. Senator SULLIVAN. General Milley, to what extent was section 1262 of the Fiscal Year 2016 NDAA considered in the U.S Army's decision to reduce forces in Alaska?

General MILLEY. I have been briefed that section 1262 of the Fiscal Year 2016 NDAA was considered in the Army's decision.

112. Senator SULLIVAN. General Milley, to what extent were Alaska's, and specifically JBER's organic strategic airlift and close proximity to large and robust training areas, weighted in the U.S Army's decision to reduce forces in Alaska?

General MILLEY. There were four major categories considered in the Military Value Analysis with capability and power projection as major areas of study and analysis conducted over the last year. All major installations were likewise evaluated and their results were compared. Without question, Joint Base Elmendorf-Richardson, like many installations, maintains outstanding facilities and training areas manned with dedicated military and civilian professionals. The results, however, when compared to all other installations led to the decisions made.

113. Senator SULLIVAN. General Milley, what countries has the 4–25 ABCT worked closely with and possibly trained with and what is the impact of this reduction on the mil-to-mil relationships with those countries following the reduction of this unit?

General MILLEY. In fiscal year 2015, 4/25 Airborne Brigade Combat Team has executed military-to-military engagements with Australia, Thailand, Japan, South Korea, Nepal, India, Bangladesh, Canada, Finland, Norway, and Chile. These activities have ranged from individual participants attending partner nation schools to airborne and battalion-sized task forces conducting multilateral exercises. Our Pacific partners and Allies consider U.S. military-to-military engagements to be a key component of reassurance in a volatile region. The Army is still assessing the full implication of the reductions, but initial assessments from leaders on the ground indicate that this will not impact our commitment to the region and our ability to conduct mil-to-mil engagements. If confirmed, this is something that I will watch closely.

114. Senator SULLIVAN. General Milley, following the Air Force's initial decision to remove a squadron from Eielson, senior Air Force Officials soon went up to Fairbanks and North Pole communities to explain the decision. When will this be done in the case of Fort Richardson and who will be sent?

General MILLEY. I have been advised that the outgoing and incoming Commanding Generals, MG Shields and MG Owens, U.S. Army Alaska met with and briefed a number of Alaska community leaders, including Senator Murkowski, Senator Sullivan, Congressman Young, the Governor and the Mayor of Anchorage, after the notification of reduction of forces was announced in order to explain the Army's decision. I am unware of a townhall type community session held to address local questions and concerns. If confirmed, and as I committed to in our office call, I will personally visit Alaska and will bring selected members of the Army Staff with me to further assess the Alaska installations regarding the force structure decision that was made.

115. Senator SULLIVAN. General Milley, what impact has the Army assessed will occur to the greater Anchorage housing market and to the greater Anchorage economy as a result of the decision to reduce the 4–25 ABCT?

General MILLEY. The housing analysis is ongoing. Overall, Joint Base Elmendorf-Richardson's (JBER) permanent party Army authorizations will decrease by about 2,600 from fiscal year 2015. On-post housing at JBER is privatized under an Air Force housing privatization program. Across the Army, about 60 percent of soldiers

are married. Of those, about 30 percent typically live on-post. Only a subset of married soldiers living off-post own their own homes. Anchorage's rental vacancy rate is 3.9 percent, and the vacancy rate for ownership is 6.7 percent—both of these are significantly lower than the rest of the United States, and are evidence of a housing market where supply is lower than demand.

In the Supplemental Programmatic Environmental Assessment (SPEA), the Army used the Economic Impact Forecast System (EIFS) to estimate the impact of force structure reductions to the greater Anchorage market area. Although the actual reductions are much lower than the worst-case scenario analyzed in the SPEA, the sales volume is estimated to be a loss of $182M. The estimated income loss is $176M. Employment (Indirect) is estimated at a loss is 796 non-federal jobs in the area as a result of the reduced direct service contracts and reduced demand for goods and services.

116. Senator SULLIVAN. General Milley, will installations with reductions be allowed to access DOD OEA funds to mitigate the effects of these reductions?

General MILLEY. As I understand it, depending on each unique local set of circumstances, Army installations affected by force structure reductions may qualify for assistance from DOD's Office of Economic Adjustment (OEA). OEA provides technical and financial assistance to states and communities that are impacted by Defense program changes, such as a personnel reduction at local military installations. The Army coordinated the release of the force structure reduction announcements with OEA so that they were prepared and ready to field community inquiries regarding possible forms of assistance available through OEA.

117. Senator SULLIVAN. General Milley, what effects with the U.S. Army's reductions in in Alaska have on USARAK and USARAK's HQ?

General MILLEY. United States Army Alaska Headquarters will be reduced by ~14 spaces as part of the ongoing Department of the Army reduction of two-star and above headquarters units.

118. Senator SULLIVAN. General Milley, in what ways does the U.S. Army's decision to reduce forces in Alaska impact Alaska-based Joint training exercises such Red Flag-Alaska, Northern Edge, and Alaska Shield?

General MILLEY. I have been advised that the impact will be minimal. The purpose and intent of these exercises will remain the same—that is, to practice deployment and employ for operations in cold and austere environments. As in the past, if the Army forces in Alaska are employed in other theaters the Army will source from outside Alaska allowing additional units in the Army to train in the unique conditions of Alaska.

119. Senator SULLIVAN. General Milley, before you are confirmed, can you please provide the Military Value Analysis (MVA) Model and the Total Army Analysis used to make all of the Army's fiscal year 2016–17 force structure decisions?

General MILLEY.If confirmed, I commit to being transparent with the Senate Armed Services Committee and with the entire Congress as I work with the Secretary of the Army to carry out my title 10 responsibilities. In this case, to my knowledge, the Army has followed its established processes for decision making. I have been briefed the Army has provided the detail requested to the Senate Armed Services Committee and Committee staff. If confirmed, I will release any documents within my authority that the Committee requests to exercise oversight responsibilities, and I will be happy to sit down with you and any member of the Committee to further explain our process and rationale.

120. Senator SULLIVAN. General Milley, can you provide more information on the U.S. Army's possible desire to convert at National Guard brigade at JBLM to Styker brigade?

General MILLEY. The plan as I understand it is to convert the 81st Armor Brigade, with units in Washington and California, to a Stryker brigade with units in Washington, Oregon and California. This conversion would provide an additional infantry battalion on the west coast and would leverage training available with the Stryker brigades located at Joint Base Lewis-McChord.

121. Senator SULLIVAN. General Milley, if confirmed, do you pledge to ensure that the U.S. Army is completely transparent about the entire fiscal year 2016–17 force reductions and makes all the documents used to make all of these decision available to Congress?

General MILLEY. If confirmed, I commit to being transparent with the Senate Armed Services Committee and with the entire Congress as I work with the Secretary of the Army to carry out my title 10 responsibilities. In this case, to my knowledge, the Army has followed its established processes for decision making. I have been briefed the Army has provided the detail requested to the Senate Armed Services Committee and Committee staff. If confirmed, I will release any documents within my authority that the Committee requests to exercise oversight responsibilities, and I will be happy to sit down with you and any member of the Committee to further explain our process and rationale.

122. Senator SULLIVAN. General Milley, if confirmed, do pledge to fully review the Army's reductions decisions, especially in light of the emerging concerns in the Asia-Pacific, the Arctic and given that there is a pending Arctic strategy?

General MILLEY. Yes.

123. Senator SULLIVAN. General Milley, the Army has told me that they hope to reverse the decision in Alaska. If confirmed, will you work with me, and them to bring all the U.S. Army forces back to my state and the Arctic?

General MILLEY. If confirmed, I will continue to assess the disposition of Army forces in accordance with the national strategy, and provide my best military judgment and advice on the issue to the CJCS, the President and this Committee.

PACIFIC PATHWAYS AND REDUNDANT MISSIONS

124. Senator SULLIVAN. General Milley, yes or no, would you agree that the DOD needs to avoid mission redundancy in budget constrained environment?

General MILLEY. Yes.

125. Senator SULLIVAN. General Milley, Pacific Pathways is a program which puts Army soldiers on Naval Shipping—or commercial shipping contracted by the Navy—and lands Army helicopters on ships. Is this Army program mission redundant with the core function of the U.S. Marine Corps? Which service is best deploying from ships, the U.S. Army?

General MILLEY. Pacific Pathways is not redundant with the core function of the U.S. Marine Corps which is amphibious assault. Pacific Pathways exercises the strategic movement of Army forces by sea and does not involve Army forces conducting amphibious assault. Strategic movement of Army forces by sea complements the movement of Army forces by air and is a fundamental requirement to ensure the Army can move globally to fulfill its core competency of providing relevant and ready land power capability to the combatant commanders as part of the Joint Force.

Pacific Pathways are umbrella operations built upon existing exercises. It is an evolution in how the Army conducts existing exercises that provide significant return on investment in both readiness and support to PACOM's Theater Security Cooperation Plan. Each "Pathway" is tailorable and scalable, encompassing either a heavy, medium, or light force package based on the Pathway's exercise scenarios and the training objectives of the Pathway unit. The Army plans to conduct three Pathways per year, with a projected estimated total cost of $45 million per year or an estimated average cost of $15 million per Pathway.

126. Senator SULLIVAN. General Milley, exactly how much does the program Pacific Pathways cost each year and how much does each individual "Pathway cost?"

General MILLEY. The Army plans to conduct three Pathways per year, with a projected estimated total cost of $45 million per year or an estimated average cost of $15 million per Pathway.

QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN

STRYKER REPROGRAMMING

127. Senator MANCHIN. General Milley, the Army recently submitted a reprograming request to upgrade the lethality of the Stryker. In light of the situation in Ukraine, what is the operational significance of this reprogramming request?

General MILLEY. The recent aggression against Ukraine presents a significant security challenge to the stability of Europe and impacts all of the North Atlantic Treaty Organization allies. Heavy combat equipment is being prepositioned within Europe to mitigate some of that risk. However, the timeline to fully generate decisive combat power, and deploy operational forces to man these equipment sets may

not set the necessary conditions in the earliest phases of a potential conflict. Currently assigned United States Army ground forces include the 2nd Cavalry Regiment (2CR) Stryker brigade combat team, a Stryker unit designed to be rapidly deployable within urban and complex environments with a combination of mobility, lethality and survivability. To address the capability gap of achieving lethal effects against the most likely threats while providing stand-off against potential threat weapons systems, the Army's priority is to improve lethality of assigned 2CR ground forces. Providing an improved direct fire weapon system to support infantry at a greater range and improving lethality against a wide array of targets is urgently needed.

128. Senator MANCHIN. General Milley, what would be the impact if this reprogramming request were not approved?

General MILLEY. Approval of the fiscal year 2015 $9.8 million Research Development Test and Evaluation reprogramming request will enable initiation of developmental engineering and will facilitate Original Equipment Manufacturer competitive source selection. Simply put, if the reprogramming action is not approved, the commander's lethality upgrade will not be met in time to influence, shape, and if needed, control potentially volatile situations.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

PATRIOT MISSILE

129. Senator SHAHEEN. General Milley, there are currently thirteen U.S. allies around the world that have purchased and deployed the Patriot air and missile defense system. A number of these partners have turned to the Patriot system as a result of emerging threats in Europe and the Middle East. Do you agree that the Patriot will be the Army's premier air and missile defense system for the next few decades?

General MILLEY. Yes, the Patriot is the Army's premier air and missile defense program and a critical enabler to the joint air and missile defense structure. It will remain a critical system for the next few decades. The Army intends to comprehensively modernize Patriot, with multiple, phased efforts to maintain and improve system capabilities against an evolving threat environment. This strategy allows us to defeat both current and emerging threats while sustaining the system for the long term through modifications.

130. Senator SHAHEEN. General Milley, given the joint environment and cooperation needed to counter these threats, do you believe it is in the interest of our other allies and partner nations to defend their air space and improve interoperability with the U.S. military, by also deploying Patriot in their armed forces?

General MILLEY. Integrated air and missile defense must be a shared responsibility with our allies and partner nations. A focus area of the Army's Air & Missile Defense Strategy is to build partner capacity and maintain forward presence. The Army continues to pursue increased interoperability with allies and partners through exercises and training events such as the recent training exercise with Poland.

NEW HAMPSHIRE NATIONAL GUARD

131. Senator SHAHEEN. General Milley, the New Hampshire National Guard has experienced a 32 percent decline in force structure since 2007. This percentage is ten times the decrease in the National Guard as a whole during the same period. There are seven states with a smaller population than New Hampshire, but have a larger guard force structure. What is your assessment of this disproportionate reduction?

General MILLEY. If confirmed, I will coordinate with the Chief of the National Guard Bureau and the Director of the Army National Guard to assess the force structure of the New Hampshire National Guard. I have already been briefed the Army National Guard (ARNG) attempts to balance its force structure across the 54 states and territories commensurate with the ability of individual states to recruit, train and sustain soldiers. I have been advised that in 2007 the New Hampshire ARNG had an allocated force structure allowance of 2,254 spaces and assigned end strength of 1,645 soldiers (72 percent assigned). As part of the ARNG Rebalance and Grow plan, this 609 space end strength deficit was taken into consideration and New Hampshire ARNG force structure was cut in order to right size and improve

readiness. Upon the completion of the fiscal year 2017 Command Plan (May 2015), New Hampshire ARNG will have a targeted programmed strength of 1,505,000.

132. Senator SHAHEEN. General Milley , currently, New Hampshire ranks 51 out of 54 in terms of the poor condition of its facilities and armories with many of these structures being more than a half century old. In your testimony, you emphasized the importance of the Army National Guard as part of the "total" or "one" army concept. Given your support of the Guard, how will you ensure the National Guard has the resources it needs to upgrade facilities or fund new military construction projects?

General MILLEY. The Army will review the current parity model that is used to allocate increasingly scarce resources across the Total Army and will work to ensure we make the best possible and fairest use of our resources to ensure Total Army readiness.

133. Senator SHAHEEN. General Milley, the New Hampshire National Guard employs a unique program called the Care Coordination program. This program provides support to guardsmen and their families throughout the deployment cycle with mental health issues, suicide prevention, employment services, and educational assistance to name a few. I would be interested in your perspective on the importance of programs like this and the need to ensure that our servicemembers and their families have resources available before, during and after overseas deployments.

General MILLEY. The Army has invested in a wide array of Family Programs that support the Total Army's Soldiers and Families before, during, and after deployments. I strongly believe these programs to be an investment in the Army's most valuable asset—our people. If confirmed, I will be steadfast in my commitment to providing soldiers and Families a quality of life commensurate with their service and its unique demands, while exercising stewardship of taxpayer dollars. PB16 includes funding to ensure soldiers and families are prepared to face the everyday challenges of military life, and to provide for a ready and resilient Total Army.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN GILLIBRAND

ARMY AVIATION RESTRUCTURING INITIATIVE

134. Senator GILLIBRAND. General Milley, I recently sent a bicameral and bipartisan letter to Secretary McHugh and General Odierno related to the Army Aviation Restructuring Initiative and its impact on Fort Drum. Inactivation of any of Fort Drum's squadrons would have significant negative impacts on the economy of northern New York, including the local healthcare and school systems on which the Army heavily relies, as well as the Army. Will you ensure that I receive a clear explanation regarding the impact of this year's appropriations and authorization bills on the 10th Mountain Division?

General MILLEY. Yes.

[The nomination reference of General Mark A. Milley, USA follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 4, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as the Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3033:

To Be General

General Mark A. Milley, 6104

[The biographical sketch of General Mark A. Milley, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GENERAL MARK A. MILLEY, USA

Source of commissioned service:

ROTC

Educational degrees:

Princeton University, BA, Political Science.
Columbia University, MA, International Relations.
United States Naval War College, MA, National Security and Strategic Studies.

Military schools attended:

Armor Officer Basic Course.
Infantry Officer Advanced Course.
United States Army Command and General Staff College.
United States Naval War College.

Foreign Language(s):

Spanish

Promotions:

Promotions	Dates of appointment
2LT	10 Jun 80
1LT	28 Nov 81
CPT	1 Mar 84
MAJ	1 May 92
LTC	1 Aug 96
COL	1 Apr 02
BG	2 Jun 08
MG	2 Mar 11
LTG	20 Dec 12
GEN	15 Aug 14

Major duty assignments:

From	To	Assignment
Aug 14	Present ...	Commanding General, United States Army Forces Command, Fort Bragg, North Carolina.
Dec 12	Aug 14 ...	Commanding General, III Corps and Fort Hood, Fort Hood, Texas and OPERATION ENDURING FREEDOM, Afghanistan.
Nov 11	Dec 12 ...	Commanding General, 10th Mountain Division (Light), Fort Drum, New York.
Jun 09	Nov 11 ...	Deputy Director for Regional Operations, J-3, Joint Staff, Washington, DC.
Jul 07	Jun 09	Deputy Commanding General (Operations), 101st Airborne Division (Air Assault), Fort Campbell, Kentucky and OPERATION ENDURING FREEDOM, Afghanistan.
Dec 06	Jul 07	Military Assistant to the Secretary of Defense, Office of the Secretary of Defense, Washington, DC.
Jul 05	Dec 06 ...	Chief, Global Force Management Division, later Assistant Deputy Director for Joint Operations, J-3, Joint Staff, Washington, DC.
Dec 03	Jul 05	Commander, 2d Brigade Combat Team, 10th Mountain Division (Light), Fort Drum, New York and OPERATION IRAQI FREEDOM, Iraq.
May 03	Dec 03 ...	Commander, 2d Brigade Combat Team, 10th Mountain Division (Light), OPERATION ENDURING FREEDOM, Afghanistan.
Sep 02	May 03 ...	Deputy Chief of Staff for Transformation, G–7, 25th Infantry Division (Light), Schofield Barracks, Hawaii.
Mar 02	Sep 02 ...	Commander, United States Provisional Brigade/Task Force Eagle, 25th Infantry Division (Light), Multinational Division (North), Eagle Base, Bosnia-Herzegovina.
Jun 00	Mar 02 ...	G–3, later Chief of Staff, 25th Infantry Division (Light), Schofield Barracks, Hawaii.
Aug 99	Jun 00	Student, United States Naval War College, Newport, Rhode Island.
Jul 98	Jul 99	Senior Battalion Task Force Observer/Controller, Operations Group, Joint Readiness Center, Fort Polk, Louisiana.
Jul 96	Jul 98	Commander, 1st Battalion, 506th Infantry Regiment, 2d Infantry Division, Eighth United States Army, Korea.
Jun 93	Jun 96	S–1, later S–3 (Operations), later Executive Officer, 2d Brigade, 10th Mountain Division (Light), Fort Drum, New York and OPERATION UPHOLD DEMOCRACY, Haiti.

From	To	Assignment
Aug 92	Jun 93	Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas.
Jan 92	Jul 92	Foreign Area Officer Training Program, United States Defense Attaché Office, Bogota, Columbia.
Oct 90	Dec 91 ...	Student, Columbia University, New York City, New York.
Apr 90	Oct 90	Student, Defense Language Institute, Presidio of Monterey, California.
Jan 89	Feb 90 ...	S–3 (Operations), 5th Battalion, 21st Infantry Regiment, 7th Infantry Division (Light), Fort Ord, California and OPERATION JUST CAUSE.
Jun 86	Jan 89	Commander, C Company, later Commander, Headquarters and Headquarters Company, 5th Battalion, 21st Infantry Regiment, 7th Infantry Division (Light), Fort Ord, California and Multi-National Force and Observer Task Force, Sinai, Egypt.
Jun 85	Jun 86	Assistant S–2/3, Bayonet Combat Support Brigade, 7th Infantry Division (Light), Fort Ord, California.
Oct 84	May 85 ...	Student, Infantry Officer Advanced Course, United States Army Infantry School, Fort Benning, Georgia.
Jun 82	Oct 84	Commander, Operational Detachment ''A'', A Company, later B Company, 2d Battalion, 5th Special Forces Group, Fort Bragg, North Carolina.
Feb 81	Jun 82	Assistant Battalion Maintenance Officer, later Platoon Leader, A Company, 4th Battalion, 68th Armor Regiment, 82d Airborne Division, Fort Bragg, North Carolina.

Summary of joint assignments:

	Date	Grade
Commander, International Security Assistance Force Joint Command/Deputy Commander, United States Forces-Afghanistan, OPERATION ENDURING FREEDOM, Afghanistan.	May 13–Feb 14	Lieutenant General
Deputy Director for Regional Operations, J–3, Joint Staff,Washington, DC.	Jun 09–Nov 11	Brigadier General/ Major General
Deputy Commanding General (Operations), 101st Airborne Division (Air Assault)/ Combined Joint Task Force–76, OPERATION ENDURING FREEDOM, Afghanistan.	Apr 08–Jun 09	Brigadier General
Military Assistant to the Secretary of Defense, Office of the Secretary of Defense, Washington, DC.	Dec 06–Jul 07	Colonel
Chief, Global Force Management Division, later Assistant Deputy Director for Joint Operations, J–3, Joint Staff, Washington, DC.	Jul 05–Dec 06	Colonel

Summary of operational assignments:

	Date	Grade
Commander, International Security Assistance Force Joint Command/Deputy Commander, United States Forces-Afghanistan,OPERATION ENDURING FREEDOM, Afghanistan.	May 13 –Feb 14	Lieutenant General
Deputy Commanding General (Operations), 101st Airborne Division (Air Assault)/ Combined Joint Task Force-76, OPERATION ENDURING FREEDOM, Afghanistan.	Apr 08–Jun 09	Brigadier General
Commander, 2d Brigade Combat Team, 10th Mountain Division (Light), OPERATION IRAQI FREEDOM, Iraq.	Jun 04–Jun 05	Colonel
Commander, 2d Brigade Combat Team, 10th Mountain Division (Light), OPERATION ENDURING FREEDOM, Afghanistan.	May 03–Dec 03	Colonel
Commander, United States Provisional Brigade/Task Force Eagle, 25th Infantry Division (Light), Multinational Division (North), Eagle Base, Bosnia-Herzegovina.	Mar 02–Sep 02	Colonel
S-3 (Operations), 2d Brigade, 10th Mountain Division (Light), OPERATION UPHOLD DEMOCRACY, Haiti.	Aug 94–Jan 95	Major
Cdr, Headquarters and Headquarters Company, 5th Battalion, 21st Infantry Regiment, 7th Infantry Division (Light), Multi-National Force and Observer Task Force, Sinai, Eypt.	May 87–Nov 87	Captain

U.S. Decorations and Badges:

Defense Distinguished Service Medal.
Distinguished Service Medal (with Oak Leaf Cluster).
Defense Superior Service Medal (with 2 Oak Leaf Clusters).
Legion of Merit (with 2 Oak Leaf Clusters).
Bronze Star Medal (with 3 Oak Leaf Clusters).
Meritorious Service Medal (with 5 Oak Leaf Clusters).
Army Commendation Medal (with 4 Oak Leaf Clusters).
Army Achievement Medal (with Oak Leaf Cluster).
Combat Infantryman Badge (with Star).
Expert Infantryman Badge.

Master Parachutist Badge.
Scuba Diver Badge.
Ranger Tab.
Special Forces Tab.
Joint Chiefs of Staff Identification Badge.

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by General Mark A. Milley, USA in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Mark A. Milley

2. **Position to which nominated:**
Chief of Staff, United States Army.

3. **Date of nomination:**
4 June 2015

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
June 20, 1958, Winchester, MA (Middlesex County, Massachusetts).

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married; May 4, 1985 to Hollyanne (Haas) Milley.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member of AUSA, 10th Mountain Division Association, 101st Division Association, 82d Airborne Division Association, Special Forces Association, 506th Infantry Regiment Association.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

MIT Seminar XXI Fellow—National Security Program.
ROTC Scholarship Princeton University.
French Airborne Wings (earned and filed).
Afghan National Army Medal (presented not filed).
Polish Military Medal (presented not filed).
French Military Medal (presented not filed).
Afghanistan Ministry of Interior Symbol of Honor for National Police (presented not filed).

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

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

GENERAL MARK A. MILLEY

This 15th day of May, 2015

[The nomination of General Mark A. Milley, USA was reported to the Senate by Chairman McCain on August 4, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 5, 2015.]

NOMINATION OF LIEUTENANT GENERAL ROBERT B. NELLER, USMC, TO BE GENERAL AND COMMANDANT OF THE MARINE CORPS

THURSDAY, JULY 23, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:34 a.m. in Room SH–216, Hart Senate Office Building, Senator John McCain, (chairman) presiding.

Committee members present: Senators McCain [presiding], Inhofe, Sessions, Wicker, Ayotte, Fischer, Cotton, Ernst, Tillis, Sullivan, Graham, Reed, McCaskill, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, and King.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. Good morning. The Senate Armed Services Committee meets this morning to consider the nomination of Lieutenant General Robert Neller to be the 37th Commandant of the Marine Corps.

General Neller, we thank you for joining us this morning. We are grateful for your many years of distinguished service to our Nation and for your continued willingness to serve.

We also welcome members of your family joining us this morning, and thank them for supporting you and our Nation. As our tradition, at the beginning of your testimony, we invite you to introduce any family members that are joining us.

As our Nation confronts the most diverse and complex array of global crises since the end of World War II, the next Commandant will be responsible for ensuring that the Marine Corps remains the Nation's expeditionary force in readiness. After more than a decade of war in Afghanistan and Iraq, our marines have remained in high demand, performing the full range of theater security and crisis response missions across the globe. With instability spreading across the Middle East and North Africa, and tension gripping the Asia-Pacific, more than ever our Nation is counting on the forward presence, strategic agility, power projection, and rapid response that are the Marine Corps hallmarks.

But, as we confront the realities of a more dangerous world, drastic reductions in defense spending are forcing our marines to take on a growing set of missions with fewer and fewer resources. Over the last few years, the Marine Corps has been cut from 202,000 Active Duty marines in 2012 to 184,000 today. Over the

next 2 years, the Marine Corps will fall to 182,000; and, if sequestration returns again, we will be left with 174,000 marines, a force ill-prepared and ill-equipped to respond to a crisis or major contingency.

The combination of budget cuts, force reductions, and rising demands on our marines has reduced readiness, lengthened deployments, cut training and time at home with families, and put the Marine Corps under considerable strain. This madness must stop. As I said earlier this week, this is not just about reversing the effects of sequestration. We must replace the arbitrary spending caps on defense that were imposed under the Budget Control Act of 2011. That's the only way that we will get back to a truly strategic—strategy-driven defense budget.

As General Dunford emphasized in his most planning—recent planning guidance, the Marine Corps is a naval expeditionary force. Over this past decade, as the United States was focused on the wars in Afghanistan and Iraq, America's potential adversaries were investing billions in so-called anti-access area denial capabilities that threat the Marine Corps ability to fight from the sea. At the same time, budget constraints have left the Marine Corps short of its requirements for amphibious warships. On the current path, the Marine Corps will not have the correct mix of amphibious warships until 2024. This is particularly concerning in the Asia-Pacific, where the Marine Corps plays an essential role in our rebalance policy. Despite growing tensions in the region, our marines still lack sufficient sealift and airlift capabilities to respond to a major contingency in the Asia-Pacific. We must do better if the United States is to accomplish a rebalance that successfully reassures our allies and deters our adversaries.

General Neller, if confirmed, another significant challenge you will face is shortfalls in aviation readiness. As you well know, high operations tempo over a decade of sustained combat has degraded readiness—in marine aviation. Today, nondeployed marine aviation squadrons are 20 percent short of the number of aircraft needed to train or respond in a crisis. As you will surely agree, the Marine Corps aviation bench is simply too shallow to be ready for future challenges. We will be interested to hear your views on putting the Marine Corps on track to restoring aviation readiness.

Finally, General Neller, if confirmed, you will be responsible for recapitalizing and modernizing for future challenges. In the air, the Marine Corps is rapidly approaching a significant milestone with the initial operational capability, or IOC, of the F–35B joint strike fighter. Concerns remain about the warfighting capability of these aircraft reaching IOC. We will be looking to you, General Neller, to ensure our marine aviators have safe and reliable aircraft that will allow them to effectively carry out their missions. On the ground, the amphibious combat vehicle remains the Marine Corps top acquisition priority. Given the importance of replacing our aging fleet of amphibious vehicles, the Marine Corps must learn the lessons of past failures, such as the expeditionary fighting vehicle, and deliver this needed capability on time, at cost, and up to expectations. We will be relying on you, General Neller, to make sure the job gets done.

Thank you. We look forward to your testimony.

Senator Reed.

STATEMENT OF SENATOR JACK REED

Senator REED. Thank you, Mr. Chairman.

I want to join the Chairman in welcoming Lieutenant General Neller to the confirmation hearing regarding his nomination to be the 37th Commandant of the United States Marine Corps.

General Neller, welcome to the Armed Services Committee. Thank you for your many years of extraordinary service to the Corps and to the country. Also, thank your family for their service right alongside you every step of the way.

General Neller, you have an exemplary record of service, and you're highly qualified for the position which you've been nominated. You have commanded marines from the platoon level to the division level, and are—you are currently the commander Marine Corps Forces Command and commander Marine Corps Force Europe. Before this current assignment, you also commanded U.S. Marine Corps Forces for Central Command.

General Neller, as Commandant of the Marine Corps, you will be tasked with the recruiting and retaining of quality force and ensuring that force contains the necessary structure and readiness levels to meet our Nation's current challenges and the posture to respond to tomorrow's crises and contingencies. These responsibilities are demanding enough on their own; however, you will also be asked to assume control at a time of immense financial and fiscal challenge, particularly because of sequestration. I know we will discuss a number of these challenges this morning.

Again, thank you for your service and the service of your family. Thank you for your great marines, who make us all proud every day.

Thank you, Mr. Chairman.

Chairman MCCAIN. Thank you.

General, in order to exercise its legislative and oversight responsibilities, it's important that this committee and other appropriate committees of the Congress be able to receive testimony, briefings, and other communications of information. So, would you answer the following questions:

Have you adhered to applicable laws and regulations governing conflicts of interest?

[The witness answered in the affirmative.]

Chairman MCCAIN. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

[The witness answered in the affirmative.]

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

[The witness answered in the negative.]

Chairman MCCAIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[The witness answered in the affirmative.]

Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

[The witness answered in the affirmative.]

Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?

[The witness answered in the affirmative.]

Chairman MCCAIN. Do you agree, if confirmed, to appear and testify, upon request, before this committee?

[The witness answered in the affirmative.]

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communications, in a timely manner when requested by a duly-constituted committee, or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

[The witness answered in the affirmative.]

Chairman MCCAIN. Thank you.

Welcome, General. Please proceed. Perhaps you'd like to introduce your family.

STATEMENT OF LIEUTENANT GENERAL ROBERT B. NELLER, TO BE GENERAL AND COMMANDANT OF THE MARINE CORPS

General NELLER. Thank you, Chairman, Ranking Member Reed.

My wife, Darcy, is here. Our 40th wedding anniversary is next month. I already have the present, so I'm in good shape.

[Laughter.]

General NELLER. Our three children are not here: Kurt, Brett, and Claire. They are off—Kurt lives in Traverse City; Brett lives in Houston; and Claire and her husband, Jim, and the most important member of our family, grandson Connor, are in Austin, Texas. I'll talk a little bit about all of them in my statement.

Chairman MCCAIN. Thank you.

General NELLER. Our parents—our mothers both live in East Lansing, Michigan, and both our fathers are deceased and both veterans. My brother is a retired Navy captain. My dad served in the Army. Darcy's dad and her—his three brothers are all World War II vets, served in the war. So, we have a history of service in our family.

So, with that, I would like to present my opening statement.

Chairman McCain, Ranking Member Reed, and distinguished members of the committee, thank you for the opportunity to appear today.

Before I offer my brief remarks, I do want to express my condolences to the families of the marines and sailor lost in the tragic shootings in Chattanooga. Our thoughts are with the families as they struggle to cope with this incomprehensible loss. For Gunnery Sergeant Sullivan, Staff Sergeant Wyatt, Sergeant Holmquist, Lance Corporal Wells, and our shipmate, Petty Officer Smith, you will not be forgotten.

I'll begin by thanking the President and the Secretaries Carter and Mabus for their confidence in nominating me for this office. I would also like to thank this committee and the Congress for your faithful support for our men and women in uniform under your leadership. The Marine Corps today is a much different and better force than the one I joined 40 years ago.

I also want to recognize my partner, friend, and strongest supporter, who sits with me today, Darcy. We started our Marine

Corps journey at the same time, although she didn't sign up; she just went with it.

[Laughter.]

General NELLER. She has an unconditional love for marines and their families. She understands the difficulties and stresses of military families, and serves as a strong advocate for their support. While I was off doing what was required, she ran the house, worked outside the home, volunteered, raised three kids, who all have their own lives and careers and are doing very well, thankfully—moved 26 times, to include three times overseas, and allowed me to think that I was contributing to the effort. Now that we have our first grandson, Connor, I have moved down in the pecking order in the Neller household, beneath him, the children, and the dogs. As I said, we'll be celebrating our 40th anniversary, and I'm thankful that she's here with me today.

I accepted a Reserve commission in the Marine Corps in June of 1975 out of the University of Virginia because I wanted to get married and I needed a job. When I joined, we had just come out of Vietnam. Discipline was not good, equipment was in poor condition, and training was poorly resourced and rudimentary. Though we were well led and we trained hard, we were not ready. So, in those early years, I learned to expect little and to get less. But, more importantly, I soon realized that being a marine, and an officer in the marines, was much more than just that job that I was looking for; it's a profession, it's a mindset, it's a life. I came to realize that the marines and sailors we serve, and their families, are special people. If they are well led by those willing to share the hardship and the risk, led by those who firmly but fairly coach, teach, and mentor them, and by those willing to ensure they have what they need for the mission and for their families, that they could accomplish incredible things.

I had many teachers in those early days, but the best were the Vietnam-era staff NCOs [Non-Commissioned Officers] who, for whatever reason, took the time to keep me out of my own way, mold me, and advise me when those were—when those times were tough.

I also learned the hard grind of life in the infantry, how to operate, move, and survive in every clime and place, how to lead those that were not always willing, and how to build a team. I learned why the Marine Air-Ground Task Force [MAGTF], a team of teams, is the way we fight and why we win. I learned that we are most effective as a maritime force using the sea as maneuver space, and, as soldiers of that sea, we hold an advantage over our adversaries when we come from our Navy ships both on the surface and in the air. I learned that the support and well-being of our families is just as important as the ammo, food, and water we need to keep ourselves focused and successful in the fight.

So, over these past years, through the efforts of great leaders, like Commandants Wilson and Barrow and those that followed, to include our current Commandant, General Dunford, and his wife, Ellen, who have set the conditions for our future success. With the support of the Congress and the Nation, we've kept at it. We've gotten better—better people, better equipment, better facilities, better training, better education, better leadership—and we were put on

a path to where we are today—a high-quality corps of men and women who are smart, fit, disciplined, trained, experienced, take care of each other, and are ready to fight tonight and to provide what America expects of her Marine Corps: an expeditionary crisis response force in readiness. Although material readiness, fiscal and other challenges do exist, and which must be addressed, I am immensely proud of where the Corps is today.

All that said, we cannot rest on our laurels and become complacent. I don't have to tell this committee that the complexity of the global security environment creates a level of uncertainty that increases risk to our Nation, from violent extremism across the globe and Cold War-like aggression in Eastern Europe, cyberthreats and contested waters in the Pacific. Because of the security environment we face, the President and our National leadership expects its military to be able to provide the military options and capabilities to meet these challenges and to protect the security interests of the American people. Among those military options they expect to have is a Marine Corps that can respond to crisis across the full range of military operations. They expect the Marine Corps to be the Nation's force in readiness. They demand that, when the Nation is least ready and needs us most, the Marine Corps will be the most ready, will answer the call, and win.

In order to be that Marine Corps, we must be willing to not just be good, but to get better, be able and willing to look at new and different ways of performing our craft that maintain an operational edge every day. Every marine we recruit and reenlist, every decision we make, all the equipment we procure, all the training we do must make us operationally better. Flexibility, innovation, dealing with change, uncertainty, thinking out of the box, all these things have to be commonplace and something that is expected from marines. It has been in the past, and it must be so in the future.

Finally, if confirmed, I promise to dedicate myself to sustaining and providing the Nation that kind of Marine Corps, a Marine Corps of the highest-quality young men and women our Nation has to offer, the most disciplined, best-trained and -equipped and operationally-capable Marine Corps we can afford, and the best—to the best of my ability, to ensure the health, well-being, and opportunities for success of the men and women who accept the challenge to be a U.S. Marine.

Thank you once again for the opportunity to appear before you this morning. I'm ready for your questions.

Chairman MCCAIN. Well, thank you, General.

Recently, General Dunford stated to this committee, quote, "We cannot execute the 2014 Quadrennial Defense Review with the budget cuts as a result of the Budget Control Act." He continued, stating that ongoing cuts will threaten our ability to execute the current defense strategy. Do you agree with that statement of General Dunford's?

General NELLER. Chairman, I do believe, if we are held to the sequestration level this year and in the following years, we will not be able to execute the strategy.

Chairman MCCAIN. Would this continued sequestration and its effects put the lives of the men and women serving in the Marine Corps in greater—at greater risk?

General NELLER. Senator, if our readiness is degraded because we can't resource the training and we can't modernize the force, if we had to commit that force, there would be increased risk.

Chairman MCCAIN. You know, in the 1970s, you referred to General Wilson and General Barrow, and you referred to the really terrible situation that existed. Do you see a parallel to that today with continued sequestration?

General NELLER. Chairman, anytime we come out of conflict, there is always risk to this effect. But, they're all different. We've—some—we've been able, after 12 years of war, to keep a very qualified and capable force. Because we've been resourced and supported by the Congress, I don't believe we're near that place that you and I remember from the '70s. There's always risk that things could happen that could take us there. I believe that's what many of us are concerned about. But, right now, we're not there. If confirmed, I give you my personal pledge that we'll do everything in our power to never go back to that place again.

Chairman MCCAIN. We've spent a lot of billion dollars on acquisition, as you know. At least in my view, the ongoing scandal is the cost overruns, the F–35B, complete testing of the CH–53 heavy-lift helicopter—the list goes on and on of cost overruns. Will placing service chiefs in a greater position of responsibility of service acquisition programs help fix—address this problem, in your view?

General NELLER. Chairman, I don't think any of us who are on the receiving end of the acquisition process are totally pleased. I'm not a acquisition professional, but I think we all wonder why it takes so long, costs so much money, why there's delays. So, if confirmed, I would look forward to working with this committee and then the Secretary of Defense to improve this——

Chairman MCCAIN. Do you believe that——

General NELLER.—process and involve the service chiefs in the process.

Chairman MCCAIN. Do you believe that we could make this process more efficient if you played a role in that process—if the service chiefs played a role in that process?

General NELLER. I would like to believe, if confirmed, that I could provide value-added to the process and make it more effective, Chairman.

Chairman MCCAIN. Thank you.

I'm sure you've observed the ongoing situation in Ukraine. Would you favor providing defensive weapons to Ukraine?

General NELLER. Chairman, it's my military opinion, if we provided additional weapons to the Ukrainians, that they would be more capable of defending their territory.

Chairman MCCAIN. I want to go back, just a second, to the budget situation, because there is great controversy on that issue. I'm not sure my colleagues on both sides of the Capitol understand the consequences, not only for our ability to defend the Nation, but the greater risks to the people that we ask to defend us. Maybe you could talk to us a little bit about that and the impact on retention and morale, and of the—of our All-Volunteer Force.

General NELLER. Well, Chairman, in my current role as commander Marine Forces Command, I try to get out and speak to marines and sailors as often as I can. This force is very smart. They are informed. So, they are aware of what's going on with the funding. I believe they're concerned, they're watching. They want to know what's going to go on with compensation. They want to know what's going to go on with the modernization and training. This Congress and this Nation has been very generous to them in the last 12 years, so they've created a very high—they have a high expectation in their mind of what's—you know, what's supposed to be right. They don't have the context I had. They don't understand what it is to go short. They'll learn, if they have to.

So, I do have some concerns about retention. I do have marines ask me, "Hey, what's going to happen about pay and our gear and our training and our bases, our housing, and those things?" They know there's choices to be made. But, I believe, whatever those choices are—and we can explain them to them, and they are reasonable, rational people, and they'll make the decision—and I believe that they'll stay. But, that remains to be seen.

Chairman MCCAIN. Senator Reed.

Senator REED. Well, thank you very much, Mr. Chairman.

Again, thank you, General, for your service.

The Marine Corps continues to test, develop, and evaluate gender-neutral occupation standards. I think the expectation, the goal, is that every MOS [Military Occupational Specialty] would be available to qualified female in Marines, as well as males. You're just opening up the base infantry course to company-grade female officers. Can you comment upon the expectations and your commitment to making sure that this is accomplished?

General NELLER. Senator Reed, first off, just let me say, as I said in my statement, that whatever we do, it's got to at least maintain, if not improve, our operational capability. Since the Secretary made the decision to open up these MOSs, we've done a number of things. First, we assign women in MOSs that they already held to previously restricted units to begin the process of integration. We've opened up other MOSs that were previously closed to female marines, like maintenance MOSs and light anti-air defense. Right now, there's—94 percent of all MOSs in the Marine Corps are open to females. We sent women to Infantry Training Battalion as enlisted marines. They volunteered. We ran them through the training, developed data, and see what their ability was to pass through—pass that curriculum. We also allowed women—have continued to allow women to compete in the infantry officers course. The last thing we did, in a measured, deliberate way, was to form a task force—an integrated task force to put together men and women in teams, in units—infantry, artillery, tanks, light-armor Amtracs, and run them—prepare them, train them, and run them through an evaluation to get some data, because we found there was not a lot of data. So, we're still assessing that data, and that data will drive, along with operational views, what the recommendation to the Commandant will be on opening up those remaining MOSs.

Senator REED. Thank you, sir. This is a challenge for the—not only the Marine Corps, but the Army. Just, as we speak, there are

three women candidates in the mountain phase of Ranger School to see if we can validate and create a—in the Army, a pathway for Ranger qualifications for females as well as males. But, thank you, and I—for your commitment to that.

Last year, the Personnel Subcommittee had a hearing, and the former senior enlisted advisor to the Commandant, Sergeant Major Richard Barrett, stated—and I've always listened to sergeant majors, they're pretty smart people—but, I thought it was remarkable what he said. In his words, "If we do not get hold of slowing down the growth of personnel costs, if we do not pay a little more attention to the healthcare that we so generously have received in my 33 years, I have never seen the level of quality of life, ever—this level. We have never had it so good. I make that point because, if we do not get a hold of slowing the growth, we will become an entitlements-based, healthcare-provided-based Marine Corps, and not a warfighting organization." He further stated, I am told, in colorful tones, that marines care most about the next fight, training, and modernization. That, I think, is the dilemma that we all face. Can you comment upon that?

General NELLER. I'm not going to speak for Sergeant Major Barrett. I've heard the comments. I know Sergeant Major Barrett. I think his concern is, is that we created, because of the generosity of the Congress and the fact that we were at war, and from—for rightful, proper reasons, we did a lot of things with medical care, and we had some shortfalls.

Senator REED. Right, absolutely.

General NELLER. I mean, our facilities are the best I've ever seen. So, we've taken advantage of the situation and the money that was available. So, a young marine coming in today, when he walks around, or she walks around, they see what they see; they don't see what it used to look like. You know, Senator Tillis will attest to that down at Camp Lejeune. I mean—and the same thing at Camp Pendleton—it's very nice. Not perfect. It's good enough. But, it is—it's new. We're going to have to sustain that.

So, I think Sergeant Major Barrett's concern is, How do we sustain it? Have we created an expectation that we can meet? If we can't meet that, what are the marines going to do? At the same time, that's important, but it's as, if not—to me, it's more important that the training we give them and the equipment we give them has parts, it's maintainable, the training is challenging, demanding, interesting, and it's going to improve our operational capability. So—and we've done that—so, maintaining that level, I think, is what his concern is, and much of that is tied to resources.

Senator REED. Now, my impression has always been that qualify-of-life issues, access to childcare, access to medical facilities, are critical, but soldiers and marines understand that, if they're not well-trained, well-equipped, and ready to go, that's the big quality-of-life issue, because that means they survive or they don't survive and the mission gets accomplished or doesn't get accomplished. So, we'll have to work with that.

My time is expired. One other issue I'll just put on the table. We had a brief chat in the office. The sense that the next battle we fight, the first phase will be cyber-dominated, so we'll be fighting in the dark. So, perhaps there'll be an opportunity for other ques-

tions later this morning about how marines will relearn some of those old things, like maps and lensatic compasses and—you know, that might be very critical in the next fight, even though we have the most sophisticated equipment in the world.

Thank you very much for your service.

Chairman MCCAIN. Senator Inhofe.

Senator INHOFE. The Chairman asked you the question about the Ukraine. I was glad he did. I was over there when they had the parliamentary elections. For the first time in 96 years, they only had one Communist on their Parliament. I mean, that's—that's for us, that's for the West, that's their allegiance to us.

Your answer was very similar to General Dunford when you said, "Yeah, we—they should have defensive weapons over there." What would be your choice, in looking at them, as to what priorities, what types of weapons they need the most right now?

General NELLER. Senator, I've never been to Ukraine. I've been to Georgia. They've made similar requests. I think what they're—what I've heard, at least from the Georgians, they're looking for defensive weapons—antitank guided-missile-type weapons.

Senator INHOFE. Okay, why don't—for the record, why don't you just, kind of, send your suggestions, your—in looking and making those evaluations.

[The information referred to follows:]

We should continue the provision of non-lethal supplies and defensive equipment (counter fire radars) and ISR support to Ukraine and continue our training of their forces. If the future dynamics in the Ukraine change and necessitate a more robust military response, I would recommend the provision of weapons and systems—such as anti-armor weapons—and the necessary trainers to employ these weapons capable of effectively countering the battlefield threats the Ukrainian military feels they need the most assistance in defeating.

Senator INHOFE. I know that they've just finished the B-model testing in—of the F–35 out in Yuma. You haven't had a chance to go over and review it. Now, I understand you will—you are in the process of doing that now, but what is your opinion so far? Have you developed any yet?

General NELLER. Senator, as you said, VMFA–121 [Marine Fighter Attack Squadron 121] is the first F–35B squadron out at Marine Corps Air Station in Yuma, Arizona. We—our plan was to declare IOC with them this month. That's still the plan. They did an operational readiness evaluation. From what reports I have received, but I have not seen "the report," they did very well. That report is with the Commandant, and he's going to take a look at that and make a recommendation as—to the Secretary, as far as them being IOC. I'd—I'm hopeful that they passed. I think they passed. I think one of the concerns we have with any new system is the number of spare parts that are available to keep the aircraft at the requisite level of readiness. But——

Senator INHOFE. But, you're in the process of making that evaluation now, or they are.

General NELLER. The evaluation——

Senator INHOFE. You'll be inheriting that responsibility.

General NELLER. Sir, the—General Dunford, I believe, is going to make the recommendation on IOC soon.

Senator INHOFE. General Dunford has forecasted that next decade will be characterized by small-scale crises in and around coast-

al areas. I understand that the Marine Corps is changing its plans for development of the next-generation armored combat vehicle from a self-deploying vehicle to a wheeled vehicle. I always wonder, when that happens, and when things are as tight as they are now, although what we're facing now is unprecedented, was that a budget-driven decision or do you think it's the right vehicle?

General NELLER. Senator, we had hoped to buy a high-speed planing vehicle. It became too expensive and it didn't have the reliability. We have not given up on high water speed. We're continuing to do research and development.

In the meantime, we need a new vehicle. The current amphibian tractor is over 40 years old. There's not a lot of room left to improve it. It's not very survivable on a modern battlefield. It has a flat bottom. It's made of aluminum. So, we're pursuing off-the-shelf vehicles from vendors, and we're going to continue to keep the Amtrac or the amphibian alive, and we're going to select down to two vendors, this fall, build—take 16 of their vehicles and test them, and then down-select. So, we believe this vehicle will not only swim—I believe it will swim—it'll improve our mobility and survivability on land.

Senator INHOFE. You know, the tragedy in Chattanooga was one that we're all—you already expressed your sentiments about that, and we all share your sentiments—there is a lot of reaction—political reaction. Different people are talking about different levels of security that they should be able to use, whether it's private weapons, issued weapons. Do you have any thoughts on that?

General NELLER. Senator, I know that there's a number of studies and investigations ongoing about increasing the force protection for those servicemembers of all our services that are outside the wire, if you will, outside the major posts and stations where we have law enforcement and armed security. There's some things we can do right away, just more physical protection, protection of glass, glass that you can't see inside. Now, that could include arming individuals. There are some potential consequences to that. But, I think we need to take a look at it. So—but, at the same time, we have recruiters out there, and they're out to recruit. The story in the media this morning is that they got interviewed and then they went back to work. They had to go——

Senator INHOFE. Yeah.

General NELLER.—recruit. So——

Senator INHOFE. Well——

General NELLER.—I don't want anything that we do that's going to—we need to stay connected to the American people. So, whatever we do has to ensure that we continue to go to schools and go out there and find those good young men and women that want to be marines.

Senator INHOFE. Yeah, I understand that. But, in terms of protection, I think most of up here would look to you—to the military, to the uniforms—for advice along these lines. So——

The last thing I wanted to mention is, we—our schedules didn't get together, because of a bill that I'm involved in right now. Would you make a point to come by so we have a personal visit?

General NELLER. Absolutely, Senator.

Senator INHOFE. Thank you very much.

Chairman MCCAIN. Senator Manchin.

Senator MANCHIN. Thank you, Mr. Chairman.

General Neller, thank you so much for your service to our country, your family's sacrifice, because I know it goes hand in hand.

Sir, with that being said, I've asked this question to everyone who's come through this committee for their approval, and that would be, What do you assess as the greatest risk—or, threat the United States of America faces from another country?

General NELLER. If you're asking me about a country, Senator——

Senator MANCHIN. Who poses the greatest threat to the United States?

General NELLER.—I would say another nation-state. I would agree with General Dunford that Russia has the most increasing-capable force, and their actions and the fact that they have strategic forces make them the greatest potential threat, although I don't think they want to fight us. Right now, I don't think they want to kill Americans. I think violent extremists want to kill us. Their capability is not that great, but their intent is high. The fact that they have a message that seems to resonate around the world, not just in this country, but in other countries in the Western world, they concern me equally.

Senator MANCHIN. Your overall view, basically with that. So, Russia seems to be the one who has the greatest capability of doing harm to us, if they would desire that. So, we have to keep our eye on the ball. But, we don't seem to have any relations with them, or, if they are, they're just—I've been told that the Cold War is colder today than it was when it was declared. So, I don't know how you would interact, as far as trying to build that relationship or communicate with your equals in Russia, or do you have open lines of communications with them?

General NELLER. I've met with Russian officers in previous places, in previous times. I've never met with—they have a naval infantry or a marine corps. If there were opportunities to meet with them, like there are with any other country, it's—there's always a—it's always good to talk, even if you disagree. I met with Chinese officers, and we didn't agree on very much, but we had a nice lunch.

Senator MANCHIN. I appreciate that.

Second, I would say that, you know, I think all of our hearts go out to the families of the marines who lost their life in Chattanooga. We hope that never repeats itself again. What's your plan of doing that, to make sure that the Reserve offices and recruiting offices are safe and secure around the Nation?

General NELLER. Well, Senator, this—whatever we do as a military, it's going to have to be consistent. Admiral Gortney is the Commander of Northern Command [NORTHCOM], so he's ultimately responsible for the force protection, and we provide advice. We have a Marine component with NORTHCOM. So, we would work with them to implement whatever policies or procedures that we could do. But, in the immediate moment, they've increased certain levels and measures that they've put in place, which I'm not going to discuss here, that I believe are prudent at this time. There are some more physical things that they're going to look at.

Senator MANCHIN. You know there's a lot of discussion here on the Hill, basically about those who work in that type of an environment should be armed to protect themself with government-issues. They've even talked about their own private-issues, they're bringing them on in for protecting themself. So, that seems to be the dialogue that's going on right now. I don't know if you have an opinion on that, if you would like to see those who work—or, if you worked in a recruitment office, would you want to have government-issue arms to protect yourself?

General NELLER. Senator, I think we need to take a look at it, but I have some concerns about the second- and third-order effects of that, particularly on the recruiting—the recruiters and their access and things they need to do. There are some practical matters that have to be worked out. But, I believe that'll all come out in the investigations and the planning that's going on right now. So, I'm going to—I would—I'm not going to discount it, but I think that's probably at the end and the most extreme measure that we could take to do what we need to do, which is protect those servicemembers out there doing their mission.

Senator MANCHIN. If I could ask you, just your view, because marines always seem to be the first ones in when we have a conflict. With that being said, over in the Middle East is Afghanistan and Iraq. What's your feelings about a three-state solution in Iraq, versus trying to continue to keep a one-state Baghdad solution to the problem that we have over there? Seems like that we're not getting very much traction on going down the same path we've been down. So, I don't know what your thoughts would be on a Kurdistan, a Shi'itestan, and Sunnistan, and have Baghdad basically have three separates so they would have the desire to fight, where we don't have the Sunnis' desire to fight right now, it seems.

General NELLER. Senator, I would respectfully say that's way out of my lane, to talk about a three-state solution, but I do believe——

Senator MANCHIN. But, do you think we have—I'm so sorry, sir, because my time is running—but, do you think we have a problem with getting the Sunnis the will to fight in that area?

General NELLER. I was in Anbar for a year. They'll fight. But, they have to believe, like any person who's fighting, that the government that supports them is going to support them. So, if the Iraqi government can convince the Sunni tribes in Anbar, in Saladin, in Diyala, it is my personal, professional opinion, they will fight. If they can't do that, they will continue to have a hard time.

Senator MANCHIN. Thank you so much, sir, appreciate it.

Chairman MCCAIN. Senator Sessions.

Senator SESSIONS. Thank you.

Thank you, General Neller, for your service, and Ms. Neller, for your service and your family's commitment to defending America.

I think you answered well when you said, "Right now, we don't think the Russians want to kill us, but the ISIS [Islamic State of Iraq and Syria]—ISIL [the Islamic State of Iraq and the Levant] does," and actually taking action to that end.

I had the opportunity to be with a wise member of parliament of one of our allies recently, and his comment was that our number-one achievable priority now should be to defeat ISIS before it grows and becomes even stronger, and that there's a danger that

it could grow stronger. How would you think about that, in terms of our immediate achievable priority? Should we be taking more effective action to confront the rise of this extremist group in Iraq and in the Levant?

General NELLER. Senator, I believe that the actions we're taking now in support of the Iraqi government, the effectiveness remains to be seen. Right now, I mean, they're in the process of trying to regain control of Ramadi. So, I believe that—I believe the Iraqis can do this. I believe they have the capability, and, if well led and supported, they have the will.

So, to your bigger question of, Do we need to go after ISIL and make sure that they are not able to create a safe haven and to continue to foment their violent theories of how life is supposed to be?—yes, sir, I do. If confirmed, I would be—look forward to offering potential other options that we could possibly be more effective. But, right now, I think—I think we're going to see some success, here. I may be wrong. But, it's not going to be overnight. It's going to take some time.

Senator SESSIONS. Well, a key area is al-Anbar region. You were there for a year. Were you there when the transformation took place—and the marines, I know, were involved in that—when they—the tribal leaders reacted against al-Qaeda and basically ran them out of the area?

General NELLER. Yes, Senator, I was.

Senator SESSIONS. So, you've seen that. How did we help them? What did we do to convince them that they had the kind of support that they could be successful and throw out al-Qaeda? Do you believe that we can do that again? Are they capable of throwing out ISIS, which I also believe they do not favor, and oppose, and wish were not there?

General NELLER. We supported, as we are now, the Iraqi Security Forces. The situation was not as—there was—the adversary didn't actually hold as much ground then as they do now. I'm not aware—I have not been there since I left, in 2007. I was back in 2011, right at the end, when the U.S. forces pulled out. So, my knowledge base is aged, and I would hope to go back and see it with my own eyes, if confirmed as the Commandant, to get a better understanding of what's going on. But, similar to what we're doing now, we provided capability, we provided support, we provided training. At the end of the day, our goal was that they would own it, because, at the end of the day, they have to fix this.

Senator SESSIONS. Well, they were successful, to a degree that many of us didn't expect. It was a decisive moment in the creation of a stabilized Iraq. There's no doubt about it. I remember, I believe General Stewart—was it Colonel—I don't know if was colonel or general at that time; now he's a defense intelligence commander—but, he was there, and we did a lot of things that supported them and gave them confidence. Without putting large numbers of forces on the ground, without leading in combat operations and conducting those operations, do you think that providing embedded soldiers with the Iraqi forces, with communications systems, with the ability to call in airstrikes, resupply, evacuation, those kind of things that an embedded American soldier might provide, and the confidence it provides—could that be a positive factor

in helping the Iraqi forces have the confidence necessary to get on the offensive and once again throw off these extremists?

General NELLER. Senator, it's been my experience that if we have Americans with foreign militaries providing those capabilities, that they do perform at a higher level. But, there have to be other things in place so that the force protection of those forces, those soldiers, sailors, airmen, and marines, is also guaranteed.

Senator SESSIONS. Well, I thank you, and I trust that you will provide the best military advice you can to the President, to your superiors, and to the Congress. I'll ask you, Will you, when asked, continue to give your best advice?

General NELLER. Yes, Senator, I will.

Senator SESSIONS. Thank you.

Chairman MCCAIN. Senator King.

Senator KING. Senator Sessions, that was a great series of questions, because they were the same ones that I had.

[Laughter.]

Senator KING. So. I appreciate it.

I just want to touch—refine a couple of those points.

You're not only being nominated to be Commandant of the Marine Corps, you'll be a member of the Joint Chiefs of Staff, National Security Council Advisor to the Secretary of Defense, Advisor to the President. You don't strike me as a guy that's going to be shy about speaking up when you feel it's necessary, but I want to urge you to do so. Your value, your experience, your wisdom, your judgment is why you're in this position. If you don't provide it in an unvarnished way, then you're not fulfilling this job. I deeply hope that you will be forthcoming and as straightforward as you have been today with the highest levels of the administration, because that's just vitally important. The President isn't well served if he doesn't have people who tell him the straight truth. Are you committed to that mission?

General NELLER. I am, Senator.

Senator KING. Thank you.

Again, to follow up on Senator Sessions' questions about our role in Iraq. You were there, as you've mentioned. How do we—what are the elements of a successful advise-and-assist mission? How do we convey the will to fight, other than simply providing weapons and supplies? What are the pieces? What did you learn from your experience in Iraq that we—because we are going to—we have to have these people fight for themselves. If they don't, this battle is lost.

General NELLER. Senator, there's—there is the material piece. You have to give equipment that's reliable and works, and then you have to train the force to use that equipment, and they have to have confidence in it, they have to be competent in its use. They have to be able to shoot, use the radios, drive. Then they have to be willing to go out and confront their adversary. That requires leadership. The most difficult part, I believe, will be—there are leaders there. Every—there's leaders in every unit. You've just got to find them. You know, one of the frustrations we had previously, back many years ago, was, there were Iraqis there, and we had to make sure that the right Iraqi was leading the unit. That wasn't always the case.

So, again, I have not been there. I have not met the officers in charge. The marines that are there—from time to time, I hear from them. They are not discouraged. They're pressing. So, they need people to train. They need the equipment. They need the ability to train them. Then they need—the Iraqi need—Iraqis need leadership.

So, it's kind of a stew of things that have to be put together. I think we're trying to help them make that stew. We'll see, here—as they go toward the Ramadi objective, we'll see if they're effective or not.

Senator KING. Well, the discussion today has centered on Iraq, but we've also got the problem of Syria, where we don't have a security force to be training and working with. My concern is that time is running out, in the sense that ISIL is not only gaining ground, they're gaining ground organizationally. There have been reports recently that they're looking more and more like a state. They are governing, they are talking about succession of their leadership, and they are consolidating in many of the areas where they are. I understand the limits of American force, and that we can't do it all with airpower, but how do we deal with Syria? We're doing some limited training there, but it seems very insignificant, given the nature of the threat. We could be very successful in Iraq, but you've still got that large ungoverned area of eastern Syria that is a potential home base for this group.

General NELLER. Syria, in my mind, is much more complicated than Iraq, although—and they are—but they are linked. So, if Iraq were able to reestablish their borders, in my military opinion, it would facilitate what we would do in Syria. But, right now I think the objective to train Syrian opposition fighters against ISIL is—with the ability to protect themselves—is a prudent move. It hasn't been as successful as I believe any of us had hoped. But, right now, I'm—I think that's as good as we're going to get right now. But, the Syria situation, again, I follow it, but I don't—I'm not there, I don't live it every day. It is exponentially, in my mind, more complicated than Iraq.

Senator KING. I agree.

Thank you, General. Thank you, again, for your service.

Chairman MCCAIN. Senator Fischer.

Senator FISCHER. Thank you, Mr. Chairman.

Thank you, General, and your wife, for the service you and your family have given to this country. We look forward to your continued service in the future. Thank you, sir.

When it comes to recruiting and retaining your marines, what's the most important thing? Is it modernization? Is it having that up-to-date equipment? Is it operations tempo? Is it compensation? What's the most important to these young people?

General NELLER. Senator, we've done a lot of surveys to try to find out, you know, what is the one thing that convinces a marine to stay. It—there is not one thing. It's—could be duty station, it could be a chance for special training, it could be opportunity to go overseas, could be education, it could be just quality of life and the experience that they've had. So, every marine is different. So, we have to offer kind of a—you know, find out what it is, and, if we want to keep them, convince what it is we have to offer them to

keep them. So, they're—we're fortunate that we've had a lot of marines, we have not had problems either recruiting or retaining. I'm not naive enough to think that that'll always be the case. But, right now, we have sufficient tools, if you will, to convince people to stay. I would say, though, for married marines, a lot of them, it's housing and childcare and medical.

Senator FISCHER. How are you able to fulfill the combatant commanders' requirements? You're looking at reductions as we move forward, here, and there are some risks involved with those reductions, I think. Are you able, right now, to fulfill those requirements? Do you think you will continue to be able—and do you think you may have to change your role in the future in order to meet there requirements required by those commands?

General NELLER. Senator, right now, we believe we are meeting the combatant commanders' requirements. The combatant commanders have a lot of requirements. Our concern right now, as a service—as the Marine Forces Command, my task to the Commandant is to help generate the force to meet those requirements. So, we are working—you know, we're trying to keep the force at a 2-to-1 deployment ratio. If the force gets smaller and the requirements don't go down, we're going to be inside that, which is of concern to us. So, you're always balancing risk to the force versus risk to the mission.

So, we'll work with the combatant commanders to see if we can't figure out new, different, innovative ways to give them the capability they need to meet the mission and, at the same time, buy us a little more dep-to-dwell [deployment-to-dwell] relief.

Senator FISCHER. What's the mission of the Marines?

General NELLER. The mission of the Marine Corps is to provide the Nation's force in readiness as crisis response and to seize and secure advanced naval bases as part of the naval campaign, and to do those things as the President may direct.

Senator FISCHER. Have you seen that mission change during your time in the Marines?

General NELLER. No, ma'am, I have not.

Senator FISCHER. As we look ahead at different threats that are coming up in the future, do you see the development of the anti-access weapons, like the long-range anti-ship missiles—is that going to impact the Marines' operations at all?

General NELLER. Clearly, the increasing capabilities of potential adversaries and the anti-access area denial battlespace is of concern. We talk about this. We exercise it. We train it. As we've gotten our forces off the battlefields of Iraq and Afghanistan, and gotten back on ship, we're working that with our naval partners as part of the naval campaign. There's both a technical piece to this and also a tactical piece to this. We have to be a little more artful and skillful in how we approach this, because they have capability. So, the days we could sail where we wanted to sail without consideration of that, those days are gone.

Senator FISCHER. So, you think that will have a strategic impact, then, on how marines are going to be deployed in the future?

General NELLER. We're going to have to be very wary of these capabilities, and we're going to have to part—as part of a Joint

Force and a naval campaign, there will have be the conditions set so that we can safely project that Marine Corps power ashore.

Senator FISCHER. Thank you, sir. It's an honor to meet you.

Thank you, Mr. Chair.

Senator FISCHER. Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman.

I know we had an opportunity to discuss, General, sexual assault and the problem around it, and the progress that we see in some of the numbers, but the stubborn and cultural issue of retaliation. You have certainly made a commitment to me that that is going to be a priority for you to figure out the best way to get at that, in terms of the culture within the Marine Corps.

I also want to take a moment to acknowledge that the Marines have work to do, in terms of recruiting women. As you know, only 7 percent of the marines are women. If you're confirmed—when you're confirmed, you'll have to make a really important decision on whether to recommend that any positions remain closed to female marines. What I'm worried about is the pipeline. If we are not recruiting more women, you are not going to get women in the various positions that will allow the kind of integration that's going to ultimately make the Marine Corps stronger and better, and make our Nation more secure. So, I would love to have some feedback from you, after you're confirmed, about any ideas that you have as the chief on how we can do a better job of recruiting more women marines.

General NELLER. Absolutely, Senator.

Senator MCCASKILL. Let's talk about your audit. I'm a former auditor. I'm big on audits. You all—you've been under audit longer than any of the other services. You've had the opportunity to gain the most from this process. It's my understanding that, through the audit process, the Marine Corps identified that it, historically, was requesting too much annual funding for permanent changes of station, and was able to reallocate about 100 million in the 2012 Future Years Defense Plan [FYDP] to make better use of those funds. I mean, this is a great example. I think people think an audit is like going to the dentist; you know, you know you've got do it, and it's going to be painful, and, when it's over, you're not sure that it really was worth it. But, audits aren't like that, because audits reveal a lot that help you allocate resources more effectively and figure out where your needs really are and maybe, like you've found with the FYDP, that there was an ability to move money around in a way that was important to the Marines.

In 2017, all of the services are supposed to have—be audit-ready. I've been on this, and on this for as long as I've been sitting on this committee, and I'm skeptical that we're going to get there by 2017. I'm also concerned that it's the last statutory deadline the services and the DOD [Department of Defense] must meet. I would like to have your commitment to make the audit process within the Marines a permanent priority, going forward, so we never again get to this place where we have a massive amount of resources with no transparency.

General NELLER. Senator, you have my commitment, if confirmed, that we will work this as hard as we can and get a clean

or a qualified audit that shows that we can account for every single penny we spend.

Senator MCCASKILL. Let's talk about—thank you for that commitment, and I will be like a broken record on the audit thing until we get audits from all of our branches and we can begin—it would really help us in our jobs. It would help us make the case, if we were able to have the transparency that an audit provides.

Let's turn to readiness just for a moment. In response to the advance policy questions for this hearing, you noted that the current 1-to-2 deployment-to-dwell ratio is unsustainable. I want to talk about the fact that the challenges posed by ISIS in the Middle East and an aggressive Russia, neither one of these were planned for. So, what would the effect be on the force if a significant Marine Corps response was required to address an unplanned contingency overseas in the near future?

General NELLER. Well, Senator, you'd have to do one of two things. You'd have to either grow the force—we believe the optimal size force for the Marine Corps is 186,000 marines. We can't afford that. So, if we had an—a commitment elsewhere, we would take forces that are currently forward deployed, such as in the Far East, in Okinawa, and we would have to reposition them to wherever that contingency was. We did that during the combat in Iraq, and it's only through the past few years we've been able to reestablish our presence that we've had, historically, in the Pacific. So, we have some options. The other option, the least favorable, is, we go all-in. We activate our Reserves, and we go and do what needs to be done. We've done that before, too. That—you can do that for a short period of time, but, as you mentioned, it's not sustainable.

Senator MCCASKILL. What is the short period of time? I mean, in your best estimate—and I don't want to hold you to anything here, but—I mean, what I'm trying to get a handle on is, we are wrestling with very difficult decisions about the Middle East and Iran's nuclear capability. There are some in the Senate that I believe are tempted by the idea that we could go in and bomb Iran and set off what could be a war much bigger than any that we have been trying—any contingency that we've been trying to fight in over the last decade in the Middle East. What—I mean, how soon would we have to do emergency spending? Is that, in fact, the most efficient way and best way to do it?

General NELLER. Senator, I—it's a difficult question. I'd have to get back to you, as far as the details, without knowing the exact size of the force, what the exact mission was, what the combat ratios were, and what we would need to do, what we have to accomplish, militarily, to achieve whatever the political objective was.

Senator MCCASKILL. I—and I know it was kind of a dumb question in that regard, because it's very hard for that question to be answered without more specifics. I guess I'm just trying to get out into the conversation that talking about things in the abstract sometimes sound a lot better than what it is in reality. The more we are informed about what the reality would be, I think, the better job we can do making sure you have everything you need.

I appreciate you. I enjoyed meeting your wife. I understand that she and I almost share a birthday. I think, with—we are born

when we're born, that you're supposed to be really strong and capable of being mean and capable of taking no prisoners.

[Laughter.]

Senator MCCASKILL. So, I am pleased——

Chairman MCCAIN. Senator McCaskill knows about that.

[Laughter.]

Senator MCCASKILL. Yeah. I am pleased that she and I might share some of those traits. I think she will be a terrific addition to the barracks and to the hosting that you do there for so many. I know how proud she is of you and how proud we all are of your family.

Chairman MCCAIN. Senator Sullivan.

Senator SULLIVAN. Thank you, Mr. Chairman.

General, congratulations on your nomination.

I also want to echo—I know that many of my colleagues on the committee want to echo—what you talked about, in terms of our shock and sense of condolences to the families and friends of the marines from Chattanooga. We've got to make sure that kind of activities don't happen again.

I wanted to go back to the issue of readiness. You see, from this committee's questions, you're going to get a lot of different questions from the committee on a whole host of different subjects. But, I wanted to ask about the primary mission of the Marine Corps infantry, which is the heart and soul of the Marine Corps, and it's the mission to close with and destroy the enemies of our Nation. Sometimes we don't talk about that, that what we're really focused on doing in the Marine Corps is being ready to kill the enemies of our country. Does that remain the highest priority, in terms of Marine Corps training, particularly infantry training, or do you see the Marine Corps being pulled in a variety of different areas, different missions, different mandates, in terms of training?

General NELLER. Senator, our—you know, we train for a variety of missions. I believe—I can only speak for myself, but my professional opinion always been is, if I can do the high end of the mission, the most high-risk, the most dangerous, the most kinetic, that—and I've trained the force to do that, and they're disciplined—that I can bring them back down to the other end. There are specific things. So, we do practice HADR [Humanitarian Assistance Disaster Relief] things. We do NEOs [Non-combatant Evacuation Operations]. We do training of foreign militaries. But, our primary mission is to be a force in readiness that can fight at all parts of the range of military operations, but particularly at the high end.

Senator SULLIVAN. You know, you and the Chairman were talking about the 1970s. As you know, infantry officers in the Marine Corps are often encouraged to read a—this book, which I think is a great book. It's called "This Kind of War," by T.R. Fehrenbach, which actually focuses on the 1950s and the Korean War and an example of what you mentioned earlier about the Marine Corps being a force in readiness when the country was least ready. But, do you worry about levels of readiness and training, that we could have another Task Force Smith in the next 5 to 10 or 15 years if we don't get our funding and training levels in readiness, properly adjusted?

General NELLER. Senator, that's also one of my favorite books, not because it's a good story, just because it's a good lesson.

I think that's always in the back of our minds. I think the current fiscal situation kind of brings it a little bit more to the forefront. But, at the same time, as long as we can recruit and retain good marines, and our gear is functional, I don't see us going to the point of where—of what happened, historically, to that force when it was put on the Korean Peninsula. Could it happen? I'm not going to speculate on that. All I can tell you is, if confirmed, I will give every ounce of effort I possibly can to not ever allow that to happen, just as I know—not to speak for General Milley or any other service chiefs—I know General Dunford—that's our job. That's why, if confirmed as the Commandant, I'm responsible to you that that doesn't happen.

Senator SULLIVAN. Thank you.

Let me turn—the Chairman mentioned that the—in his statement, the importance of the Pacific rebalance and the critical role that the Marine Corps is playing in that. I think it's something that this committee, this Congress, is trying to support. I think, in some ways, the Obama administration undermines their own strategy, in terms of the credibility of the strategy, by slashing Army forces in the Asia-Pacific, which is what they're proposing to do. I just have a few questions related to the rebalance.

Are you satisfied with how that's going, overall, in terms of the credibility of the rebalance for all the services? More particularly, are you satisfied with the redeployment of marines from Okinawa to Guam, Australia, possibly Hawaii? Do you think that, when we do that, that we're going to have the strategic lift to take what's a concentrated force now in Okinawa to a much more dispersed force—will we have the strategic lift to be able to move those forces if and when we need them in a contingency?

General NELLER. Senator, I'm not qualified to make a comment on the status of the other services, as I simply am not witting to what they're doing.

As far as the Marines, we left Okinawa to go to Iraq and Afghanistan. We're back. The force that was there before is present. They're training, they're properly equipped, they're ready to go. We have changed our deployment. Now, instead of one of the battalions going to Okinawa, it goes to Australia for 6 months, and then eventually, because of the agreements, we'll distribute the force to Guam and put some more marines on, on Hawaii.

I think the concern is, as you state, that once we do this, our ability to move that force—training opportunities on Okinawa, mainland Japan, Guam, are limited, and you have to be able to move to where the training is. You have to move to other nations. You have to be able get to Korea, you have to get to Thailand, you have to get to the Philippines. To do that, you need sealift and airlift.

So, when we do this—and we will do this—we—we're going to have to—that's going to be the hard part. There are some opportunities with high-speed vessels and things with the Navy and the movement of a three-ship ARG [amphibious ready group] from the east Coast to the Pacific area, which will give us more lift. So,

that's going to have to happen. But, I concur with you that the strategic lift is kind of the long pole, potentially, in that tent.

Senator SULLIVAN. So, right now, you don't believe that that—our strategic lift capability matches our proposed deployment laydown?

General NELLER. It—I believe it will, but it remains to be seen once we get on Guam and have to move these forces around. We do a pretty good job right now, but, again, we're not on Guam, and we've got decent training in Hawaii, up in the—up at the PTA [Pohakuloa Training Area]. But, we still have to be able to move these forces around. So, I'm concerned about, particularly, gray-hull amphibious lift.

Senator SULLIVAN. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Hirono.

Senator HIRONO. Thank you, Mr. Chairman.

General Neller, thank you and your family for your service.

Of course, the Marines are an important part of the military presence in Hawaii at Marine Forces Pacific Command and at the Kaneohe Bay. We're going to get more marines as we move them out of Futenma, Okinawa. So, thank you very much for all that you do.

I also am very committed to the rebalance to the Asia-Pacific. You mentioned in your advance questions, quote, "Our strong Marine presence in the region"—meaning the Asia-Pacific region—"plays a significant role in promoting the regional security and stability." So, if confirmed, I trust that you will continue to support a tangible—tangible rebalance to build and maintain the important partnerships that we have in this area of the world.

General NELLER. Yes, Senator.

Senator HIRONO. You mentioned, in your—the earlier response to Senator Sullivan, how important training is. So, the missions that the marines perform, including theater security cooperation, exercises with partner nations' forces, and contingency operations, require our forces to maintain a high level of readiness and training. The availability of training ranges, such as Pohakuloa Training Area, which you just noted, on the Big Island and others, are critical to the Marine Corps' ability to conduct operations in the Pacific. Could you share your thoughts on the importance of training ranges, especially as we continue the rebalance to the Asia-Pacific?

General NELLER. Senator, if we're going to do what we need to do to be ready, we have to have ranges that support our ability to use our weapons and to maneuver the force. One of the great advantages of a training area like Pohakuloa is that we're able to go up there and drop bombs and shoot artillery and do a lot of the things that we need to do. There is some maneuver space up there. Plus, we have the advantage—we have to actually deploy there. So, you go up there, it's like—whether—even though it's only a matter of miles, it doesn't really matter; you pick up, and you move. So, wherever we go as we position this force around the Pacific, we have to be concerned that the—that there's ranges and training areas there so that that force can, at a minimum, sustain the readiness that they have once they arrive.

Senator HIRONO. I think this—this committee is definitely aware of the need to have these training areas. We have a number of them in Hawaii. But, there are always issues relating to making sure that we are in concert with the concerns of the community. So, that will remain, especially with regard to Pohakuloa.

You were asked some questions regarding sexual assault in the military, which this committee has spent considerable time on. So, you note that it is the responsibility of the commanders to set a positive climate. So, beyond command climate surveys, for example, what other methods are used to determine a commander's ability to establish a positive command climate, where a marine would feel that he or she could report a crime without fear of retaliation? I think this becomes ever more important as you integrate women into the various positions in the Marine Corps. So, for example, what kind of guidance would you give your commanders about specific actions they should take to create an environment in which retaliation, which is a major focal area for our—for many of us on this committee, both overt and particularly the subtle forms of retaliations that could occur?

General NELLER. Senator, we have a very detailed selection process for those that are—have the opportunity and privilege to lead marines. So, a part of—their records are reviewed, and a board of senior officers determine that they are the best and most capable. Once they assume that office, their seniors in the chain of command monitor what goes in that unit, not just operationally, but what goes on as far as their discipline. So, that's being tracked. We also have courses, before they assume command, where we talk to them about what their responsibilities are. This topic, along with other topics, are part of that. So, they understand their legal responsibility, their legal authority, their moral and ethical authority to lead their marines.

Senator HIRONO. We recognize, General, that changing the culture is not an easy task. So, I know you're aware that this issue will be of ongoing concern to all of us.

Thank you.

Chairman MCCAIN. Senator Wicker.

Senator WICKER. General Neller, thank you very much for your service. Thanks for coming by the offices to talk to so many of us before this hearing.

How many marines do we have now in the United States?

General NELLER. In the continental United States right now?

Senator WICKER. I mean, how—in the United States Marines.

General NELLER. Just under 184,000, Senator.

Senator WICKER. You don't anticipate that number dropping very much in the next 4 to 5 years, do you?

General NELLER. We believe that by the end of fiscal year17, we'll be down to around 182,000.

Senator WICKER. So, maybe a drop of only 2,000, Marine Corps-wide.

General NELLER. Yes, Senator.

Senator WICKER. Okay. It would—would it be a mistake to go much lower than that?

General NELLER. If we were to go lower than that, Senator, the dep-to-dwell ratios that I'm concerned about, and the Com-

mandant's concerned about, would be—would increase the risk to the force and our ability to meet combatant commanders' requirements.

Senator WICKER. With those requirements and the ratios that you want to maintain, how are we doing with recruiting? Are we getting the type of young person we need? What motivates someone to join the Marine Corps today?

General NELLER. We're doing very well. I think that's something that we're watching. But, our manpower director, Lieutenant General Brilakis, the other day, briefed us that right now, for the next fiscal year, we've already signed up 55 percent of the requirement. So, those marines are in a pool, waiting to come to recruit training. They're not just marking time, they're working with their recruiters, voluntarily, to get themselves ready to go.

The quality of those recruits—potential recruits—is very, very high. We have a very high standard, and I think that's both a credit to our recruiters, and also—reflects in the quality of the force.

On the officer side, we have at least three college graduates waiting for every spot to go—become a Marine officer.

So, we're in a very good place. Again, I don't take that for granted, but I'm hopeful we can keep that going.

What inspires or motivates somebody to join the Marine Corps? Senator, that varies from individual to individual. It could be something to prove, somebody told them they couldn't do it, family heritage, want to serve their Nation, want to learn a trade, want to get a—the great benefits of the 9/11 G.I. Bill, or they just want to be a marine.

Senator WICKER. You were walking through a student union, and a poster caught your eye, back in the '70s. Is that right?

General NELLER. Actually, it was a big, tall guy wearing those—blue uniform.

Senator WICKER. Okay. More than a poster.

What frustrates our Active Duty marines now?

General NELLER. Oh, I think sometimes they get frustrated with their leadership. I think we have to work hard to challenge these young men and women. They're smart. They want to be—they want to do important things that keep them engaged, but, when they're done, they want us to say they're done. That's fair. So—but, they—because we've done such a good job, you know, we're kind of victims of our own success. So, we owe them, you know, good training, good gear, good organization, good leadership. Then their end of the deal is, show up, bring their A-game every day, work hard, train hard, and then, when we're done, then they can, you know, take a little bit of a break; at the same time, knowing they're never, never not a marine.

Senator WICKER. Let me follow up on your conversation with Senator Sullivan about sealift. I want to thank the Marine Corps for making the case for the amphibs, and particularly the 12th LPD [Landing Platform/Dock]. We—I don't think we would have gotten the 12th LPD through this committee and through the Congress, both houses, on a bipartisan basis, if it had not been for the Marine Corps coming and saying that that—we very much needed that for us to complete the mission.

Mr. Brzezinski was here earlier this year and talked about the need for the amphibious forces to be in the Baltic. We've had discussion about Russia and the seriousness of the Russian threat, as well as the more immediate threat of ISIS. But, what is the reason for being particularly careful, as Mr. Brzezinski mentioned, about the amphib forces in the Baltic Sea area?

General NELLER. Well, Senator, we just actually did an exercise in the Baltic with our U.S. and a number of coalition ships. It was called Agile Spirit, I believe, commanded by Vice Admiral Jamie Foggo, who is the 6th Fleet commander. So, we did an exercise in the Baltic. I'm sure it was paid close attention to by certain countries in that part of the world——

Senator WICKER. I hope so.

General NELLER.—as we—I do, too—and as we projected power ashore, did a landing with Poles and Lithuanians and Estonians, and then trained ashore, and then with U.S. Army forces there. So, there is interest in the Baltic because it's on the perimeter of certain land masses that you might have to gain access to. Then, three NATO [North Atlantic Treaty Organization] allies are—that are very small countries, live on the east end of the Baltic Sea, and they're concerned about potential aggression against them. So, we're there to reassure them.

Senator WICKER. I would say—it's fair to say they remember, not too long ago, when there was a different dynamic in that area, and they appreciate the Marines being there with them and the United States being there with them.

Thank you for your service, and thank you for your testimony, sir.

Chairman MCCAIN. Senator Kaine.

Senator KAINE. Thank you, Mr. Chairman.

Thank you, General Neller, and to your family. Congratulations on a wonderful service, thus far.

A few questions. I want to go back to—you talked a bit about gender integration earlier, and we're—I want to kind of get your—your take, first, on how it's going, and then the kind of philosophy that the Marine Corps is undertaking to carry out that mission, if you could talk about that.

General NELLER. Senator, when the Secretary made the decision to open up all occupational fields, the service chiefs and the services were getting a certain amount of time to take a look at how they might do this. We have worked hard to work in a way to figure out how we will integrate. We've opened up MOSs, we've put marine—female marine officers, staff NCOs, and NCOs in units where previously women weren't allowed to serve. They've done well. We're going to continue to do that.

Then, to determine the last part, whether we would, based on a standard, allow women to serve in infantry, artillery, tanks, light-armored reconnaissance, amphibian tractors, and reconnaissance, we formed a task force of volunteers, and we put them together as a unit. They trained up and they went to 29 Palms into the Mountain Warfare Center and did a series of tests. Those tests are complete. The data has been collected. It's being analyzed, and it'll provide information that will inform the Commandant about whether or not he will request a waiver for any of those MOSs.

So, I have not seen all the data. I've seen some of it. I've been involved in this process for some time. When we first sent volunteer female marines, enlisted, to the Infantry Training Battalion to try to gain data and determine their ability to complete that course—of the number that went, about—they have about a 40—36 percent completion rate. Again, you know, we—we're still looking at this. We are—we have not made any sort of pre-decision. So, again, whatever we do, it is about individual standards, it is about the capability of the unit, and that unit becoming better, or at least as good as it is now.

So, that decision's going to come. I believe we had a good process. We've got information. It's fact-based. We're working with the Army, and we're sharing the data with them. I'm sure that General Dunford has spoken to—I know he's spoken to General Odierno, and he'll work with General Milley if he is confirmed as the next Chief of Staff of the Army.

Senator KAINE. Can I ask a question about the standard, kind of the philosophy in setting the standard? As you set the standard in the areas that are not yet gender-integrated, is the standard-setting just describing the current functions the way we've always done it, or is the standard-setting a new analysis of what are the attributes that are the most needed to do the best job in this particular MOS?

General NELLER. I have not seen all the different task condition standards. They will be functionally-based. They won't be—I mean, there may be a screening process for any marine, male or female, but it'll be not lift so much weight as if you have to load the tank main gun, I have to load the Howitzer, I have to prepare the charge, I've got to carry the projectile, I've got to drag the cannon, I have to carry the load, I have to go this fast, this far, with this much weight. It'll be those types of things. So, that's the data we've got and what the data says about how men and women did. I went out and saw the unit that did the test. It was a very hard test. It was hard. Regardless of whatever happens, I'm—you know, I'm—I can tell you that the marines out there, particularly the women marines, they did a great job. It was pretty motivating.

Senator KAINE. I'm going to switch gears to an area of the Marines that is incredibly important. I'm not sure everybody focuses on them. They train in Virginia—and it's good to have a UVA [University of Virginia] grad before us—the Marine security guards who train at Quantico. Everywhere I travel, if I'm ever at a U.S. Embassy, I always stick my head into Post 1 to thank these important members of, not only the embassy family, but important members of the Marine Corps. This is a job that is getting more attention. This is a job where I think, on Armed Services, we've devoted more resources to it. How familiar are you with that unit, and especially in terms of, kind of—Do they have the resources they need? Are we training enough? Because we sure need them around the world.

General NELLER. Senator, I'm not completely conversant in their entire training program of instruction. I—like you, when I got to embassies, I talk to the marines. They're very high quality, they're very highly screened. It's a great retention tool for us to keep marines in. I do worry, because they are so capable that we don't—we don't get a lot of them to stay after their service. They have—

they've got options. You know, I always ask them, "How many of you are going to stay?" If there's any of them that say they are, I immediately volunteer myself to be their career planner so I can convince them to stay, because they are some of the very best and brightest young men and women we have. But, I think they're trained well, I think they're resourced well. I've never been to an embassy where they told me they were wanting or lacking for anything, or the regional security officer. So, I'd have to get back to you on any more detail, but my basic rudimentary response is, I think they're in good shape.

Senator KAINE. Great. Thank you very much for your testimony. Thanks, Mr. Chairman.

Chairman MCCAIN. Senator Ernst.

Senator ERNST. Thank you, Mr. Chairman.

General Neller, thank you very much. Darcy, thank you for being here today. I appreciate your great service to our Nation.

I will just fire off one quick question. I apologize, I am going to have to step out again. But, one of my top priorities has been ensuring that our soldiers and our marines, those that—who are really engaged in close contact in combat, and those who are taking the majority of casualties in our Nation's conflicts, are armed with the best possible weapons available, and give them the will and the fight to win. I mean, we have to make sure that they have the best possible sidearms, their personal weapons. That's one of the first things our young men and women do, qualify on their individual weapon.

So, with that being said, I am very concerned about the military's lack of modernizing our small-arms programs. I know the marines have recently gone from utilizing the squad automatic weapon, the M–249, to the light infantry automatic rifle, the IAR. So, I'm glad that they are modernizing in some aspects. They still have not modernized the M–4. I would just like your thought on the small-arms program, maybe where you see we need to go with that, if we do need changes. Just very quickly, sir.

General NELLER. Senator, I have complete confidence that the weapons we equip our marines with are the very best that we can get. The M–4 is not that—you know, even the marines in a rifle squad carry an M–16A4, they don't carry an M–4, because we want them to have that longer barrel for that longer reach. So, talking about weapons is a very emotional subject with marines, but I've never heard anybody say they didn't think that what they had was going to allow them to be successful in a battle.

We don't want it to be a fair fight. The IAR is a good weapon. We're going to keep the SAW [squad automatic weapon], but in a different way. We're always looking at better ways to improve everything we have. We've fielded the Javelin, we've fielded and improved TOW [tube-launched optical-tracked wire-guided missile], we've got new Howitzers. We're always working on the tanks. I mean, so, you know, there's no lack of emotion and energy and enthusiasm, when I walk around, about our weapons. From everything I can tell, I think everybody's satisfied. Doesn't mean there's not better ways to do it that we can't look at it, whether it's ammunition, whether it's magazines. But, I—my personal view, in my current position, is, we're in a good place.

Senator ERNST. Thank you, General. I appreciate that very much.

In the interest of time, I'll submit my—the other questions for the record.

So, thank you, General Neller, I appreciate it very much.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

I'd like to thank your family and your friends who are here with you today. It speaks volumes about you.

General Dunford, as Commandant, worked very hard on the mental health issue. I just wanted to make sure to get a commitment from you to prioritize mental health and suicide prevention as part of your readiness for all your marines.

General NELLER. Absolutely, Senator.

Senator DONNELLY. That—as part of that, that there be no stigma in seeking help.

General NELLER. Senator, we've worked this, and I can personally tell you, as hard as we can. I believe we made progress. To the best of our ability, every marine knows how—knows they're out there, that what we want to do, first and foremost, is help them if they need it.

Senator DONNELLY. One of the things, you know, in working in this area over the past few years, is finding out how critical leadership at the squad and platoon level is to finding out mental health problems. You know, I want to make sure that your leaders at the squad and platoon level know, "Make a call, talk to somebody. If you see one of your marines going sideways on you or having struggles"—they probably see it before anybody, don't you think, General?

General NELLER. Senator, I agree completely. I can tell you that the focus of our training and—as we do the suicide prevention and how to react to that—is focused at that level. I can give you personal accounts of where sergeants, junior staff NCOs, were there at the forefront to either give a hand or keep a marine from doing something that they probably wish they hadn't done, and saved their lives.

Senator DONNELLY. General, I spoke this morning to the Governor in an area that you're very familiar with, Anbar Province. We were going over the efforts that are in place right now to retake Ramadi and Fallujah, and to protect Haditha and obviously all of western Iraq. What is your view on how to best rebuild the relationship with the Sunni tribes and to partner with them against ISIS?

General NELLER. Senator, again, I have not been in Iraq, in Anbar, since I left, on my birthday in 2007. I would like to go back and see it for myself. But, I don't think the relationship with the Sunni tribes is a real—the issue is not with us, it's with the government in Baghdad. They have to believe that their central government is going to at least give them some modicum of support, that they're going to fix the roads, let the water run, give them gasoline, make the electricity work, fix the roads, and let them, you know, worship as they see fit. So, that relationship that was damaged, it was tenuous, at best; it was damaged by previous govern-

ments in Iraq. If Mr. Abadi can do that, then I think he will gain their support. But, he'll have to work really hard.

Senator DONNELLY. In Afghanistan, you know, we face significant challenges moving ahead. The Marines have been such an important part of securing entire areas of Afghanistan, of creating secure regions. As you look at that, what do you see, moving forward, as some of the keys to success, to stability there, to holding on there?

General NELLER. Senator, I've visited Afghanistan a number of times, but I never served there, so my experience base is limited. But, again, I think it goes back to the Afghan government believing that we're going to be there to support them, that the resources are going to be there, and that they have the confidence, and that their soldiers have the confidence, that there's going to be somebody there to back them up. They're similar problems. We need to stay there and work with them. I believe, my experience is, that, you know, they—if a foreign nation believes that there's somebody that's behind them, that they're likely to do the right thing, the right way, and hopefully for a longer period of time.

Senator DONNELLY. Well, I will finish with this. My father-in-law was a Guadalcanal marine, and he would be very proud of your service, of all your years of service, and would look very much forward to you taking command of the Marine Corps. So, we wish you the very best.

Chairman MCCAIN. Senator Tillis.

Senator TILLIS. General Neller, Ms. Neller, welcome, and congratulations. Thank you both for your service.

General Neller, I want to start—and, first, I apologize for having to step out. We had to have a quorum in Judiciary Committee, and had to step out briefly, so I apologize if I'm asking a question that's already been asked. But, I'd like to start by talking about what will be your top ground modernization program priorities.

General NELLER. Well, Senator, right now, the two top programs—and they are yet to be fielded—is the joint light tactical vehicle and the amphibious combat vehicle. Both of them are—the JLTV [Joint Light Tactical Vehicle], as I understand it, is close to low-rate initial production; and the ACV [Amphibious Combat Vehicle], we should down-select to two vendors with 16 vehicles this fall, and then we'll eventually pick one. So, on those—in that area—and there's a couple of other things, but—a radar—a multipurpose radar and a whole variety of other things—but, right now, as far as specific programs, those two are at the top.

Senator TILLIS. Can you talk a little bit about the reason why they're top and the difference it makes, in terms of your capabilities?

General NELLER. Well, for the JLTV, we need a wheeled vehicle that has more survivability than the Humvee. The Humvee's been around since the mid-'80s. We've improved it a little bit, but it's—there's only so much growth left in the frame. We need something that's going to give us more survivability and traffickability. So, we need to recapitalize and get a new vehicle. The decision has been made that the JLTV is that vehicle. So, we're going to buy 5500 of them, and—I'm assuming that they're going to meet the require-

ment. I have not looked at any of the test data, but—I don't even know who the vendor is.

On the ACV, same reason. The amphibious vehicle we have today is 40 years old. We've refurbished it, rebuilt it a number of times. It's okay. It's okay in the water, and not so okay on the ground, particularly if there's IEDs [improvised explosive devices], because it's flat-bottomed. It's just not survivable. So, we have to—and that, because that vehicle spends 90 percent of its time ashore, we have to find something that's going to give us more survivability ashore, but that yet can still move through the surf and get us to the beach.

Senator TILLIS. That actually leads to the next question I had, which has to do with ship-to-shore maneuvers. I got some exposure to some of the challenges when I was down at Camp Lejeune, a month or so ago. Can you talk a little bit about the ship-to-shore maneuvers—all the way from the connectors, LCUs [Landing Craft Utilities]—and elaborate on the ACV, in terms of the additional capability it gives you, as compared to what you have today?

General NELLER. Amphibious warfare is very complicated. It involves a lot of moving pieces. You're also subject to the vagaries of the weather and the sea. So, we've got to get to the objective area in the—in our amphibious ships. We use air-cushion vehicles and landing craft—large landing craft to move heavier loads ashore. Neither the Amtrac or what we—the ACV is going to be able to give us a long-range launch, so we have to be worried about anti-access area denial. So, we'll work through some choreography and sequencing of the force. We want to be able to land under cover of darkness, take advantage of that for our security. So, this ACV that we buy, just like the Amtrac that we have, is—has to have some surf capability, some sea-keeping capability, and it's got to move at a certain speed so that we can do this with a—under a period of darkness.

Senator TILLIS. The last question I have for you has to do with the size of the force. I know that there have been some studies from Marine Corps University that was setting the optimum size of the Marines at about 186,000—just below 187,000. We're at 184,000. We're moving to 182,000. That 5,000 differential, that's a lot of marines and a lot of killing capacity. I know, when I met with you in my office, you're the sort of person that's going to make it work, no matter what your—what you—whatever hand you're dealt. But, are you reaching a—I mean, do you think that 182- is a workable number, or is that just a number you're working with because that's where we are with troop reductions? Or do we need to look back at getting to that optimal number, if you agree with the assertion that 187- is the optimal number?

General NELLER. Senator, the optimal number for a 3-to-1 deployment ratio, which is what we would aspire to, is 186-. We've built into the—our plan, as we've drawn down, you know, some reversibility of that. We know what units we took down, and cadred, and what units we would bring back. 182- is at that point where we can meet the combatant commanders' requirements and provide a 2-to-1 dep-to-dwell, which we think is the minimum sustainable level.

So, yes, we can do it at 182-. 186- would be better. But, right now, that's not affordable. If resources were made available, or we were required—or able to do that, we would grow the force back, but that would take some time.

Senator TILLIS. Thank you, General Neller. I look forward to supporting your confirmation.

Thank you, Mr. Chair.

Chairman MCCAIN. Senator Gillibrand.

Senator GILLIBRAND. Thank you, Mr. Chairman.

Thank you, General Neller, for being here, your commitment to service, all your sacrifices. Thank you for your family to be here. We're very grateful for your dedication.

You and I had a chance to talk about a lot of these issues in advance, and I was very grateful for that meeting. After our meeting, I sent you a report that I did summarizing cases at four bases in 2013, just as a snapshot to understand what do the cases look like. I want to just brief you on that.

The—in Camp Pendleton, for 2013, they had 50 cases of sexual assault alleged. Now, 10 of those cases were from spouses, so you have an issue with domestic violence that's important to look at. You also had 18 who were civilian. So, 28 out of 50 are not part of our survey. So, when we surveyed—the DOD surveyed sexual assault last year, the estimated 20,000 sexual assaults, that doesn't include civilians or spouses. So, more than half of your Camp Pendleton cases aren't even counted in those numbers.

The other statistic is, the servicemembers was 21. Now, the other thing I want you to be aware of, because this is a challenge we have in responding appropriately—among your spouses, 8 withdrew their complaint within a year, so they didn't have confidence in the system, they just didn't—no longer wanted to prosecute. Of your civilian complainants, 8 withdrew during the year. Then, of your servicemembers, 8 withdrew. So, nearly half of the cases that were reported—and to report a case, you've got to put your name on the bottom line, you typically get a rape kit, which is very invasive. Any one of these situations, it's now public. For them to withdraw—nearly half to withdraw within a year does not show confidence in the system.

So, that brings us to what Senator McCaskill raised, is this issue of retaliation. How much retaliation is existing? We know from the survey that last year it was 62 percent of cases, someone who reported a rape was retaliated against during that process. Retaliation comes in all forms, as you know: 53 percent social—peer-to-peer; 35 percent administrative; 32 percent professional; 11 percent a punishment. So, you know, arguably, more than half of these cases, there's some form of chain-of-command retaliation.

So, really do look to the lower-level commanders, the unit commanders. We have an issue with sexual harassment and sexual discrimination. In all cases, 60 percent of it comes from the unit commander. So, you really have to dig deep to begin to create a better climate, which I think is going to be essential for you to be successful so you have good order and discipline within the ranks.

So, as we talked about, I look forward to working with you on that. I think it's very vital.

I appreciated your answer to Senator Kaine about combat integration. One issue that I'd like to raise is, I know that the physical fitness tests are gender-normed, and I know that, in the case of Colonel Kate Germano, she was trying to create even tougher requirements for them so that they could meet standards. As you look at your standard review, and as you look as to whether you're going to waive—ask for a waiver for any positions today, I would urge you not to seek waivers, because all you're saying is, there's no one who can meet the standard today. But, if we begin to create tougher standards to come into the Marines, to make them gender-neutral, you will have women who can meet those standards. They just might not be able to meet the standard today. So, asking for a waiver says, "Under no circumstances can any woman ever meet the standard." I would caution you not to take that action, because, the future of the force, we want all of our best and brightest.

So, I'd like to ask you, just basically, When you are going to relook at these issues, do you expect that you will ask for an exception or a waiver?

General NELLER. Senator, I have not seen all the data, and I'm—don't believe we've, in any way, shape, or form, presupposed whether we will or not. I have not talked to the Commandant, General Dunford, about this. I will, eventually, because he is no longer going to be our Commandant, and then—so, he's going to have—I would ask that he would, you know, inform me as to what we're going to do.

So, I take all your points. Again, I want every marine to have the best opportunity to be successful. Nobody joins the Marine Corps to fail. Okay? You know, I'm going to ask marines that, "Anybody join here to fail? No? Good. So, we're going to be successful." So, we've got to put them in the best place where they can be successful and do the best for themselves, but, more importantly, for the unit. So, I know this is going to talk close scrutiny, and this is not something that anybody takes lightly, but we will—again, we want to make sure that we have the most operationally capable force. But, I take your points, and I do appreciate all the guidance you gave me during our meeting.

Senator GILLIBRAND. Yeah, thank you, General. I'm very grateful for your service.

Thank you.

Chairman MCCAIN. Senator Blumenthal.

Senator BLUMENTHAL. Thanks, Mr. Chairman.

Thank you, General, for your service. As others have said before, it's not only yours, but your family's, and we're grateful to you for taking on this very important mission.

No one joins the Marine Corps to fail. That's for sure. I know that you want to give every opportunity to every marine to serve to the best of his or her ability. Part of the reasons that marines may, in quotes, "fail," or appear to fail, may be invisible wounds of war, like post-traumatic stress. My colleague, Senator Donnelly, asked about mental health issues. Post-traumatic stress is the result of combat-related injuries that really have never been recognized in the past as much as they are now, and maybe not now as much as they should be. My very distinguished colleague and I—Senator McCain—sponsored a bill called the Clay Hunt Veteran

Suicide Prevention Act to provide more research as well as more care to marines and others who were injured in duty, often in combat, as a result of post-traumatic stress, other invisible wounds, and mental health generally, to help prevent suicides that occur among them.

I would welcome your commitment that you will encourage and support even more efforts to deal with post-traumatic stress and traumatic brain injury and those invisible wounds of war.

General NELLER. Senator, you have my total commitment to those actions.

Senator BLUMENTHAL. Thank you.

Do you have any specific initiatives that you've contemplated—I know it's early to ask you, but—in that area to encourage more marines to come forward, to identify themselves? Senator Donnelly asked about the stigma that's often associated with those kinds of wounds, but I just wonder if you have any specific initiative.

General NELLER. You know, Senator, I don't, at this time. But, all I can tell you is this. You know, we—like everybody else, we learned a lot, the last 12 years. You know, unfortunately, we learned a lot about some bad things. I do think that the force is—that recognizes these invisible wounds—I remember a captain got IED'd several times, and we sent him to Landstuhl, and he was berated because he looked like he was fine. But, I honestly believe those days are gone.

That said, and there may be marines out there, or any servicemember out there, who's still dealing with something that's bugging them. The marines I talk to, and the marines I serve with today, I don't know anybody that's not out there, reaching out to talk to them, and try to help them. They have to—if they believe that you're going to try to help them, they'll come forward. There are a lot who have. There may be some that—who have not. Those with TBI [tramatic brain injury] that have been diagnosed, we need to continue to take care of them, because they're part of the force until they're no longer on this Earth. So, we're not perfect. We still have a lot to learn. Our Wounded Warrior regiment takes care of marines and stays in contact with them, even after they're no longer on Active service. So, we owe all of them our best support. I commit to you that, if confirmed as Commandant, that they're going to get it from me.

Senator BLUMENTHAL. Thank you. Well, I welcome and I applaud that commitment and your sensitivity on this issue. I can guarantee, without being an expert, that there are marines and soldiers and sailors and airmen who are out there with wounds that are bugging them, and they need the encouragement to come forward.

Let me shift to——

Chairman MCCAIN. Could I just interrupt, Senator?

Are you familiar with the legislation, Clay Hunt Suicide Prevention Act?

General NELLER. Sir, I am not.

Chairman MCCAIN. Thank you.

General NELLER. I will become familiar with it, though, if confirmed, or if—I'm interested now. I wasn't aware of it, Chairman.

Chairman MCCAIN. Thank you.

Senator BLUMENTHAL. We'll make sure that your office receives some additional material on it, but Senator McCain has really been a champion. I've been very proud to work with him on this issue. It's critically important. Twenty-two veterans every day in this country, the strongest, best country in the history of the world, commit suicide. This bill is an effort to correct that problem.

If I can just focus, in my remaining seconds, on the F–35 joint strike fighter, I know that we have not yet passed the initial operating capability tests and stage. I wonder if you could comment on what you see as the importance of this fifth-generation fighter to the Marine Corps.

General NELLER. Senator, we hope, soon, that we will be able to declare, based on our readiness evaluation, that we are at IOC.

As far as the airplane, it's going to replace three different airframes: the F–18, the Harrier, and the EA–6B. I'm not sure we even realized the potential of this airframe, other than the fact that it's a fifth-generation aircraft and we'll be able to enter airspace of our adversaries that we weren't able to enter before, and safely do whatever the mission is.

The real exciting thing about this airplane, other than we can hold targets at risk as part of the joint force that we didn't—weren't able to hold at risk before, is the electronics and all the information that this thing is going to be able to gather and eventually disseminate to the force on the ground. I'm an infantry guy. Planes are nice, but they're really nice when they drop bombs and they tell me what's on the other side of the hill. So, that's really what I'm interested in. I think, you know, this airplane, potentially, if it does what we believe it's going to be able to do, is not just going to help us do what we do now better, it's going to change how we do what we do. That's what we're going to have to learn as we go through this.

So, it is expensive. The more we build, the more our allies buy, the cheaper it will be. So, I'm excited about the potential that this provides to—not just to the Marine Corps and the naval force, but to the joint force.

Senator BLUMENTHAL. Thank you very much, General.

Thank you.

Chairman MCCAIN. Senator Ayotte.

Senator AYOTTE. Thank you, Chairman.

I want to thank you, General, for your service to the country, and your wife, as well, and your whole family. Appreciate all that you've done and are willing to take on in this important position.

Wanted to ask you about Iraq. I know that several others have asked you about—but having served our country in Iraq, and just seeing that the Director of FBI, James Comey, said, this week, that ISIS now poses a greater terror threat to the U.S. than al-Qaeda, that's pretty telling. What is it that we need to do in Iraq now to address ISIS that we're not doing?

General NELLER. Senator, I'm—my time in Iraq is a bit dated, although I'm somewhat informed in my current job as to what we're doing, as far as Marines and the joint force. So, I think we're doing what we need to do right now. We're training the Iraqis, we're ensuring the provision of equipment and ammunition and supplies. We're working in their operations centers, working with

them, advising them. The only thing that we're not doing is, we're not accompanying them, at least to the best of my knowledge.

So, at the end of the day, whether we do or not, they are the ones that are going to have to do this. They are the ones that are going to have to restore their territory. I believe, based on what I've seen them do in the past, that they have the capability to do that. Because we have to defeat ISIS, we have to get them to a point where they're insignificant and that they're just some people on the Internet saying a bunch of stuff, but they don't have any capability or anything to back it up. Right now, they are not—that's not where they are. They have land, they have terrain, and they're masquerading as a country.

Senator AYOTTE. As you look at what is—where we are with Iraq and our current force posture in Afghanistan, what we have consistently heard from General Dunford and others is that it's important that we have a conditions-based withdrawal from Afghanistan, as opposed to a calendar withdrawal. Would you agree with that? Thinking about what we've seen happen in Iraq, post our leaving.

General NELLER. Senator, it's my military opinion that a condition-based withdrawal is more effective than one based on time.

Senator AYOTTE. Because, obviously, your enemy can wait you out and know when you're going to leave, versus what's happening on the ground. You would agree with me on that?

General NELLER. I would say that's a accurate statement.

Senator AYOTTE. So, as—one thing you said, in terms of what we're doing in Iraq right now, that we've repeatedly had raised in this committee—from your experience on the ground, generally does the employment of joint terminal attack controllers [JTACs] make airstrikes more accurate and effective?

General NELLER. I would agree that the provision or that capability or having that within a—with a maneuver unit makes them more effective.

Senator AYOTTE. So, one of the issues that I think needs to be addressed, obviously, right now, as I understand it, with Iraqi Security Forces—do you believe that our American military dropping airstrikes in Iraq right now would be more effective if JTACs were embedded, at the tactical level?

General NELLER. In principle, yes, Senator, but I—there's got to be some methodology we've worked out, that I'm not witting to, that—you know, for a pilot to go out there, as good as they are, to just find a target, there's got to be some coordination going on, because we do have Americans within their operations centers, so there's got to be some coordination where they're being given at least a general location or a target or something to look at so that they're just not out there flying around. But, I don't know the answer to that, but—so—but, if we—there were controllers, generally a unit is more effective, yes, ma'am.

Senator AYOTTE. Certainly, that's what the JTACs do on the ground, is help our—help ensure that the targets are more precise and effective.

I wanted to ask you also about—you and I spoke briefly about this in my office. With what happened in Benghazi, where brave Americans were murdered, where are we today, in terms of—and one—I think one of the things that all of us were really upset about

was the fact that our military couldn't respond quickly enough to help. Wanted to know where we are today. If we had another Benghazi-type attack in North Africa or the Middle East tonight, would the Marine Corps be in a better position to respond?

General NELLER. Senator, today, post-Benghazi, in what is referred to as the new normal, the Marine Corps deployed a special-purpose MAGTF, a ground combat unit, and some MV-22 Ospreys to Spain. That force has grown. It's a full infantry battalion spread across three bases, and a squadron of 12 Ospreys. They have an alert force on a 6-hour alert. If there was known to be some sort of indications or warning, they could position themselves on other bases in the Mediterranean or even in Western Africa. There's a number of security locations we've established, where we could go, with the support of the host nation.

So, our capability is much greater, particularly if we have some idea that something's going to happen or we know that someone is going to go there, and we need to provide them with protection. So, we're in a much better place than we were at that time.

Senator AYOTTE. Thank you.

Chairman MCCAIN. Senator Graham.

Senator GRAHAM. Thank you.

General, congratulations on your nomination. The Marine Corps, in my view, is the—for—pound for pound, the finest fighting force that we've ever created. So, let's just keep it that way.

Is it true that ISIL is targeting military personnel and their families, calling for attacks against our military personnel and their families here at home?

General NELLER. Senator, I'm not aware that they've specifically targeted American citizens. I am aware that they have put information about American citizens on social media.

Senator GRAHAM. It's my understanding that they've urged people to come after our military personnel and their families, and they're encouraging people here and abroad to do so.

If the recruiters had been armed, do you think things would have been different?

General NELLER. Senator, I don't know.

Senator GRAHAM. I think they would have been. Here's the question I don't want to have ever again, "I don't know"—I mean, the answer. Because we've got to know. So, I think it would have mattered. I know this is not your job, unilaterally, to decide. So, it's now time, in my view, to get real with where we stand as a Nation. They're coming after us here and everywhere else, and we'd better get ready for—to be able to defend our people.

General Dunford said that he thought the greatest threat to America today was Russia, not radical Islam. Do you agree with that?

General NELLER. I agree with General Dunford that, as a nation-state, Russia is probably the greatest threat. But, I believe that the greatest threat to the American people, because they say they want to kill us, is radical extremism.

Senator GRAHAM. Do you agree with me, the greatest threat of all is a radical Islamic nation-state with a nuclear weapon?

General NELLER. Any radical organization with a nuclear weapon is of great concern, Senator.

Senator GRAHAM. Do you agree with me that, if Iran—do you believe that Iran is a radical Islamic nation-state?

General NELLER. I believe that Iran is a state that is involved itself in a number of nefarious activities which have created instability across the Middle East and other parts of the world.

Senator GRAHAM. Do you believe the Ayatollah really means it when he says, "Death to America" and "Death to Israel"?

General NELLER. Senator, I have never spoken to the Ayatollah to ask him that question.

Senator GRAHAM. I doubt if you will. But, given all the behavior of Iran and their past activity, would it be smart to assume the worst when it came to the Ayatollah, and not the best?

General NELLER. It would be my military advice to continue to watch them closely in everything they do, and judge them on their actions, and hold them accountable for those things that they do that violate international law and disrupt the stability of the region and the world.

Senator GRAHAM. Would you agree they're the primary destabilizing influence right now in the Mideast, they're supporting extremist organizations that have toppled four Arab capitals?

General NELLER. I believe that they are an extremely destabilizing force in the Middle East.

Senator GRAHAM. Do you agree with me, Assad wouldn't last 15 minutes without Iranian and Hezbollah help?

General NELLER. Sir, I'm aware that the Iranians are supporting the Assad government. I don't know, if they withdraw, how long he would last or not last.

Senator GRAHAM. Well, but that's——

General NELLER. But, sir——

Senator GRAHAM. Put it this way. He's—they're Assad's main benefactor.

General NELLER. They are providing a great deal of support to him, yes, Senator.

Senator GRAHAM. Do you agree that the pro-American, pro-Western government in Yemen was toppled because of Iranian support for the Houthis?

General NELLER. I believe that the Houthis received a significant amount of support from Iran. To what degree that allowed them to topple that government, that——

Senator GRAHAM. Let's put it——

General NELLER.—would be conjecture on——

Senator GRAHAM.—this way.

General NELLER.—my part.

Senator GRAHAM. If Iran stopped supporting the Houthis, do you think we'd have a different outcome?

General NELLER. Senator, that would be speculative on my part. I've been to Yemen a couple of times. The government they had was troubled. They have a huge amount of tribal and factionalism in there. Clearly, Iranian support to the Houthis facilitated their successful actions in Yemen to topple the Hadi government.

Senator GRAHAM. Do you agree that Hezbollah would have a hard time surviving without Iran?

General NELLER. They would certainly not have the same capability they have today.

Senator GRAHAM. So, my point is, from a Marine Corps——

Chairman MCCAIN. General, you're not answering the Senator's questions. Would you answer that question? Do you believe in that, or not?

Senator GRAHAM. General, I'm not trying to put you in a bad box. I'm just trying to explain to the American people who the Iranians are and what they're up to. That's all I'm trying to do.

Do you agree with me that they are a very destabilizing influence in the Mideast, they're the largest state sponsor of terrorism, and we should know that?

General NELLER. Yes, Senator.

Senator GRAHAM. Okay.

Finally, as to the Marine Corps, you've indicated that, in 1975, the Marine Corps was a place that was in a bad spot. You've come a long way. Do you agree with me that, if we impose sequestration and we fully implement by 2021, the Marine Corps will be in a bad spot?

General NELLER. Yes, Senator.

Senator GRAHAM. At a time we need the Marine Corps the most.

General NELLER. We would not be able to provide the capabilities that we need to provide to the Nation.

Senator GRAHAM. In your time as a marine, have you ever seen a more—a larger need for the United States Marine Corps than today, in terms of the threats we face?

General NELLER. Senator, this is a very challenging time, and I think it's a—this is a time when a force like the Marine Corps would have a great capability to—for the Nation.

Senator GRAHAM. Thank you very much.

Chairman MCCAIN. Well, General, before we close, when you say, "We're doing what we need to do in Iraq," I think—you know, I don't know where you've been. Obviously, ISIS is winning in Iraq. For you not to be in favor of us having forward air controllers on the ground, in some scholastic answer—you know full well, as I do, forward air controllers make the difference. There are—75 percent of the sorties that are flown return to base without firing a weapon.

This line about, "They're the ones that have to do it themselves"—General, they can't do it themselves. We know that. The Iraqis cannot do it themselves. That's why they're losing. That's why they've lost their second-largest city. That's why ISIL continues to make gains. The only people that are fighting against them are the Iranian-backed Shi'ite militias.

So, the Iraqis have to do it, but, without American assistance, including airpower, including forward air controllers on the ground, we're going to see the stalemate. For you to say, "We're doing what we need to do," then maybe you can tell me what we're doing that will win against ISIS. Can you tell me that?

General NELLER. Senator, what we're doing, I believe, is providing advisor teams and support to train——

Chairman MCCAIN. That's succeeding, and that's causing success, is that right?

General NELLER. It's stemmed the tide for ISIS, but it is not removing them from Iraq, so it is not——

Chairman MCCAIN. So, you believe that ISIS is——

General NELLER.—succeeding right now.

Chairman MCCAIN. So, you believe that ISIS is losing.

General NELLER. No, sir, I do not.

Chairman MCCAIN. You believe they're winning.

General NELLER. No, sir, I don't believe they're winning, either. I believe they're at a stalemate right now.

Chairman MCCAIN. They're at a stalemate. When you have a stalemate, then, when the enemy controls the largest—second-largest city in—about a third of it—and the only people that are fighting against them are Shi'a militias backed by Iranians, with Suleimani, who was responsible for the deaths, in General Dunford's testimony, of 500 marines and soldiers, orchestrating the attacks, I don't think we are, quote, "doing what we need to do," General.

I'm going to give you some written questions. I—I'm very disappointed in a number of your answers.

Let me just go back again. You know what happened in that recruiting station, don't you? The guy walked up to the door and shot and killed four marines. You know—that was in the media. I'm sure, no matter what job you're holding, you knew that, didn't you?

General NELLER. Yes, Senator.

Chairman MCCAIN. Then shouldn't we have had those marines be able to defend themselves?

General NELLER. Senator, the marines needed to have the force protection they need. At the recruiting station, there was only one individual wounded. It was at the Reserve Center where they were—where they killed. But, yes, they should have been able to defend themselves, Senator.

Chairman MCCAIN. Thank you.

I'll have some questions for the record.

Chairman MCCAIN. But, General, if you think we're doing what we need to do in Iraq and Syria, then we have a real strong and different view of the situation there. We lost too many good marines in the Battle of Fallujah and Ramadi. Senator Graham and I were over there. One of my sons fought there. For so—for us to say we're doing what we need to do, I think, frankly, is not in keeping with the appreciation we should have for the sacrifice that those brave young people made.

Senator REED. Well, Mr. Chairman, I just simply want to say I don't think anyone understands the sacrifices that the marines made in Iraq better than General Neller. I think his comments are his professional opinions, based upon what he knows, not as the commander in Iraq, but as the aspirant to be the Commandant. But, I certainly think that there's no one that feels more deeply about the situation in Iraq on a personal level, from leading marines there, than General Neller, and that should be part of the record.

Thank you.

Chairman MCCAIN. This meeting is adjourned.

[Whereupon, at 11:49 a.m., the hearing was adjourned.]

[Prepared questions submitted to Lieutenant General Robert B. Neller, USMC by Chairman McCain prior to the hearing with answers supplied follows:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also vastly improved cooperation between the services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Question. Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No, not at this time.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. N/A.

Question. Should service chiefs be given greater authority over and responsibility for their service's acquisition programs?

Answer. I am in favor of ensuring that Service Chiefs have an appropriate balance of authority and responsibility over their service's acquisition programs, and believe there must be appropriate accountability throughout the process. Understanding that many of these programs are lengthy, complicated and expensive, I share the frustration of many in the services that we cannot produce an important combat capability in a more timely and affordable manner.

DUTIES

Question. What is your understanding of the duties and functions of the Commandant of the Marine Corps?

Answer. Section 5043 in title 10 of United States Code clearly prescribes the duties and functions of the Commandant of the Marine Corps. The Commandant, subject to the authority, direction, and control of the Secretary of the Navy, leads the recruiting, training, organizing, and equipping of the Marine Corps to support military operations by combatant commanders. As a member of the Joint Chiefs of Staff, the Commandant is responsible for advising the President, the National Security Council, the Homeland Security Council, and the Secretary of Defense.

Question. What background and experience, including joint duty assignments, do you possess that you believe qualifies you to perform these duties?

Answer. In my over 40 year career as a Marine, I have served in a variety of key service and joint assignments that I believe qualify me to perform the duties of Commandant. I have commanded Marines at all levels including general officer commands as Commanding General, 3rd Marine Division, Commander, Marine Forces Central Command, and my current assignment as Commander, U.S. Marine Forces Command and Commander, U.S. Marine Forces Europe. Other successful general officer assignments have included Director of Operations on the Joint Staff and President, Marine Corps University. In addition to these leadership assignments, I have served as the Director, Operations Division, Plans, Policies and Operations (PP&O) Directorate, Headquarters Marine Corps, Director of Operations, II Marine Expeditionary Force, and Deputy Commanding General, I Marine Expeditionary Force (Forward) during Operation Iraqi Freedom 05–07.

Question. Do you believe that there are any steps that you need to take to enhance your ability to perform the duties of the Commandant of the Marine Corps?

Answer. I do not at this time see the need for significant changes in activities or structures to enhance my ability to perform the duties of the office to which I have been nominated. However, I am confident that opportunities for improvement can and should be pursued. If confirmed, I will continue to study and seek to better understand the full range of issues affecting the Marine Corps and our broader National Security.

RELATIONSHIPS

Question. Other sections of law and traditional practice establish important relationships between the Commandant of the Marine Corps and other officials. Please describe your understanding of the relationship of the Commandant to the following officials:

Secretary of Defense.

Answer. The Secretary of Defense is the principal assistant to the President in all matters relating to the Department of Defense. Subject to the direction of the

President, the Secretary of Defense has authority, direction, and control over the Department.

Question. Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense is the Chief Management Officer of the Department, acting for and on behalf of the Secretary, performing duties and exercising authority the Secretary of Defense prescribes. Subject to the authority, direction and control of the Secretary of the Navy, I would be responsible to the Secretary of Defense and the Deputy Secretary of Defense for the operation of the United States Marine Corps.

Question. The Under Secretaries of Defense.

Answer. The Under Secretaries of Defense are the principal staff assistants and advisers to the Secretary regarding matters related to their functional areas. Within their areas, Under Secretaries exercise policy and oversight functions. They may issue instructions and directive type memoranda that implement policy approved by the Secretary applicable to all DOD components.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman is the principal military advisor to the President and Secretary of Defense. The President directs communications between himself and the Secretary of Defense to the Combatant Commanders via the Chairman of the Joint Chiefs of Staff and may assign duties to the Chairman to assist the President and the Secretary of Defense in performing their command function. If confirmed, I would cooperate fully with the Chairman in the performance of his responsibilities.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman of the Joint Chiefs of Staff performs his duties as a member of the Joint Chiefs of Staff, and other duties as assigned by the Chairman with the approval of the Secretary of Defense. If confirmed, I would cooperate fully with the Vice Chairman in the performance of his responsibilities.

Question. The Secretary of the Navy.

Answer. The Secretary of the Navy is the head of the Department of the Navy and is responsible for, and has authority to conduct, all of its affairs. Except for the title 10 duties and responsibilities as a member of the Joint Chiefs of Staff, the Commandant performs his duties under the authority, direction, and control of the Secretary of the Navy and is directly responsible to the Secretary. The function of the Headquarters, Marine Corps, is to assist the Secretary of the Navy in carrying out his responsibilities. As a member of the Joint Chiefs of Staff, the Commandant is responsible for advising the President, the National Security Council, the Homeland Security Council, and the Secretary of Defense.

Question. The Under Secretary of the Navy.

Answer. The Under Secretary of the Navy is the deputy and principal assistant to the Secretary, and acts with full authority of the Secretary in managing the Department. The Under Secretary serves as the Chief of Staff of the Secretariat and the Chief Operating Officer of the Department. He acts for and on behalf of the Secretary, performing duties and exercising authority the Secretary prescribes. If confirmed, I would be responsible to the Secretary of Navy and the Under Secretary for the operation of the United States Marine Corps.

Question. The Assistant Secretaries of the Navy.

Answer. The four Assistant Secretaries of the Navy set the Department of the Navy's strategic direction by developing and overseeing policies and programs within their respective functional areas. If confirmed, I will ensure coordination with the Assistant Secretaries in addressing matters that may impact their respective domains.

Question. The General Counsel of the Navy.

Answer. The General Counsel is the chief legal and ethics officer of the Department of Navy and serves as counsel to the Secretary and other Secretariat officials. The General Counsel's duties include providing legal and policy advice to officials of the Department of the Navy, as well as making the controlling legal determinations within the Department. If confirmed, I would establish and maintain a close professional relationship with the General Counsel and his staff, and would actively seek his guidance to ensure that United States Marine Corps policies and practices are in strict accord with the law and the highest principles of ethical conduct.

Question. The Judge Advocate General of the Navy.

Answer. The Judge Advocate General of the Navy provides legal and policy advice to the Secretary of the Navy, directs the Judge Advocate General's Corps, and is primarily responsible for providing legal advice and services regarding the Uniform Code of Military Justice. In coordination with the General Counsel of the Navy, the Judge Advocate General serves as military legal advisor to the Secretary of the Navy. The Judge Advocate General maintains a close relationship with the General

Counsel and the Staff Judge Advocate to the Commandant on matters of common interest.

Question. The Assistant Commandant of the Marine Corps.

Answer. With the approval of the Secretary of the Navy, the Assistant Commandant has the authority and duties with respect to the Marine Corps as the Commandant delegates or assigns to him. Orders issued by the Assistant Commandant in performing such duties have the same effect as those issued by the Commandant. If confirmed, the Assistant Commandant and I will work seamlessly to ensure the successful operation of the United States Marine Corps.

Question. The Chiefs of Staff of the Army and Air Force.

Answer. The Chiefs of Staff of the Services organize, train, and equip their respective forces. Combatant commanders cannot ensure preparedness of their assigned forces without the full cooperation and support of the Service Chiefs. As a member of the Joint Chiefs of Staff, the Service Chiefs are obligated to provide military advice. The experience and judgment of the Service Chiefs provide an invaluable resource for the combatant commanders and the national command authority. If confirmed, I will continue the close bond between the Commandant of the Marine Corps and the Service Chiefs.

Question. The Combatant Commanders.

Answer. The combatant commanders are responsible to the President and to the Secretary of Defense for the performance of missions assigned by the President or by the Secretary with the approval of the President. Subject to the direction of the President, the commander of a combatant command performs duties under the authority, direction, and control of the Secretary of Defense; and is directly responsible to the Secretary for the preparedness of the command to carry out missions assigned to the command. Title 10 makes the Commandant of the Marine Corps responsible for organizing, training, and equipping forces in support of combatant commanders. Fundamentally, these duties and responsibilities are to prepare the Marine Corps to fight and win on the battlefield. Provision of the service specific and joint capabilities required by combatant commanders to perform their missions—today and in the future—forms a large basis of the Commandant's responsibility. Today's security environment dictates that the USMC work closely with the combatant commanders to execute our national military strategy.

MAJOR CHALLENGES AND PRIORITIES.

Question. In your view, what are the major challenges that will confront the next Commandant of the Marine Corps?

Answer. The next Commandant of the Marine Corps will continue to be faced with the readiness challenges that exist during a period of fiscal austerity. The Marine Corps is the nation's force-in-readiness, and the next Commandant will be responsible for ensuring the Nation has that immediate response capability when they need it. Other significant challenges confronting the next Commandant will include modernization and recapitalization of equipment for the future force.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. The current Commandant and the Corps' senior leadership have been wrestling with these challenges for the past several years. Today our Marines are operating forward around the globe performing the mission of America's expeditionary force-in-readiness. If confirmed, I will ensure those Marines deployed and those next to respond have the resources and training they need to be successful. I will also continue some of the initiatives instituted to meet our readiness and training challenges such as developing better readiness metrics, improving leader-to-led ratios, identifying key enlisted leader billets and investing more time in the development of those key leaders. If confirmed, I will also work with the Congress on reforming our acquisitions process to achieve a faster, more cost effective means of getting the equipment that our warfighters need for today and tomorrow.

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Commandant of the Marine Corps?

Answer. If confirmed, readiness will remain a top priority. I will ensure that the American people have a Marine Corps that's ready to respond when the Nation is least ready.

We are a people organization. We have the finest young men and women in our ranks that the Nation has to offer. I will look at ways and means to continue to recruit and retain the highest quality individuals and provide the best opportunities for each Marine to be successful.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the execution of the functions of the Commandant?

Answer. The most serious problems in the execution of the functions of the Commandant are the ability to meet the title X responsibilities of manning, training, and equipping the expeditionary crisis response force needs of the combatant commanders in today's security environment within the fiscal constraints of the current economic landscape. The task of applying resources in a way that successfully addresses both near-term and long-term challenges is a difficult one for every service even in a normal budget process. The request for forces in response to the "New Normal" security environment challenge clearly presents problems to both the Services who provide forces and combatant commanders who request them. More immediately, the continuation of sequestration or of 'sequestration-like' budgeting practices affixes every Service Chief in a position where short-term remediation efforts begin to dominate their time, at the expense of long-term service planning, concept development and human capital management.

Question. If confirmed, what management actions and associated timelines would you establish to address these problems?

Answer. If confirmed, I will pursue institutional reforms to improve readiness reporting and assessment. To mitigate fiscal challenges I will seek balance between current readiness demands and future modernization through a strategy development process that examines today's security requirements and future challenges.

ORGANIZE, TRAIN, AND EQUIP RESPONSIBILITY

Question. The Commandant of the Marine Corps is responsible for organizing, training and equipping forces provided to Corps and component commanders, including the prioritization of funding and effort to meet these needs in the near term, while developing capabilities for the far term.

How would you characterize your experience in force management and capability requirement decisions?

Answer. I would characterize my experience as well versed and justly qualified. Over the last three years, I served two years as Commander, Marine Forces Central Command, and the last year as Commander, U.S. Marine Forces Command and Commander, U.S. Marine Forces Europe. I was primarily responsible for force management and capability requirement decisions in all three capacities to promote regional security, maintain proven partnerships and interagency cooperation, and deter and defeat transnational threats.

Question. What innovative ideas are you considering for organizing, training and equipping the Marine Corps?

Answer. The Marine Corps has proven itself in combat throughout its history, but more pertinently, over the past 14 years in Iraq and Afghanistan. The unique organization of America's force-in-readiness as an air-ground team, naval in character and expeditionary in nature, has been proven as relevant to address the nation's crisis and contingency response options. If confirmed, I will continue to exercise the title X responsibilities of the Commandant of the Marine Corps to meet this relevant and necessary national requirement.

I will continue to look at ways to improve how Marines are trained and educated to meet future security challenges, exercise experimentation to identify ways to improve how our Marine Air-Ground Task Forces (MAGTFs) are employed, and leverage new systems and innovative technologies to improve how we perform our mission.

SECURITY STRATEGIES AND GUIDANCE

Question. How would you characterize current trends in the range and diversity of threats to national security we face today?

Answer. Current trends are producing an increasingly complex security environment. State and non-state actors alike present a challenge to U.S. and international security. Proliferation of nuclear weapons and technology among non-nuclear states and non-state actors will remain a top concern. Adversaries have access to advanced, dual use technologies, scientific techniques, and open source knowledge that could result in the engineering of chemical and biological weapons and improved dispersal methods. Terrorists continue to seek capability to conduct a significant attack against the United States, and cyberspace will increase as a contested domain.

Should major operations and campaigns occur, they are likely to have a significant maritime and littoral dimension.

The Defense Strategic Guidance issued January 2012 took into account a $487 billion dollar reduction in defense resources.

Question. With the additional $500 billion in cuts to the Department of Defense as a result of sequestration, is the Defense Strategic Guidance still valid?

Answer. I concur with what Chairman Dempsey testified to earlier this year, that we are on the edge of acceptable risk. Further cuts will require a reassessment of the strategy.

Question. In your view, as Russian aggression and the emergence of ISIL have occurred since the Defense Strategic Guidance was issued in January 2012, is that strategic guidance still appropriate for the threats we face today or do you think an update is warranted?

Answer. Although Russia has asserted more opportunistic aggression since the DSG was published, engagement remains an important means to achieving regional stability. Enhancing the capabilities of partner nations and conducting interoperable coalition operations remains significant. As for ISIL, DSG objectives of security, non-proliferation, countering violent extremists, and upholding commitments remain valid. The DSG appropriately identifies continued U.S and allied presence in the region to achieve these objectives.

Question. In your view, is our defense strategy and current establishment optimally structured, with the roles and missions of the Military Departments appropriately distributed, and U.S. Forces properly armed, trained, and equipped to meet security challenges the Nation faces today and into the next decade?

Answer. The Defense Strategy as laid out in the 2014 Quadrennial Defense Review and the Defense Strategic Guidance is still valid, with the roles and missions of the Military departments adequately distributed to meet current and potential threats.

Question. If confirmed, what changes, if any, would you propose to the capabilities, structure, roles, and missions of the defense establishment?

Answer. I believe continual assessment is necessary to ensure the Department is optimally aligned to safeguard our national defense. If I identify an area that needs change, I will address it in the appropriate forums.

MILITARY CAPABILITIES IN SUPPORT OF DEFENSE STRATEGY

Question. In your opinion, do current military plans include the necessary capabilities to meet the defense strategy stated in the 2014 QDR? Please identify areas of higher risk.

Answer. Yes, but I am very concerned that over the past few years, the Marine Corps' ability to recapitalize and modernize for the future security environment has been undermined due to lower than optimal budgets and the need to fully resource deployed and next-to-deploy Marines.

Question. Does the 2014 QDR specify the correct set of capabilities to decisively win in future high-intensity warfare?

Answer. The 2014 QDR correctly specifies the set of capabilities needed to win decisively in future high-intensity warfare, but the Marine Corps needs to keep its technological advantage by investing more in the long-term modernization of its warfighting equipment. I do not believe that the current budget levels allow for that modernization to occur given the other demands on the Marine Corps.

According to the force sizing construct in the 2014 QDR, American forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region."

Question. In your opinion, does the Department's force sizing construct provide adequate capability to address the country's current threat environment?

Answer. The Marine Corps is the Nation's force-in-readiness and is sized to 182,000 Marines to meet the current guidance. In my opinion, this is the maximum allowable risk that the Marine Corps can accept in the current threat environment. We are operating at a 1 to 2 deployment to dwell ratio, which is not sustainable over the long term.

Question. Is the Marine Corps adequately sized to meet this requirement?

Answer. The Marine Corps is adequately sized to meet the current requirement in the short term, but I am concerned about our capacity to meet unexpected operational demands, especially in the event of a Major Contingency Operation. We would be "all in," and would be unable to support other commitments around the world to include theater security cooperation.

Question. If the Marine Corps cannot meet the demands placed on it, how will you address this issue?

Answer. The Marine Corps is the Nation's force-in-readiness and I will ensure that those Marines deployed and next-to-deploy are fully supported. I will take risk in home station units readiness, which is our Ready Force that can respond to crises or major combat operations.

DEFENSE REDUCTION

Question. In your view, what have been/will be the impacts of the following defense budget reductions on the Marine Corps' capability, capacity, and readiness:

Initial Budget Control Act reduction of $487 billion?

Answer. The passage of the Budget Control Act coincided with our planned reduction in force structure. Since our end strength above 182,000 was financed in OCO, we were able to operate effectively. However, we already had to accept risk by reducing our end strength to 182,000.

Question. Sequestration in FY 2013?

Answer. The Marine Corps was able to absorb the mandated cuts due to sequestration in 2013 primarily by leveraging unencumbered Overseas Contingency Operations funds and unexpended investment resources. However, the furlough of civilians during the summer of 2013 severely damaged the morale of our Civilian Marines.

Question. Reduction of $115 billion in projected spending in the FY 2015 budget, in line with the 2014 Quadrennial Defense Review?

Answer. The Bipartisan Budget Act of 2013 provided the Marine Corps with a stable funding profile for both Fiscal Years 2014 and 2015. Even with this stability, the funding levels were below the optimal level to achieve balance across the force in terms of readiness and modernization. I have concerns about underfunding our investment programs, which is critical to the long-term readiness of the Marine Corps.

Question. Sequestered Budget Control Act discretionary caps starting in FY 2016 onward?

Answer. If the Marine Corps budget for FY 2016 and beyond is capped at the Budget Control Act levels, the Marine Corps will be unable to meet its obligations to the Defense Strategic Guidance and the National Security Strategy. The permanent end strength of the Marine Corps would need to be reduced below the planned levels of 182,000. I would need to rely on Overseas Contingency Operations funding, which are not subject to the discretionary caps, to meet the obligations under the DSG and the NSS.

The fiscal year 2016 budget request assumes that the Budget Control Act will be amended in fiscal year 2016. The fiscal year 2016 Budget Resolution passed by the Senate and House of Representatives do not assume this, but instead provides $38 billion of the requested spending through the Overseas Contingency Operations (OCO) budget.

Question. Should this OCO funding not be available, what recommendations would you have, if confirmed, for how the Marine Corps should manage additional cuts for fiscal year 2016?

Answer. Without OCO, the Marine Corps would not be able to meet the requirements of the current Defense Strategic Guidance and would result in a Marine Corps with fewer trained and ready Active Duty battalions and squadrons than would be required for a single major contingency.

Question. What are your views on the impact that these cuts could have on readiness for the Corps?

Answer. We are relying on OCO funding today for many requirements that have become enduring. Without OCO, the readiness of the Marine Corps will be significantly impacted, especially to home-station units. I will shift as many resources as needed to ensure the readiness of units deployed and those next-to-deploy.

Question. What are your views on the impact that these cuts could have on Marine capabilities?

Answer. The capabilities of the Marine Corps will be diminished.

INTERNATIONAL PARTNERSHIPS

Question. Interactions between the naval and marine forces of different countries are often conducted at the Chief of service level, including international exercises, Foreign Military Sales, educational exchanges, and protocols for operations.

If confirmed, how do you plan to ensure the Marine Corps continues to build strong partnerships, overcome challenges, and exploit opportunities in international cooperation?

Answer. I believe that in order to be postured as the nation's crisis response force, we must continuously engage with ally and partner security forces around the globe,

to gain access and build relationships. The Marine Corps does this through its component headquarters to the Combatant Commands. The current security climate and fiscal uncertainty call for increased cooperation with our allies and partners to encourage burden-sharing, project United States presence, and build security globally. Security Cooperation activities, such as those executed by the Marine Expeditionary Units and Special Purpose Marine Air-Ground Task Forces, enable our own operational readiness while developing interoperability with our strategic partners and building partner security force capabilities to support more effective coalition operations and contribute to their own defense. However, our strategic engagement should focus not only on our most capable partners, but also on the partner security forces who can benefit from the ethos, professionalism, and relatively smaller size of the Marine Corps.

If confirmed, I would seek to maintain the current initiatives that have made the Marine Corps the partner of choice for amphibious operations and combined arms, while orienting the Service for the future operating environment.

Question. How would you characterize your familiarity with international marine leaders, forums, and processes?

Answer. As a result of my previous experiences, including most recently my positions at Marine Forces Central Command and Marine Forces Europe, I am very familiar with international Marine and Naval Infantry leaders, as well as leaders of other international allies and partners who share similar mission sets. If confirmed, I will continue to leverage various means to build and reinforce personal relationships to cooperatively build a more secure and stable international environment. These engagement opportunities will range from senior-level conferences and formal staff talks to personal interaction during travel to partner nations or visits by partner nation leaders to the U.S. I will continue to leverage service programs, such as Foreign Military Sales and personnel exchanges, to advance U.S. Government and Department of Defense objectives.

JOINT OPERATIONS

Question. Naval operations are becoming increasingly "joint" as Marines plan to deploy in larger numbers and on a wider range of ships; the U.S. Army and Air Force begin to invest in counter-maritime capabilities; and air and naval forces continue to develop and implement interoperable capabilities to defeat anti-access and area-denial (A2/AD) networks—a process that started with the Air-Sea Battle Concept in 2010.

How would you characterize your familiarity with the other services' capabilities and how they organize, train and equip their forces?

Answer. In my current position I have become very familiar with how the Army and Air Force organize, train, and equip and as Marines we work side by side with and share a similar approach to problem solving as the Navy. The most salient aspect of Joint Force capabilities is that we are all reliant on the capabilities of the other Services, Special Operations Command, other departments within the U.S. Government, and our closest allies to execute the diverse set of missions needed to ensure our continued security.

Question. Are there other innovative ideas you are considering to increase Joint interoperability and ensure opportunities to improve cross-domain capability and capacity are not missed?

Answer. As our Nation's premier crisis response force in readiness, there is a high probability that forward stationed and deployed Marine Expeditionary Forces will be the first forces on the scene of a developing crisis. As such Marines will provide critical enabling capabilities for follow-on Joint Forces. Therefore, interoperability is a must.

If confirmed, I will work closely with the other Service Chiefs and combatant commanders to increase our ability to share information in an environment where we are likely to lose communications or security for periods of time. In the current and future threat environment it is essential that the services continue to develop our compatibility, through equipment procurement, electronic systems, and training regimens. In this way, the Marine Corps, as the Nation's force in readiness, will not only be the most ready when the Nation is least ready, but also be able to bring other services into the fight when necessary.

CAPACITY AND END STRENGTH

Question. Is the Marine Corps' end strength large enough to execute the 2015 National Military Strategy? (CD&I)

Answer. The currently budgeted force, which decreases to 182k in FY17, remains the force that assumes the maximum allowable risk that can meet the current De-

fense Strategic Guidance. The Marine Corps has yet to fully analyze the 2015 National Military Strategy to determine if the planned force size is adequate to meet the new strategy.

Question. Is the capacity of the Corp's sufficient? Is the balance between the institutional support base and the deployable combat units about right? (CD&I)

Answer. The current budgeted force is the maximum allowable risk that I am willing to accept. We are operating at a 1 to 2 deployment to dwell ratio, which is not sustainable over the long term. Our capacity to meet unexpected operational demands is stressed, especially in the event of a Major Contingency Operation.

Question. What is you view as how to best leverage the Marine Corps Reserves?

Answer. The Marine Corps Reserve and its associated programs exist to augment, reinforce and sustain the Active component as an integral part of the Marine Corps Total Force. In addition to providing operational and strategic depth, they provide individual augmentation to regional Marine Forces and Marine Expeditionary Force staffs to reinforce the Active Component across all warfighting functions.

Question. Are the end strength, capabilities and readiness of the Marine Reserves adequate to reinforce the Active component for current operations? For planned contingencies?

Answer. Yes, however many of the same concerns regarding readiness, training, and education that I expressed for the Active Force also apply to the reserves.

HEADQUARTERS STREAMLINING

Question. The Senate-passed Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the Military Departments.

If confirmed, and if the provisions in the bill become law, what would be your role in streamlining functions, as well as identifying and implementing reductions in the Marine Corps headquarters?

Answer. I will appoint key representatives to work with counterparts from the Department of Defense and our sister services to consider functions that could potentially be consolidated or streamlined. We will first and foremost make recommendations and decisions that are critical to the mission. If any decisions result in reductions in personnel, the Marine Corps will make those decisions following a strategic review of our workforce.

Question. What areas and functions, specifically and if any, do you consider to be the priorities for possible consolidation or reductions within the Marine Corps?

Answer. I have no specific recommendations at this time. We would obviously look for areas of redundancy or where consolidation or reductions would be the least impactful. The potential for consolidation or reduction of functions is not something to take lightly. A thorough review and analysis of what we do now, what could be done better, what makes sense, and the resulting impact on our personnel, both military and civilian, must be completed before any recommendations and decisions are made.

Question. To the extent that the Corps has functions that overlap with the Department of Defense, Joint Staff, or other Military Departments, what would be your approach to consolidating and reducing redundancy?

Answer. These decisions would need to be made on a case-by-case basis. I would first require a thorough analysis of what is currently being done by all staffs and departments, what could be done better, what makes sense and the resulting impact on our personnel, both military and civilian. These steps must be completed before any recommendations and decisions are made. If decisions require reductions in personnel, the Marine Corps will make those decisions following a strategic review of our workforce.

Question. Is the Marine Corps on track to reduce the size of its headquarters in accordance with Secretary of Defense's directive of 2013?

Answer. The Marine Corps is on track to meet the Secretary of Defense's direction to reduce the size of its headquarters, to include the number of civilians and military personnel. I will commit to working with the Secretary and the Congress to keep our headquarters as lean as possible while providing support to the operating forces throughout the world.

READINESS

Question. What is your general assessment of the current state of readiness of the Marine Corps?

Answer. For over a decade, Marines have proven their mettle in responding to a wide range of crises worldwide. Doing so, however, has caused stress on home station units. We have appropriately prioritized the readiness of those Marines who are

forward deployed and in harm's way. I am concerned about the long term implications to our equipment modernization and infrastructure sustainment should sequestration-level funding return.

Question. Are the infantry regiments and battalions of the Marine Corps at acceptable levels of readiness?

Answer. Our deployed infantry battalions and regimental command elements are ready to operate across the range of military operations. However, full spectrum readiness varies among home station infantry units. We depend on a budget that protects current unit readiness and long-term investments—this is all part of balanced institutional readiness. Currently, institutional readiness is out of balance as resources that would otherwise have been applied to non-deployed units and investment accounts are re-prioritized to deployed and next-to-deploy units to safeguard near-term operational unit level readiness. The availability of amphibious shipping for training further complicates the attainment of full spectrum readiness for all infantry units.

Question. Are units in the key supporting arms (i.e. armored reconnaissance, tank, artillery and engineers) at acceptable levels of readiness?

Answer. Our forward deployed and forward engaged units are ready to operate across the range of military operations. However, full spectrum readiness varies among home station units.

Since the Marine Corps deploys task organized forces to meet combatant commander requirements, key supporting arms units continue to balance the demands of providing ready units to task organized forces for worldwide employment against the requirement to generate whole unit capabilities to operate across the full range of military operations.

Question. What is the level of readiness in the fixed and rotary winged squadrons and wings? Is this adequate?

Answer. Over a decade of sustained combat operations and high operations tempo, coupled with chronic underfunding of sustainment activities and the current fiscal environment has led to degraded readiness in Marine Aviation. We are currently able to meet all operational commitments with ready forces, but these forces often achieve the required level of readiness just prior to deployment. Prioritizing forward deployed readiness comes at the expense of next-to-deploy and non-deployed units.

Current levels of readiness are not adequate for our nation's force-in-readiness. Across the Marine Aviation fleet, our non-deployed squadrons are 20 percent short of the required number of aircraft needed to train or to respond to contingency or crisis. Among the factors contributing to readiness shortfalls are: aviation depot capacity and throughput shortfalls; underfunding in flying hour and other sustainment and logistics accounts; lack of experienced and qualified personnel; slower than needed procurement funding for recapitalization of legacy aircraft.

Question. How deep is the "bench" of ready units available for deployment beyond the deployed MAGTFs and Special Purpose MAGTFs?

Answer. Home station units constitute the ready force that would respond to unforeseen crises or major contingency. The Marine Corps retains the capacity to support its portion of the strategy; however, I am concerned about our ability to generate ready follow-on or surge forces should they be requested by the combatant commanders. Since the Marine Corps fights as task organized forces, I am particularly concerned about Marine Corps aviation readiness. Our ready aviation "bench" is too shallow and does not have the resources it needs to train and be ready for future challenges. Specific details cannot be discussed in this unclassified forum.

Question. Given current operational tempo is the Corps able to maintain its desired BOG dwell ratios for its ground and air units?

Answer. The Marines Corps seeks to allocate forces supporting current operations with a deployment-to-dwell range of 1:2 to 1:3 for the majority of our units. We will work with the combatant commanders and provide forces that support operational and Service requirements.

Question. If readiness is not at acceptable levels, what is your vision and plan to achieve required levels?

Answer. The Marine Corps continues to reconstitute to a ready force after over a decade of persistent conflict. As the Nation's ready force, the Marine Corps does not have the luxury to take an operational pause after completing major operations in Iraq and Afghanistan. I will prioritize the resetting of Marine Corps equipment and restore home station readiness. Near-term readiness remains a top priority. I will work with the Department's leadership and the Congress to ensure the Marine Corps is properly resourced to deliver a ready Marine Corps today and in the future.

Question. If confirmed, what will be your priorities for maintaining readiness in the near term, while modernizing the Corps to ensure readiness in the out years?

Answer. Near-term operational readiness and the readiness of those Marines who are forward deployed and forward engaged remain my top priority. I will ensure that our manning, training, and equipping processes support the next generation of ready Marines to answer the Nation's call. I will work with the Department's leadership and the Congress to ensure the Marine Corps is properly resourced to deliver a ready Marine Corps today and in the future.

BUDGET

Question. Is the Marine Corps' budget adequate to execute operations, maintain readiness, procure needed weapons and equipment, modernize, and sustain quality of life?

Answer. The FY 2016 budget represents the limit of acceptable risk for the Marine Corps in terms of both end strength and funding; while we can meet the requirements of the Defense Strategic Guidance today, there is no margin. The budget rightly prioritizes near-term readiness at the expense of modernization and facilities, which is not sustainable in the long-term.

FINANCIAL MANAGEMENT AND AUDIT

Question. The Department of Defense Office of Inspector General recently withdrew its previously clean opinion on the Marine Corps' FY12 Statement of Budgetary Activity (SBA). This is a significant setback not only for the Marine Corps, but also for the Department, as the Marine Corps was supposed to be the first service to attempt an audit, and the clean opinion was initially hailed as evidence of the Department's progress on audit.

Should the Marine Corps have declared it was audit ready in FY14, given the fact it has not corrected its known financial management weaknesses?

Answer. Yes, we were ready for the FY14 audit. We had successfully completed all the work and answered all the audit questions from the auditors for both the FY12 and FY13 audits, and we were prepared to do the same for FY14. We also knew the nature and impact of previously identified Marine Corps and DOD financial management and system weaknesses, and we understood the status of ongoing corrective actions. None of these known weaknesses were showstoppers for the audit, and corrective actions frequently take multiple years to fully implement. Conducting the FY14 audit helped identify additional Marine Corps improvement areas, and resulted in the DODIG and our Independent Public Accounting firm identifying a significant DOD-wide accounting issue.

Question. If confirmed, how will you ensure that the Marine Corps is implementing corrections to its financial management systems and processes necessary to ensure it can undergo audit of its full financial statement in FY18?

Answer. The Marine Corps has a well-established plan to be ready for the full financial statement audit by FY18 and to implement improvements to its financial management and business processes and systems. Success in achieving full auditability is a top priority as we demonstrate good stewardship of the nation's resources, and we are committed to making fiscally informed decisions.

RECRUITING AND RETENTION

Question. What do you consider to be the key to the Marine Corps' success in recruiting the highest caliber American youth for service and retaining the best personnel for leadership responsibilities?

Answer. The key to Marine Corps' recruiting success is the continued focus on finding highly qualified young men and women who are seeking the challenge of serving their nation. Continued access by recruiters to high schools and colleges not only assures the opportunity to engage a diverse and quality market, but also a market with the proven mental abilities to serve in technically challenging fields. Another key component of our recruiting success is the Marine Corps' image of smart, tough, elite warriors. The time proven intangible benefits of service, pride of belonging, leadership, challenges, and discipline are what we offer. Those attributes are what allows us to remain America's Force in Readiness.

Question. What steps do you feel should be taken to ensure that current operational requirements and tempo do not adversely impact the overall readiness, recruiting and retention, and morale of the Marine Corps?

Answer. Effective recruiting will require that we continue to maintain a high quality and properly resourced recruiting force. I also believe sustaining an operational tempo of at least 1:2 will ensure that our readiness, retention, and morale remain high.

Question. What is your assessment of current recruiting standards, particularly DOD-wide criteria for tier-one recruits, and their propensity to accurately predict minimal attrition and future success in military service?

Answer. If confirmed, I will carefully review the compensation reforms and the effects on recruiting and retention.

Question. What impact, if any, do you believe the Department's proposals aimed at slowing the growth of personnel and health care costs will have on recruiting and retention in the Marine Corps?

Answer. I believe the Department's reforms can promote recruiting and retention necessary to maintain the All-Volunteer Force. If confirmed, I will continue to carefully review all compensation reforms for any effects on recruiting and retention.

Question. Do you believe that if Congress does not support these proposals, the resultant pressure on training and modernization resources could begin to harm retention?

Answer. I believe that all personnel costs—including compensation reforms—must be viewed through the lens of overall readiness, to include training, equipping, and modernizing our Marine Corps. If confirmed, I will carefully review the compensation reforms and the effects on overall readiness to ensure your Marine Corps has the proper balance to maximize its crisis response and warfighter capabilities.

MILITARY COMPENSATION

Question. What is your assessment of the adequacy of military compensation?

Answer. The Marine Corps is meeting our recruiting and retention goals, and the current compensation package helps produce the force we need. If confirmed, I will continue to assess the adequacy of military compensation to ensure we recruit and retain the highest quality Marines.

Question. What recommendations would you have for controlling the rising cost of personnel?

Answer. Given the fiscal constraints on the Department of Defense, I believe that the compensation proposals put forward by the President in the 2016 budget request are reasonable measures to slow the growth in military compensation in order to strike a balance between personnel costs, training, equipment, and modernization that protects readiness.

Question. Do you personally support the Administration's compensation and health care proposals?

Answer. Yes, I support these proposals. They slow the rate of compensation growth which is necessary for the Marine Corps to maintain readiness under current budget constraints. This budget achieves the necessary and appropriate balance in compensation, training, equipment and modernization. It sustains the recruitment and retention of high-quality personnel needed to defend our Nation, while still providing quality compensation and health care benefits to our Marines. If confirmed, I will continually assess compensation and health care to ensure that we continue to maintain this balance.

Question. As the Marine Corps has the highest percentage of servicemembers who leave after their first term, what is your assessment of the adequacy of compensation and benefits available for non-career servicemembers?

Answer. By design, the Marine Corps is a young service and purposefully retains fewer servicemembers at the first reenlistment decision point than the other services. Today, we are meeting all of our recruiting and retention goals and the quality of the force is extraordinary. Based on those facts, I believe compensation and benefits for non-career servicemembers are adequate.

Question. Former Commandant, General Amos, and the Sergeant Major of the Marine Corps Barrett have talked about the nexus between what marines are paid today and the dangers associated with becoming, as they put it, "an entitlement-based, health-care providing based Marine Corps," implying a relationship between the military compensation and benefit system and the ethos of military service.

Do you share these concerns?

Answer. Our Marines must be paid adequately and their families should be supported through various programs like housing, child care, health care, and commissary and exchanges. However, the Marine Corps' primary recruiting and retention motivator is our culture and warrior ethos; it is what Marines sign up for and what we deliver.

Question. If so, what are the implications for the All-Volunteer Force?

Answer. If confirmed, I will continually assess compensation to ensure that we continue to maintain the right balance between compensation, training, equipment, and modernization.

EDUCATION FOR MARINES

Question. An important feature of the Post-9/11 GI Bill is the ability of career-oriented Marines to transfer their earned benefits to spouses and dependents.

What is your assessment of the effect of the Post-9/11 GI Bill on recruiting and retention of Marines?

Answer. I believe that the Post-9/11 GI Bill positively contributes to recruiting and retaining high quality Marines. For recruits, education benefits, including the Post 9/11 GI Bill, are cited as the most influential benefit in making the decision to join the Marine Corps. In regard to retention, the ability to transfer Post 9/11 GI Bill benefits directly influences retention by requiring 4 additional years of service. In addition, 53 percent of Marines indicated that the ability to transfer their benefits was an influence to stay in the Marine Corps.

Question. In your view, what has been the effect of the transferability option on retention and career satisfaction of Marines?

Answer. According to Marine Corps surveys, for all non-retirement eligible Marines who were required to make an FY15 reenlistment decision, 53 percent indicated that the ability to transfer their benefits was an influence to stay in the Marine Corps.

Question. How important do you believe tuition assistance benefits are to young Marines, and what trends do you see in the Marine Corps' ability to pay for such programs at current levels over the FYDP?

Answer. Post-secondary education is an important part of individual Marines personal and professional development. Encouraging qualified Marines to utilize any and all resources to better themselves via education and training is part of the Marine Corps ethos. This leads to better Marines and in turn better citizens. I understand that the Marine Corps is adequately funded to provide tuition assistance benefits to qualified Marines. In addition, the Post 9/11 GI Bill provides a very generous education benefit.

Question. What changes, if any, would you recommend to current eligibility criteria for tuition assistance?

Answer. I believe the Marine Corps is properly executing the tuition assistance program. I have no recommendations to change current Marine Corps eligibility criteria at this time. However, as with other programs, we are constantly reviewing eligibility criteria for efficient and effective use of resources.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. The Department in January, 2013, rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and gave the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The Marine Corps continues to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development of these standards?

Answer. If confirmed, I will ensure that during the review, validation and development of Marine military occupational standards, they are operationally-relevant, occupation-specific, and gender-neutral.

Question. If confirmed, will you ensure that the standards are realistic and preserve, or enhance, military readiness and mission capability?

Answer. Yes.

Question. Do you believe that decisions to open positions should be based on military requirements and that assignment decisions should be made solely on the basis of a servicemember's ability to meet validated gender-neutral occupational standards? If so, what steps would you take to ensure that such decisions are made on these bases?

Answer. Yes. The Marine Corps Force Integration Plan is a deliberate, measured, and responsible approach to research, set conditions and integrate female Marines into ground combat arms MOSs and units to the maximum extent possible. The Marine Corps' unwavering focus remains on combat effectiveness and ensuring the fullest success of each Marine. Recommendations to the Secretary of the Navy, Secretary of Defense, and the Congress will be made in that context.

Question. Do you believe that any marine, male or female, who can meet the performance criteria the Corps is currently testing and validating, should be given the opportunity to serve in those occupations, including Infantry?

Answer. The Marine Corps' top priority is combat effectiveness and the accompanying high state of readiness to meet emerging challenges across the range of military operations. The Marine Corps will ensure that all individuals regardless of gender are assigned to serve in an occupational specialty for which they are most fully qualified.

RELATIONSHIP BETWEEN STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS AND COUNSEL FOR THE COMMANDANT, UNITED STATES MARINE CORPS

Question. How are the legal responsibilities of the Marine Corps allocated between the Staff Judge Advocate to the Commandant and the Counsel for the Commandant?

Answer. The Staff Judge Advocate to the Commandant of the Marine Corps (SJA to CMC) is the senior uniformed legal advisor to the Commandant and Headquarters, Marine Corps staff and agencies. In particular, the SJA to CMC supervises and manages the legal matters arising in the Marine Corps regarding military justice, operational law, civil and administrative law, legal assistance, and ethics, and any other matters as directed by the SECNAV and the CMC.

The Counsel for the Commandant of the Marine Corps, as a component of the Office of the General Counsel of the Navy, provides the Marine Corps with legal advice in the following areas: acquisition law, including international transactions; business and commercial law; real and personal property law; civilian personnel and labor law; fiscal law; environmental law; intellectual property law; ethics and standards of conduct.

Question. Who has responsibility for providing legal advice on military justice matters in the Marine Corps?

Answer. The SJA to CMC is responsible for delivering military justice advice to the Commandant of the Marine Corps and Headquarters Marine Corps. In all other commands throughout the Marine Corps, judge advocates are responsible for providing legal advice on military justice matters.

Question. What is the role, if any, of the Counsel for the Commandant in the duty assignments of Marine Corps judge advocates?

Answer. The Counsel for the Commandant has no formal role in the duty assignments of judge advocates. The statutory responsibility for the assignment of Marine Corps judge advocates remains with the Commandant. By SECNAVINST, the SJA to CMC is responsible for advising DC, M&RA on the assignment of judge advocates.

Question. What is your view of the need for the Staff Judge Advocate to the Commandant to provide independent legal advice to the Commandant of the Marine Corps?

Answer. The ability of the SJA to CMC to provide independent legal advice to the Commandant is paramount. The SJA to CMC's legal advice is independent because he is not subject to evaluation or supervision in the content of his advice from anyone other than the Commandant. Similarly, 10 U.S.C section 5046 prohibits any officer or employee within the Department of Defense (DOD) from interfering with the SJA to CMC's ability to provide independent legal advice to CMC.

Question. What is your view of the responsibility of Marine Corps judge advocates to provide independent legal advice to Marine Corps commanders?

Answer. Like the SJA to CMC, Marine Corps judge advocates at all levels must be able to provide—and commanders must receive—independent advice. 10 U.S.C section 5046 also prohibits interference with the ability of Marine judge advocates to provide independent legal advice to their commanders.

JOINT OFFICER MANAGEMENT

Question. What is your assessment of the effectiveness of the Goldwater-Nichols-required Joint Qualification System?

Answer. I believe that the Goldwater-Nichols joint officer requirements have improved the breadth of experience and overall quality of our senior officers. In addition, the establishment of the 'experience path' a few years ago to attain Joint Qualification created another avenue for our best performing field grade officers to be fully qualified. It has proved to be a valuable enhancement to Goldwater-Nichols.

Question. Do you think additional changes in law or regulation are needed to respond to the unique career-progression needs of Marine officers?

Answer. No.

Question. In your view, are the requirements associated with becoming a Joint Qualified Officer, including links to promotion to general and flag officer rank, consistent with the operational and professional demands of Marine officers?

Answer. Yes. The requirements are consistent with the Marine Corps' ongoing efforts to continue with the alignment, cooperation and coordination between the services and the combatant commanders in joint training, education, and execution of military operations.

Question. If not, what modifications, if any, to the requirements for joint officer qualifications are necessary to ensure that Marine officers are able to attain meaningful joint and service-specific leadership experience and professional development?

Answer. N/A

Question. In your view, what is the impact of joint qualification requirements on the ability of the services to select the best qualified officers for promotion and to enable officer assignments that will satisfy service-specific officer professional development requirements?

Answer. The requirements for joint qualification are complementary with the successful career path of our most competitive officers.

Question. Do you think a tour with a Combatant Command staff should count toward the Joint tour requirement?

Answer. Yes. The mission of the Combatant Commands staff is directly related to the achievement of unified actions that supports the national security strategy, national military strategy and strategic planning of combined operations.

Question. What factors do you consider most important in the difficulty experienced by field grade Marine Corps officers in satisfying joint requirements for promotion?

Answer. Given the current high operational tempo, the biggest difficulty in satisfying joint requirements is career timing of the most competitive officers. Naturally, there is a high demand within the service for the top officers for both command and other key billets. The Marine Corps makes joint assignments a priority as early as the rank of Major and nominates the most competitive officers to joint billets that complement their professional development.

Question. Do you think that, in today's operational environment, these requirements for promotion to O–7 should be modified?

Answer. No.

Question. What steps are being taken to ensure that officers who are competitive for promotion to general officer rank are able to fulfill all joint education and experience requirements?

Answer. Field grade officers are assigned to Joint Duty assignments and to JPME II producing schools (War Colleges) based on their performance. Our most competitive officers are provided those assignments.

Question. How do you plan to foster a dedicated, educated, and assigned group of strategic thinkers and planners who rise to the rank of flag rank officer?

Answer. Through a closely monitored manpower process, we will continue to formally screen and select our best officers beginning early in their careers for resident joint education, screen them for command of operational units, and assign them to key joint billets that complement their professional development.

MILITARY HEALTH CARE

Question. What is your assessment of the medical care provided to Marines wounded or injured on the battlefield?

Answer. When Marines go into harm's way, Navy Medicine personnel are with them to provide outstanding medical care. Our Marines have a special bond with their physicians and corpsmen and this relationship has been well-earned over countless generations by caring for our wounded Marines on the battlefield. During our most recent conflicts, we have seen significant advances in combat casualty care that have led to unequalled survival rates for our injured. Throughout all echelons of care—from the battlefield to the bedside—we have improved our capabilities and rapidly implemented clinical practices that saved lives. These efforts have transformed trauma care both in the military and the civilian sector. We have also made significant progress in treating traumatic brain injuries and post-traumatic stress disorder as well as ensured that all our wounded Marines have access to exceptional military treatment facilities to aid in their recovery and rehabilitation.

Question. What is your assessment of the health care available to Marines and their families in their home stations?

Answer. Health care is crucial to mission readiness and an important component of quality of life for our Marines and their families. Marines must be medically ready to meet their demanding responsibilities and they also must be confident that their families have access to high quality health care. Within the Marine Corps, we rely on Navy Medicine to promote, protect and restore our health and they perform these responsibilities very well. I am pleased that our Marines and their families

receive exceptional care at our Navy military treatment facilities and will work to ensure this remains a priority.

FAMILY READINESS AND SUPPORT

Question. Marines and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues in the Marine Corps, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced, especially in light of current fiscal constraints?

Answer. The most important issues are providing timely and accurate communication to our Marines and their families while properly resourcing the support functions on our bases and stations. If confirmed, I will ensure the Marine Corps provides Marines and families with a comprehensive and effective community-based support system. In this time of fiscal constraint, I will have to prioritize our core programs that support the Marine warfighter and families.

MORALE, WELFARE, AND RECREATION

Question. Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of deployments. These programs must be relevant and attractive to all eligible users, including Active Duty and Reserve personnel, retirees, and their eligible family members.

What challenges do you foresee in sustaining and enhancing Marine Corps MWR programs, particularly in view of the current fiscal environment and, if confirmed, are there any improvements you would seek to achieve?

Answer. Our greatest challenges are the fiscal realities of sequestration. If confirmed, I will ensure that we sustain priority programs that support the health, welfare and morale of our Marines and families. Ensuring access to those programs that support these priorities is paramount. I will also maintain a dialogue with our Marines and families to ensure that our MWR programs adapt to meet their highest priority needs.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the services continue to be of great concern to the Committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Marine Corps to prevent suicide and increase the resiliency of Marines and their families?

Answer. Suicide prevention is a leadership issue. Leadership attention to risk factors has helped reduce deaths; however, we must remain vigilant. If confirmed, my priority is to continue the progress the Marine Corps is making in reducing deaths by suicide. As leaders, it is our duty to reduce barriers associated with seeking help. My strategy is to enhance help-seeking behaviors and provide training to rapidly identify and provide assistance to those at heightened risk. The resiliency and well-being of our Marines and their families will remain a top priority.

WOUNDED WARRIOR REGIMENTS

Question. Servicemembers who are wounded or injured in combat operations deserve the highest priority from their service and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from Active Duty if required, and continuing support beyond retirement or discharge. Despite the enactment of legislation and renewed emphasis over the past several years, many challenges remain.

What is your assessment of the effectiveness of the Marine Corps Wounded Warrior Regiments in facilitating the treatment and management of wounded, ill, and injured Marines?

Answer. The Wounded Warrior Regiment currently meets or exceeds the mandates set forth by Congress regarding the facilitation of medical and non-medical care for wounded, ill and injured Marines. Through the Recovery Coordination Program, we provide essential individualized assistance to Marines and families, ensuring we keep faith with those who have served. The Marine Corps continuously evaluates our wounded warrior and caregiver programs and incorporates lessons learned and best practices to improve policies and support. While the landscape of warrior

care has changed, the Marine Corps remains committed to maintaining the services necessary to support Marines and their families.

Question. If confirmed, are there additional strategies and resources you would pursue to increase service support for wounded Marines, and to monitor their progress in returning to duty or to civilian life?

Answer. We must continue to fund our recovery care coordinators and the support they provide to recovering Marines and their families. At the same time, we will evaluate the effectiveness of this program over time. If confirmed, I will ensure that we are proactively identifying symptoms and addressing psychological health needs. The shift in the demographic of wounded warriors requires that we focus on care for those with behavioral health issues and chronic illnesses. I view this as a continuing commitment from the Marine Corps to its Marines. Overall, I believe the flexibility of the current program allows the services to develop and implement new programs as needs arise, and I support this intuitive process.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. What is your assessment of the problem of sexual assaults in the Marine Corps?

Answer. Sexual assault has no place in our Corps. It not only has a long-lasting effect on the individual victim but it also erodes unit readiness and command climate. The Marine Corps has placed particular emphasis on eliminating sexual assault and I believe we are making progress. If confirmed, I will continue to build on the current foundation. The bottom line is that even one sexual assault is too many and everyone agrees that more needs to be done.

Question. What is your assessment of the Marine Corps sexual assault prevention and response program?

Answer. I see positive indicators that our SAPR Program is heading in the right direction. From FY12 to FY14, there was a 30 percent decrease in the number of Marines experiencing unwanted sexual contact. In that same time period, the number of victims and bystanders willing to file reports increased 94 percent. However, I also believe that there is still much work to do. We must continue to increase reporting and decrease prevalence. We need to emphasize prevention, instill in our Marines the duty to be active and responsible bystanders, and integrate the SAPR Program with other aspects of behavioral health.

Question. What is your view about the role of the chain of command in providing necessary support to victims of sexual assault?

Answer. Commanding Officers are responsible for their Marines, including setting positive command climates that both prevent the crime of sexual assault and provide a safe, non-retaliatory environment in which victims feel confident coming forward to report. We believe that the increase in sexual assault reporting is, in part, due to the faith and trust our Marines have in their chain of command. In addition, commanders ensure that any Marine who files an unrestricted report has timely and comprehensive access to supportive services. The fact that more Marines file Unrestricted Reports—which automatically trigger command notification—shows that Marines find this support invaluable.

Question. What is your understanding of the adequacy of Navy and Marine Corps resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. I understand that the Marine Corps, with help from the Navy, provides and continues to expand each of these services. Naval medical support for sexual assault victims is more accessible and sensitive now than ever before. Victims also have access to non-medical counseling services; chaplains to provide pastoral care during on and off-business hours; a 24/7 Sexual Assault Helpline at each installation provides access to a credentialed victim advocate around the clock; our Victims' Legal Counsel Organization (VLCO) confidentially assists each victim through the investigation and prosecution process, ensuring that victims understand their rights and remain informed. Since standing up on 1 Nov 2013, VLCO has provided legal services to over 1,000 victims, including military dependents and have represented clients at all stages of the military justice process to ensure victims' rights and interests are protected. Every major Marine Corps installation has a VLCO office, and to date, no eligible victim of sexual assault has been turned away from VLC services. However, I fully understand that the true measure of the effectiveness of these programs is how well they meet the needs of the victim.

Question. What is your view of the steps the Marine Corps has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. I am encouraged, though not satisfied, by our efforts to prevent sexual assault throughout the Marine Corps. Our prevention efforts have focused on command climate and bystander intervention.

These efforts include the development and refinement of innovative training tools and programs for use by commanders to educate their Marines on the impact of sexual assault and how best to prevent it. These initiatives will help us sustain and build upon our efforts to reach the stated purpose of the SAPR Program: to reduce—with a goal to eliminate—sexual assault from the Corps.

Regarding sexual assault in deployed locations, I believe, as an expeditionary force in readiness, our at-home activities prepare our Marines for a deployed environment. Our efforts at home establish the baseline for those deploying. Besides the efforts outlined above, our pre-deployment SAPR training program includes additional bystander intervention and risk reduction strategies. The training also provides information pertaining to host country customs, mores, and religious practices. In addition, the training identifies first responders who will be available during deployment, to include law enforcement, legal, sexual assault response coordinators, uniform victim advocates, healthcare personnel, and chaplains.

Question. What is your view of the adequacy of the training and resources of the Navy and Marine Corps to investigate and prosecute allegations of sexual assault?

Answer. I am encouraged by the progress we have made in many areas of victim response, but our goal is to further improve these services so that more victims stay engaged in the process and, as a result, more offenders will be held accountable.

The Marine Corps continues to strengthen the qualification standards for all judge advocates handling special victim cases to include increased experience, training and prior court-martial experience. The Marine Corps places a premium on ensuring each counsel is provided with formal training and trial preparation advice, in addition to the mentorship and on-the-job training offered by supervisory JAs. To this end, the legal community has quadrupled the training budget in the last fiscal year. Leading this training and advice effort are the Trial and Defense Counsel Assistance Programs which provide training and advice by serving as centralized resources and helping to spread best practices throughout the regions. In addition, the Marine Corps employs six Highly Qualified Experts (HQEs), seasoned civilian attorneys with significant experience in complex criminal litigation.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. I believe the role of the Commander is central to sexual assault prevention within the military. The commanding officer of every unit is the centerpiece of an effective and professional warfighting organization. They are charged with building and leading their Marines to withstand the rigors of combat by establishing the highest level of trust throughout their unit. Commanding officers are responsible for setting and enforcing a command climate that is non-permissive to sexual assault, a climate in which the spirit and intent of the orders and regulations that govern the conduct of our duties will be upheld. Trust in the Commander and fellow Marines is the essential element in everything we do. Developing this trust, dedication, and esprit de corps is the responsibility of the commanding officer. They do this by setting standards, training to standards, enforcing standards, and exemplifying those standards.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. Removal of commanders' convening and disposition authority will adversely affect good order, discipline, and combat effectiveness. Commanders are responsible for everything that happens within their command. Based on their responsibility to maintain good order and discipline and to ensure the welfare of every Marine and Sailor in the command, commanders exercise their military justice authority as a moral imperative.

Commanders meeting their responsibilities, advised by lawyers (SJAs, prosecutors), are in a better position to make a just decision. There is no more demanding position than Commander and none more carefully selected or closely scrutinized.

As a practical matter, removing commanders from the military justice process in favor of lawyers will result in fewer sexual assault prosecutions. Prosecutors tend to focus on prosecutorial merit. Assuming the threshold for probable cause is reached, commanders are more likely than prosecutors to send a case forward irrespective of the chances of getting a conviction.

Marines must know that their Commander sent a Marine to court-martial, not an unknown third-party prosecutor, who plays no daily role in developing and maintaining the bond of trust essential to combat effectiveness. I believe that the trust that is required for good order, discipline, and combat effectiveness can only be built

and maintained when Marines know that commanders have the authority to hold accountable marines who violate that trust.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Marine Corps?

Answer. I believe we have made progress, but we still have work to do. If confirmed, I plan to further the progress of Marine Corps' SAPR efforts and ensure that all Marines are committed to preventing the crime of sexual assault. We will continue to implement bystander intervention programs, risk reduction measures, focus on offenders, and the further integration of SAPR and Behavioral Health issues, such as substance abuse. We will also study sexual assault as it relates to other, often co-occurring behaviors like sexual harassment and hazing.

Question. What is your assessment of the effect, if any, of recent legislation concerning sexual assault on the prosecution of sexual assault cases in the military, including cases where prosecution is declined by civilian prosecutors?

Answer. Since FY12, Congress has passed almost 100 legislative provisions to improve sexual assault prevention and reporting. These have included provisions to improve and expand reporting and training, as well as a host of provisions impacting the legal process, such a Victim Legal Counsel and changes to the UCMJ. We have implemented or are in process of implementing many of these provisions. We believe these changes have helped to increase reporting and provide the victim an increased voice in the court-martial process. We think these changes need some run time before we feel their full implementation. We appreciate Congress' concern on this important issue.

AMPHIBIOUS FLEET REQUIREMENTS

Question. How would you characterize the current state of Navy and Marine Corps joint operations and what is your vision for the future? What gaps or shortfalls exist today? What changes would you advocate to strengthen or expand Navy and Marine Corps joint operations?

Answer. Our ability to work together remains solid and unparalleled but is somewhat limited by our shortfall in amphibious warships. We currently have only 30 amphibious warships, which is short of our fiscally constrained requirement of 33. We won't reach 33 until 2018 and will not have the correct mix of amphibious warships until 2024. I would advocate for the authorization of multi-year and block buy procurements of amphibious warships, which would sustain the current shipbuilding plan and eventually achieve and maintain the required amphibious warship inventory. Further, having additional amphibious capacity will enable us to train both our staffs and operating forces in a more routine manner above the Amphibious Readiness Group/Marine Expeditionary Unit level.

Question. What alternatives would you consider to augment amphibious ships in providing lift to Marine Corps units? In what scenarios would these alternatives be necessary and appropriate?

Answer. There are several alternative platforms that should provide an adequate yet limited base of operations. Some of the alternative platforms include Mobile Landing Platform (MLP), MLP/Afloat Forward Staging Base (AFSB), T–AKE and other platforms contained in the Maritime Prepositioning Force (MPF) inventory. Alternative platforms can be used in a wide range of assigned Marine Air Ground Task Force (MAGTF) seabased operations to meet Combatant Commander requirements. These platforms are not warships and have little to no self-protection, thus would be more applicable and useful in routine mil-to-mil exchanges and exercises, perhaps Humanitarian Assistance/Disaster Relief (HA/DR), and other Theater Security Cooperation (TSC) engagement roles and missions.

Question. What is your view of the need for and size of the Navy's amphibious fleet?

Answer. The Department of the Navy's investment in amphibious warships represents critical investments that enable Naval forces to execute their assigned forward presence and crisis response missions. The Chief of Naval Operations (CNO) and current Commandant of the Marine Corps (CMC) have determined that the force structure required to support a 2.0 Marine Expeditionary Brigade (MEB) Assault Echelon is 38 amphibious warfare ships, as communicated to the House and Senate Appropriations and Armed Services committees by SECNAV/CNO/CMC letter dated 7 Jan 2009. Given fiscal constraints, the Department of the Navy (DON) determined a minimum inventory of 33 total amphibious warfare ships, including 11 LHD/LHA(R), 11 LPD 17, and 11 LSD 41/49s; this represents the limit of acceptable risk in meeting the 38-ship requirement for the Assault Echelon in a two MEB forcible entry operation. The Long Range Plan for Construction of Naval Vessels for 2015 does not meet the 11/11/11 amphibious warship inventory until FY24. It

should be noted that with the addition of the 12th LPD, the new agreed to fiscally constrained amphibious warship number is 34. This inventory provides only the minimum capacity for steady state Amphibious Ready Group/Marine Expeditionary Unit deployments and single-ship deployments for theater security cooperation activities. Furthermore, this inventory does not provide the capacity to support additional independent amphibious warship demands, such as maritime security operations. A reduction in capacity detracts from the ability of the Navy and Marine Corps to accomplish forward presence and crisis response missions in today's exceptionally dynamic and uncertain operational environment. The disadvantage of not meeting the requirement of 38 ships results in our Nation accepting higher risk in its ability to rapidly respond to surge demand, an emerging crisis, or contingency response.

Question. What alternatives do you for see if the amphibious fleet is allowed to decline in size or capabilities?

Answer. There is no alternative to our existing amphibious warship fleet. However, should future constraints require routine augmentation of the amphibious fleet, we will pursue alternative lift platforms in much the same way as we are currently exploring today. However, while these ships will help bridge the gap to the Combatant Commander demand signal for upwards of 54 amphibious ships, they come with significant limitations and are more useful during routine engagement operations during Phase 0 and Phase 1 operations. Reducing the size or capacity of the amphibious fleet will significantly increase the risk and reduce the capability to deter aggression, respond to crises, and meet current OPLAN requirements.

Question. What risks are associated with these alternatives?

Answer. Alternative lift platforms are capable ships and can augment, with multiple limitations, selected amphibious warship mission sets, but these alternative platforms are not amphibious warships, and as such, do not possess the necessary capabilities for full-scale conflict. They do not meet the requirements necessary to embark and deploy an amphibious assault echelon for forcible entry operations. Specifically, they lack adequate force protection and the utility required to operate above the permissive level.

NAVAL SURFACE FIRE SUPPORT

Question. The DDG–1000 program was initiated to fill the capability gap for naval surface fire support. The original requirement for 24 to 32 DDG–1000 ships, each with two 155mm Advanced Gun Systems, was reduced to 12 ships, then to 10 ships, then to 7 ships, and finally to 3 ships.

In your view, does the total Navy program, with this significant reduction in the number of DDG–1000 destroyers, meet the Marine Corps' requirement for naval surface fire support?

Answer. Current and projected naval surface fire support is inadequate. With the truncation of the DDG–1000 program, a maximum of six 155mm Advanced Gun Systems will be available for service in the fleet when all three ships are fully operational at the end of the decade. This will not support the doctrinal capacity requirements of a Marine Expeditionary Brigade. Current destroyer and cruiser fleets with existing 5″/54 and 5″/62 (Mk 45) lightweight guns have limited capability beyond thirteen nautical miles which diminishes the effects of naval surface fires in an anti-access, area denial environment. The Marine Corps has established a ninety-six nautical mile range requirement to meet current operational employment concepts. We are supportive of the Navy's hyper-velocity projectile as an interim solution and the electro-magnetic railgun as a possible solution in the long term. The risk assumed by a lack of surface fires will put additional demand on our already taxed tactical aviation assets.

Question. What other capabilities would you rely upon to help meet naval surface fire support requirements?

Answer. In the absence of adequate naval surface fire support capability and capacity, we will rely on manned aviation platforms and future armed remotely piloted aircraft delivered fires, and ground-based artillery and rockets. Naval Surface Fire Support (NSFS), with necessary range and effects to support expeditionary operations in the littorals, is an essential complementary capability to aviation and ground-based indirect fires, referred to as the triad of fires. The triad of fires provides a balanced approach. With current capability of NSFS being insufficient, we will have to rely on aviation delivered fires, and when feasible, ground-based indirect fires. However, analysis conducted to date indicates that neither will provide adequate capacity in some operational scenarios and during different phases of operations (e.g. afloat ground systems will be unavailable to fire in support of maneuvering units and aviation units will be heavily tasked in an A2AD environment).

ASIA-PACIFIC FORCE DISPOSITIONS

Question. Do you believe the planned joint force mix of tactical aircraft is sufficient to meet current and future threats in the Asia-Pacific theater of operations where the "tyranny of distance" is such a major factor?

Answer. I would have to defer to the PACOM Commander's assessment of the Joint Force tactical aircraft mix requirement. Marine Corps aviation is prepared to do its part in supporting operations in the PACOM Theater.

My biggest concern in this area is the degraded readiness of the aircraft we currently have on hand.

Question. Do you believe we have sufficient sealift and airlift capabilities to move Marines around the Asia-Pacific Theater for both training and contingency purposes?

Answer. No. There is not enough amphibious warship capability to support an assault echelon of two Marine Expeditionary Brigades required for contingency response. The Navy and the Marine Corps have determined that 38 amphibious warships are needed in the inventory to support this requirement. There are 30 amphibious warships in inventory today.

The Department of the Navy (DON) determined a minimum force of 33 total amphibious warships represents the limit of acceptable risk in meeting the 38-ship requirement. Based on a wartime operational availability rate of 90 percent, 33 ships [11 LHD/LHA(R), 11 LPD 17, and 11 LSD 41/49] are the minimum number in inventory necessary to meet the requirement for 30 operationally available warships while taking into account those ships in heavy maintenance and modernization periods that are unlikely to meet OPLAN timelines. The amphibious force inventory will reach the 11/11/11 requirement in FY24 with the delivery of LHA 8.

Helping to bridge the shortfall of intratheater lift for training is the JHSV. For example, a JHSV will be based in Guam in order to fulfill lift requirements for the training hub in Guam and the Marianas Islands. JHSV helps to fulfill this requirement by providing the lift for Marines traveling to Tinian to utilize the range proposed for Tinian. JHSV is also planned to be based in other areas in the Asia-Pacific, such as Singapore, to fulfill similar training requirements throughout the AOR.

Question. What alternative concept of operations, platforms, and basing opportunities exist to address potential shortfalls in this area?

Answer. There are no alternatives that have been developed to mitigate the wartime or contingency response requirement for an amphibious fleet.

The Navy's Military Sealift Command (MSC) maintains numerous auxiliary platforms (T–AKE, MLP, AFSB, LMSR, JHSV, etc.) which have been successfully used in Phase 0/1 operations. MARFORPAC routinely uses T–AKEs for Theater Security Cooperation events in the Asia-Pacific Theater. The Navy is exploring additional Phase 0/1 tasking options for MSC vessels in order to free combatant vessels for higher level tasking.

MSC contracts the high speed transport ship WESTPAC Express to rapidly move Marines throughout the Asia-Pacific Theater. The Joint High Speed Vessel (JHSV) will complement the requirement for intra-theater lift of Marines when it is deployed to the Asia-Pacific Theater.

ANTI-ACCESS/AREA DENIAL

Question. Over the past few years, much has been made of the emerging anti-access and area denial capabilities of certain countries and the prospect that these capabilities may in the future limit the maritime freedom of movement and action in certain regions.

Do you believe emerging anti-access and area denial capabilities are a concern?

Answer. Yes, the United States faces a growing range of challenges in gaining access and operating freely in the maritime, air, and cyber commons. Most prominently, the proliferation of technologies that allows potential adversaries to threaten naval and air forces at greater ranges complicates our access to some regions (anti-access), as well as our ability to maneuver within those regions (area denial), including the littoral and landward areas. These technologies include long-range ballistic and cruise missiles supported by state of-the-art command and control, and integrated targeting networks; guided rockets, artillery, missiles, and mortars; advanced submarines and "smart" mines; advanced integrated air defense systems; fifth-generation fighter aircraft with enhanced sensors and weapons; and electronic warfare, cyber, and space capabilities. Certainly a distinct challenge during wartime, these military technologies are also a concern in peacetime. For example, the free flow of goods and services can be threatened or impeded by state or non-state actors employing A2/AD technologies in key maritime crossroads.

Question. If so, what do you believe joint forces need to be doing now and in the next few years to ensure continued access to all strategically important segments of the maritime domain?

Answer. We need to pursue a multifaceted approach, as we are, in fact, already doing. For example, Marines in the operating forces are strengthening and expanding our partnerships with friendly nations that share our concerns. These partnership activities often result in new opportunities for basing U.S. Forces overseas or increased options for temporary support during emerging contingencies. Partnership activities also help improve interoperability so that we have greater capability and capacity to defeat such threats. Concurrently, the Air-Sea Battle concept looked at the problem from a system versus system perspective. The insights from that effort generated understanding that a limited number of exquisite systems can always be overwhelmed by an exponentially larger number of simple, inexpensive systems: a six-shot revolver is better than a bow and arrow, and may even defeat six bows and arrows, but is quickly overwhelmed by 100 bows and arrows. These ASB insights have been subsumed into a more comprehensive effort, Joint Access and Maneuver in the Global Commons, which looks at the ways and means to defeat adversary strategies, not just systems. That effort will address issues such as the use of all domains: air, land, sea, space and cyber to create access. This 5 Domain joint force will be capable of creating the conditions to project military power in contested areas with freedom of action. This concept will also explore distributed MAGTF maneuver, expeditionary advanced base operations, streamlining and integrating our intelligence and operations functions, and fully networking the naval team. What we envision is an integrated naval force—a network of sensors, shooters, and information sharers, afloat and ashore. The final goal is not to set conditions everywhere, but to set the conditions we require at the right time and place of our choosing to achieve superiority in a manner with which the enemy cannot cope.

Question. If confirmed, you would play an important role in the process of transforming to meet new and emerging threats?

Answer. The senior leadership of the Navy and Marine Corps convened this past June to develop the guidance that is driving the Littoral Operations in a Contested Environment concept. I was directly involved with that in my present assignment as Commanding General, Marine Corps Forces Command—just as I've been directly involved in major Navy-Marine Corps exercises, such as Bold Alligator—in improving our ability to operate in A2AD contested regions. If confirmed as Commandant, I'll continue to build upon that unified naval effort, not only by working with the Chief of Naval Operations to provide unified guidance and direction, but by ensuring the right leaders are in place at the appropriate subordinate echelons. Further our efforts as a naval force will be integrated with our joint and coalition partners. On that end I will continue to work on our interoperability and compatibility.

Question. Concerning capability and capacity to meet new and emerging threats, what are your goals regarding transformation of the Marine Corps?

Answer. The Marine Corps has historically been a very adaptive organization. Conceptually, I think we are already on the right track through the development of Expeditionary Force 21 and the Littoral Operations in a Contested Environment concept. My job as Commandant, should I be confirmed, will be to ensure our organization and processes impart certain time-honored skill sets, knowledge, beliefs, and professional judgment to our Marines, while also creating the conditions that allowing them to understand and adapt effectively as the future unfolds. We will continue to emphasize our expeditionary roots and the ability to deploy, employ, and sustain on short notice as our nation's force in readiness. Finally we need to continually refine how we recruit, train and educate our Marines so that they can fight and win regardless of what the future holds. We know that we will face chaotic and lethal adversaries. We know that we will often operate in the urban littorals where the mental and physical strength of our Marines will be challenged. So we know that we must continue to evolve and improve the individual Marine. Finally, we face many challenges and it is therefore important that we encourage and foster innovation in everything we do. We're bringing in great people who want to serve our Nation as Marines. It's the Commandant's job to create the conditions that allow them to evolve the Marine Corps so that we provide what the Nation requires.

CHINA

Question. How has China's aggressive assertion of territorial and maritime claims, particularly in the South China Sea and East China Sea, affected security and stability in the region?

Answer. China's actions in the South and East China Seas, as well as its rapid military modernization and growing defense budgets, have led many in the region,

including the United States, to question its long-term intentions. China's vague assertions and enforcement of its unilateral territorial claims, as well as their aggressive land reclamation efforts in the South China Sea have a destabilizing effect in the region and have generated territorial disputes with other regional actors. Many of these disputes involve U.S. Treaty Allies and partners, with whom we have longstanding cooperation and defense commitments. Our Allies and partners in the region are increasingly looking to the U.S. for leadership and support in the face of these challenges, and so our response to China's challenges to the existing international norms and laws should be firm and consistent.

Question. What is your assessment of the current state of the United States-China military relationship?

Answer. The U.S. military-to-military relationship is a critical component of our overall bilateral relationship and an important aspect of our regional strategy. This is particularly important as China's military modernizes its capabilities and expands its presence, drawing our forces into closer contact and increasing both opportunities for concrete cooperation, as well as the risk of accidents or miscalculations. Currently the military relationship is contributing to overall stability in the region by developing patterns of interaction and habits of cooperation through both bi-lateral and multilateral engagements. This stability allows us to increase measured cooperation with China in areas of overlapping interests, while improving our ability to manage other aspects of the security relationship. Further improvement of our military relationship with China can strengthen trust and transparency.

Question. What are your views regarding China's interest in and commitment to improving military relations with the United States?

Answer. I believe China recognizes the United States will have an enduring presence in the Pacific and therefore has a clear interest in sustaining military-to-military contacts. If confirmed as CMC, I will continue to support United States policy objectives and strategies toward China in order to develop areas of practical cooperation and risk-mitigation in a way that protects our national interests and supports overall stability in the Asia-Pacific region.

Question. What is your view of the purpose and relative importance of sustained military-to-military relations with China?

Answer. Military to military relations are an important part of not only our bilateral relationship with China, but is also an important facet of our overall strategy to Rebalance to the Asia-Pacific. Sustaining a military-to-military relationship with China supports our United States objectives by demonstrating to the region that the United States and China can engage in practical cooperation in areas of mutual interest to deliver public goods and maintain regional stability. Sustained military contact with China at the policy and senior leader level also provides opportunities to develop common views on the international security environment and constructively manage any differences. Our overall goal is to promote our national interests by reinforcing international norms and standards, and strengthening regional understanding, transparency, and familiarity amongst all nations in the Asia-Pacific. Our approach to this relationship with China must be conducted in a thoughtful way that promotes the common interest of regional security and stability.

Question. What role do you see for the Commandant in this process?

Answer. I believe that the Commandant of the Marine Corps plays a pivotal role to personally sustain meaningful working relationships with his counterparts all over the world, particularly in the Asia-Pacific where we have more than 22,000 Marines forward stationed or forward deployed west of the International Dateline. I believe that our strong Marine presence in the region plays a significant role in promoting the regional security and stability that have afforded many Asia-Pacific nations, including China, unprecedented economic growth and prosperity. As CMC, I would continue to strengthen our regional partnerships, alliances, and the regional security architectures that have fostered this positive environment.

RUSSIA

Question. What additional steps, if any, are likely to prove most effective at deterring Russian aggression in Eastern Europe?

Answer. A continued, strong, whole-of-government approach is essential. Political and economic consequences are critical aspects of the international response to Russian aggression. Militarily, the U.S. must remain prepared and committed to our NATO allies and stand ready to counter military aggression against NATO members. I believe our continued commitment of Article 5-related planning, training, and adjustments to U.S. and NATO force posture, to include the basing of forces and pre-positioning of material, along with our contributions to Operation ATLANTIC

RESOLVE, have enhanced readiness and better prepares the entire alliance to deter Russian aggression in Eastern Europe.

Question. What can the Marine Corps do to help NATO?

Answer. Ultimately, we stand prepared to provide exceptionally capable expeditionary forces to fight alongside our allies. These forces have been tested in combat for more than a decade and maintain constant readiness. These forces also exercise and train regularly with our NATO allies—current examples include Exercises SABER STRIKE in Lithuania this June and TRIDENT JUNCTURE in Portugal, Spain, and Italy, which continues throughout the fall. Such exercises ensure interoperability with NATO maritime nations and strengthen teamwork throughout the alliance.

Question. Does the Marine Corps, as part of a combined joint force, have what it needs in Europe?

Answer. The Marine Corps does not have a large force permanently postured in Europe, although we have capable and ready forces available to respond quickly to emergent crises. Due to a shortfall in United States amphibious shipping in the European theater, the Marine Corps relies on land-based Special Purpose Marine Air Ground Task Force (SPMAGTF), based in Spain to serve as the 'most ready and capable' Marine crisis response force inside the EUCOM and AFRICOM Areas of Responsibility (AORs). However, it should be noted, that while SPMAGTF–CR–AF is a credible and capable response force, the Marine Corps always prefers to respond as a U.S. Navy and Marine Corps Team, such as the robust capability sets found in the Marine Expeditionary Unit and Amphibious Readiness Group. To further mitigate our risk, we pre-position equipment, both afloat in our Maritime Pre-positioning Squadrons, and in storage caves within Norway. The most potent and likely Marine Corps force contributions to large-scale operations in Europe would be expeditionary forces, which leverage our strategic mobility and operational flexibility. These may include MAGTFs deployed on amphibious shipping or transported to Europe via strategic airlift and linked up with prepositioned equipment in the theater.

ARMY AND MARINE CORPS COOPERATION

Question. What are your views regarding the joint development and acquisition of Army and Marine Corps equipment?

Answer. In my experience, the Marine Corps and the Army collaborate whenever our mission profiles converge. From a business perspective, collaboration leverages significant Army fiscal, manpower, and test resources in the refinement of operational capabilities requirements and the research, development, and acquisition of technical solutions to meet those requirements. Long term benefits include lower average unit costs for both services.

Question. Do you believe the Joint Staff should have a role in synchronizing Army and Marine Corps requirements and service programs?

Answer. The Army and Marine Corps Board (AMCB) works at every level to make sure both services collaborate on best practices. I believe the AMCB provides sufficient oversight to synchronize requirements and programs.

Question. What programs would you consider to be candidates for joint program development for the Army and Marine Corps?

Answer. I am confident in knowing the Marine Corps actively seeks opportunities where it makes sense to conduct joint program development. A partial list of collaborative efforts includes, the Joint Light Tactical Vehicle; Joint Battle Command-Platform, Blue Force Tracker and Nett Warrior; robotics systems; and more than twenty different infantry system programs encompassing direct and indirect fire weapons, anti-tank systems, night vision and thermal sighting equipment, individual protection such as body armor and helmets, and reconnaissance gear.

MARINE CORPS FORCES SPECIAL OPERATIONS COMMAND

Question. Marine Corps Forces, Special Operations Command (MARSOC), is a subordinate component command to the U.S. Special Operations Command (USSOCOM) established in 2005.

What is your assessment of the progress made in standing up and growing MARSOC, and what do you consider to be the principal issues that you would have to address to improve its operations?

Answer. MARSOC has made tremendous progress over the last nine years and has become not only an important component to USSOCOM, but has also enabled better interoperability between the Marine Corps and USSOCOM. MARSOC has supported combat deployments to Afghanistan where Marines have both conducted Village Stability Operations and partnered with Afghan National Army Commando Battalions. Marine Raider Battalions have recently aligned to USAFRICOM,

USCENTCOM and USPACOM to ensure Marine SOF provides regionally astute and culturally proficient teams and companies to their respective Theater Special Operations Commands.

MARSOC's professionalization of the force has become commensurate with USSOCOM career management and development as the Marine Corps has supported the implementation of career paths for enlisted Critical Skill Operators, and recently, for Marine Special Operations Officers. These career paths allow Marines to serve in MARSOC, or SOF related billets, in the Joint Force and MAGTF for the duration of their career. Although that in itself is significant, improvements are still needed in how and to what level we integrate SOF and special operations capabilities in a complementary manner. I believe the SOF–MAGTF linkage is critical to ensure the combatant commanders and Joint Force is best supported, not only during crisis-response situations, but also as part of enduring special operations supporting their Theater Campaign Plans.

RECAPITALIZATION

Question. The Marine Corps intends to concurrently recapitalize several of its front line systems. The MV–22 Osprey tilt-rotor aircraft and the Joint Strike Fighter are both in production now.

Do you believe that these production plans are realistic in light of the demands on resources imposed by maintaining current readiness?

Answer. Yes, absolutely, they are one and the same. Every dollar spent on modernization has a direct and tangible effect on current readiness. Likewise, every dollar decremented from our procurement of future systems increases both the cost and complexity of maintaining our legacy systems beyond their projected life.

The real key to reducing risk in capacity and recovering readiness is in recapitalization. We are roughly halfway through our transition of every aircraft in our inventory and must constantly balance current readiness and modernization to maintain our operational advantage and increase it as we buy a newer force.

Question. Do you believe that these modernization programs will survive unless Congress amends the Budget Control Act to eliminate or reduce the effects of sequestration for fiscal year 2016 and beyond?

Answer. If we return to the sequestration-level cuts in Fiscal Year 2016, we will face serious risks to the modernization plans we currently have and may have to reassess the overall modernization strategy. This could result in consequences which could lead to reduced readiness rates in highly demanded capabilities.

Question. Is it your understanding that MV–22 readiness rates in Iraq, Afghanistan, and in the United States have achieved desired levels?

Answer. The MV–22 has met and exceeded every readiness metric during years of wartime flying and CONUS training while clearly establishing itself as one of the safest aircraft ever flown. The SPMAGTFs have achieved a 75 percent readiness, while the MEUs are at 69 percent. Fleet-wide readiness has increased from 53 percent to 62 percent between 2010 to 2015. But, I believe our readiness rates with this fantastic aircraft (and all our USMC aircraft for that matter) need to be better than that. As a force in readiness I can't have 25–31 percent of my aviation assets "down." In fact right now, across the USMC, 19–20 percent of my aviation assets that are supposed to be on the flight line (not in scheduled depot maintenance) aren't able to fly. That is unsatisfactory for the nation's force in readiness. I intend to work with you to turn that around—quickly.

Question. In your view, will the MV–22 be sustainable over time at an acceptable cost?

Answer. Yes. The vast capabilities of the aircraft outweigh the costs associated with a tiltrotor when compared to conventional rotary winged aircraft. The MV–22's ability to travel farther with more payload than conventional helicopters helps reduce the logistical demands of supporting operations with many more conventional helicopters. Cost per flight hour has decreased by 21 percent between 2010 and 2015. ($11,651 to $9,163 per flight hour). We continue to work with all stakeholders to identify ways to drive out cost from MV–22 sustainment.

MODERNIZATION OF CAPABILITIES

Question. The Marine Corps' current concepts for modernization of its amphibious capabilities includes ships, ship to near-shore or shore connectors—such as the LCAC—and armored amphibious combat vehicles. Modernization across these systems is complex, technically challenging, and potentially unaffordable given the budget environment today and for the foreseeable future.

What is your assessment of the current capability of amphibious maneuver and assault systems in the Navy and Marine Corps?

Answer. We currently possess the correct amphibious maneuver and assault systems to support Combatant Commander engagement and demand across the Range Of Military Operations (ROMO). Expeditionary Force-21 (EF–21) describes the capability and capacity necessary to execute MAGTF seabased operations from concept of employment, technology and specific Tactics Techniques and Procedures (TTPs) necessary for success. We are also a force in transition as new equipment is fielded and optimized for seabased application. We will also continue to improve naval integration and interoperability between Navy and Marine forces as we develop future complementary and supporting capacities and capabilities.

As ACV characteristics and capabilities are developed, they will have to be integrated within our future comprehensive surface connector strategy. We are actively considering the capabilities and limitations of the Navy's current fleet of surface connectors and their future development of replacements for those vehicles when developing requirements for ACV procurement to ensure interoperability. The Navy and Marine Corps are fully integrated on requirements development for the ACV. Finally, we ultimately remain committed to a high water speed vehicle as part of a complementary family of surface and air connectors. We'll continue to work with the Navy on requirements within the context of the Surface Connector Council.

Question. If confirmed, how would you propose to prioritize development and acquisition among needed capabilities for sea basing, connectors, and armored amphibious assault and tactical mobility ashore to achieve your vision for a full spectrum force?

Answer. In order to achieve a full spectrum force, a balanced approach that procures a family of systems is necessary to deliver the required capabilities. Amphibious warships and the supporting sustainment ships are the foundation for amphibious operations and establishment of a seabase. Interoperability of the Seabase with the elements of the Marine Air Ground Task Force (MAGTF) is key when considering maneuver from the seabase to the objective (Operational Maneuver From the Sea (OMFTS)/Ship To Objective Maneuver (STOM)) and is accomplished by surface and vertical connector assets (ACV/LCAC/V–22/HSV/LCU, etc). Current and continued amphibious program development and application will provide the needed capability afloat and ashore for full spectrum operations. Through leadership and careful consideration of the needs of this force, we can prioritize procurement in such a manner that we maintain our current competencies while pursuing transformational modernization as systems become older. This will allow us to avoid equipment obsolescence while building a family of systems ready to confront the challenges of the decades to come.

Question. In your view, what is necessary to ensure that modernization of the amphibious force—ships, connectors, and vehicles—is achievable and affordable in the near and long term?

Answer. Fully fund, sustain, and deliver the current USMC and Navy Programs Of Record (POR) for procurement and sustainment of MAGTF warfighting functions and equipment . . . and sustain the necessary support for Navy programs that enable Navy/Marine seabased force projection and response. We must ensure delivery of new/improved capabilities to the fighting force, and equally important, maintain current and legacy equipment to operational and tactical design readiness levels. We should also accelerate delivery or return to service/improvement of priority programs and equipment that directly contribute to higher unit readiness and operational deployability. For example, accelerate delivery of LHA–8 and the ACV program, and procurement of LX(R) . . . and when feasible due to funding or priority constraints/restraints, extend legacy systems/platforms until full operational capability (FOC) of the replacement is achieved. These actions completed through thoughtful and deliberate programmatics will ensure a modern and highly capable seabased MAGTF force for today and tomorrow.

Question. In your view, will projected reduction in Marine Corps end strength, if implemented, reduce the Navy's and Marine Corps' requirement for amphibious ships?

Answer. No. There is no direct correlation between Marine Corps end strength and amphibious warfare ship requirements. The amphibious warfare ship requirement is based on forward presence and rotational Amphibious Ready Groups (ARG)/Marine Expeditionary Units (MEU) as well as deployment and employment the Assault Echelons (AEs) of two Marine Expeditionary Brigades (MEBs). Regardless of end strength, the Marine Corps will always possess the ability to generate forward deployed MEUs and rotational forces to support day-to-day combatant commander forward presence and shaping requirements, as well the ability to generate the AEs of two MEBs to support forcible entry operations contained in major war plans.

Question. Given your vision of future high-intensity combined arms combat inland, fighting a peer or near peer opponents, are current modernization plans and budgets adequate?

Answer. While the Marine Corps is postured to conduct operations across the range of military operations, our highest priority modernization efforts are those associated with our core competencies: amphibious forcible entry and crisis response. These core competencies require continued development of our capabilities for surface and air ship-to-shore movement, command and control from a seabase, operational reach, and Marine Expeditionary Units, Marine Expeditionary Brigades, and Special Purpose Marine Air-Ground Task Forces. Our high priority modernization programs have been protected at the expense of both lower priority modernization and infrastructure maintenance or development. Moreover, fiscal constraints and rapidly changing technology and our current acquisition processes prevent necessary and timely investment in critical capabilities such as: intelligence, surveillance, reconnaissance, cyber, electronic warfare, and information warfare. In the end, we must maintain the warfighting capacity to ensure that our combined arms Marine Expeditionary Forces are trained and equipped to meet an uncertain future.

Furthermore, a return to BCA-level spending/full sequestration would further exacerbate institutional readiness imbalances. More tradeoffs would be made in acquisitions of needed equipment, essential training, living and work spaces, family support centers, and end strength to protect the Marine Corps' performance of its statutory obligations. Sequestration impacts on key modernization programs will have catastrophic effects on achieving desired capabilities to defeat emerging threats and will place an unacceptable burden on legacy programs such as the AAV (40 + y/o) and the HMMWV (out of productions since 2012).

AMPHIBIOUS COMBAT VEHICLE

Question. The Navy/Marine Corps amphibious assault capability today includes a large number of self-deploying amphibious assault vehicles (AAV–7) to carry infantry ashore, and a smaller number of small vessels called connectors that can ferry other vehicles, such as tanks and artillery, and supplies from ships to shore.

The Marine Corps has changed its plans for development of a next-generation armored combat vehicle. Instead of investing in development of a new self-deploying amphibious assault tracked combat vehicle, the Marine Corps intends to reduce technical and fiscal risk by acquiring a wheeled combat vehicle. Currently four foreign designs are being evaluated. A down select to two is scheduled to occur within months. The two finalists are to be evaluated in splash tests designed to assess effectiveness in amphibious movement from assault ship to shore.

Is the USMC confident that these foreign-designed wheeled armored personnel carriers as observed to date will be able to swim in combat conditions, and in varying sea states?

Answer. Yes, we are confident that at least two contractors will be capable of delivering prototypes with the capacity to achieve water mobility performance on par with or greater than our existing assault amphibian along with the capabilities needed for the landward portion of the ACV mission profile. The Marine Corps has conducted extensive open-ocean and surf zone testing of various prototype 8x8 armored personnel carriers that represent current available technology. This testing contributed to the development of both our ACV requirements and our over-arching modernization strategy.

It should be noted that only two of the five proposed designs for ACV 1.1 are based on foreign designs—one of which was specifically required to enable the conduct of amphibious operations for that nation's naval infantry.

Question. If the wheeled vehicles cannot swim, what is the operational risk that the U.S. Navy may be unable to carry a sufficient number of connectors to transport all of the wheeled personnel carriers ashore within the required time period?

Answer. In order to rapidly build up combat power ashore we need self-deploying amphibious combat vehicles. Our Ground Combat and Tactical Vehicle Strategy (GCTVS) is predicated upon maintaining this capability. Nonetheless, we still rely heavily on the Navy to enable our surface movement from ship to shore using the inventory of Landing Craft Air Cushion (LCAC) and Landing Craft Utility (LCU) connectors. If the ACV cannot swim, the number of sorties carried out by surface connectors will increase, which will in turn lengthen the time it takes to place decisive capabilities on the objective and place the force and mission at risk.

Importantly, I believe the basis of this question will prove to be counterfactual. I am confident that the ACV will possess the capacity to achieve water mobility performance on par with or greater than our existing assault amphibian. That said, our phased modernization strategy mitigates risk to the Marine Corps' ability to sustain

surface forcible entry through the development and subsequent employment of complementary amphibious armored personnel carriers. The current AAV is undergoing a survivability upgrade and a focused sustainment improvement regimen. Simultaneously, the wheeled portion or other two thirds of our required armored lift will be fielded and incrementally improved to ensure the full range of required capabilities are available via ACV. Finally, the strategy allows for the replacement of the upgraded AAV in the mid-2030's. This replacement will be informed by a mid-2020s decision point regarding the achievability and application of high water speed capability and a comprehensive assessment of ship-to-shore options.

Question. Do you support the Marine Corps' decision to develop and field a wheeled armored vehicle to replace the AAV–7, the current amphibious assault vehicle?

Answer. Yes, the current phased modernization strategy provides a responsible means to realize significant near term improvements in capability while sustaining surface assault capacity without high acquisition risk and cost. The combination of modernized AAV and incrementally improved and fielded Amphibious Combat Vehicles (ACV) is a well thought out portfolio approach that balances the competing demands of performance, cost and, schedule in a period of marked fiscal constraints while providing the Marine Corps with multiple options to adapt as the future unfolds. The improved capabilities inherent in our current ACV competitors will provide our Marines with superior mobility on the modern battlefield.

Question. In your view, where does armored amphibious assault fit in the set of capabilities required to field a credible amphibious operations capability?

Answer. Armored amphibious surface assault is absolutely essential to our ability to field a credible amphibious capability that poses menacing dilemmas simultaneously and in depth across all domains; air, maritime, land, cyber, and space. To this end, surface assault elements will complement, and be complemented by, vertical envelopment capabilities (CH–53K, MV–22). These maneuver elements will work in concert with capabilities that provide Naval and Aviation fires (manned—F35 and unmanned—UAS / UAX), and other defensive and offensive (Electronic Warfare, Cyber, Information Operations) capabilities. Of course, this dynamic collective capability, which will operate from the sea base—often distributed—will be synchronized with command and control systems and logistics sustainment. With this, we must always view amphibious operations within a Joint construct. The salient point is that each of these capabilities relies upon one another to generate the synergy, tempo, kinetic, and cognitive effect necessary to impose our will on our adversaries.

The increased likelihood of operations in the littorals requires a renewed focus on the Marine Corps' responsibility to be organized, trained and equipped, "for service with the fleet in the seizure and defense of advanced naval bases." The Naval services have long sought to develop complementary means of conducting vertical and surface littoral maneuver from increased distances, and via multiple penetration points, using the sea as maneuver space to offset the range and precision of modern weapons.

F–35B REQUIREMENTS

Question. The Marine Corps has stated that its F–35B requirement is 420 aircraft. The total number of F–35s planned for the Department of the Navy is currently set at 680.

Do you believe that the current plan for 680 aircraft can fully accommodate the needs of both the Navy and the Marine Corps?

Answer. The Marine Corps has looked at this number carefully a number of times based on our global commitments, plans, COCOM requirements, and the national defense strategy. In 2013 McKinsey and Company was hired by AT&L to do an F–35 Operations and Sustainment Cost Reduction Strategy study. The study applied requirements of the National Defense Strategy to include deployment and warfighting contingencies. The results of that study were that the Marine Corps was buying the right number of aircraft.

Answer. In near term, however, we are not buying enough airplanes. Our legacy airframes are aging and have been supporting combat operations for 15 straight years. Continuing to repair and modernize those aircraft will only get us so far and we are beyond the point now where we need to recapitalize the fleet. We have driven efficiency into our procurement plan and as a result, our total aircraft inventory today is 10 percent larger than what our inventory will be at the completion of the F–35 transition.

Question. How do you assess the progress of the first squadron to be equipped with the F–35B as they complete fielding? Are they on track to achieve initial operational capabilities on time?

Answer. I believe we are on track to achieve initial operational capability. The Deputy Commandant for Aviation sent a team to assess the IOC readiness of that squadron last week. I've been informed that the inspection went well. The current Commandant is analyzing the data from the event and is expected to make a statement about it soon.

–53K

Question. The first flight for the CH–53K has been postponed once again, the latest delay of many for the $25 billion program.

What is your assessment of the current status of the CH–53K program? Is it on track to achieve initial operational capabilities on time?

Answer. The CH–53K will transition to first flight this year and production is on a schedule that meets the timeline for delivering aircraft as currently planned and budgeted. The recent CH–53K technical challenges have been overcome and developmental test continues. Progress continues in all phases of the program and we have no major emerging concerns. Developmental Test revealed minor developmental discoveries. These discoveries are normal for any new program of this type. We believe that finding these issues prior to first flight will ultimately improve testing efficiency.

Question. What is the effect of the CH–53K delays on the CH–53E fleet? On overall USMC readiness?

Answer. The CH–53E transition to the CH–53K is already slow due to the shallow ramp rate in production and the transition scheduled to be complete by 2028. Consequently, we will have to continue to operate the CH–53E for a longer period of time than originally planned. We currently have a shortage of CH–53Es, and that problem is exacerbated by the need to operate the legacy fleet longer than anticipated. We have a major four year readiness recovery program in the making to ensure we gain maximum service life and capability from the 53E fleet. However, we can't sustain the 53E indefinitely and any future budgetary reductions to the CH–53K program will aggravate this situation. The Marine Corps is strongly committed to keeping the program on track and keeping the Program of Record buy in order to avoid the inventory shortfalls we are experiencing now.

JOINT ACQUISITION PROGRAMS

Question. What are your views regarding joint acquisition programs, such as the Joint Tactical Radio System and the Joint Strike Fighter?

Answer. I support joint solutions to common capability gaps. Working with other Services is, and always has been, a major element of the Marine Corps overall Research and Development (R&D) and Procurement strategy. Our limited budgets demand that we adhere rigorously to the well-established Department of Defense (DOD) hierarchy of materiel alternatives. If we cannot find a solution to our materiel needs in the commercial marketplace, we always look next to take advantage of investments that other Services, DOD Components, or our foreign partners are making. This reduces our need to spend R&D dollars on unilateral efforts, and it gives all participants involved with joint programs the opportunity to reduce unit procurement costs, and ultimately, life-cycle operation and maintenance costs. The end result is realized in the form of commonality and affordability across the Services making it much easier to share sustainment resources such as training, maintenance equipment, and supplies.

Question. Do you see utility in encouraging the services to conduct more joint development, especially in the area of helicopters and unmanned systems?

Answer. Yes. Encouraging joint development begins with collaboration of requirements during the Joint Capabilities Integration and Development System process and the Joint Requirements Oversight Council (JROC). This is a key element of fostering joint development among the Services. The Marine Corps is working with the Army on unmanned systems and robotics.

Question. If so, what enforcement mechanisms would you recommend implementing more joint program acquisition?

Answer. Within the Department of Defense, the enforcement mechanisms are well established. The JROC plays an important role in harmonizing the Services warfighting requirements and ensuring that joint program opportunities are fully examined.

RELIGIOUS GUIDELINES

Question. American military personnel routinely deploy to locations around the world where they must engage and work effectively with allies and with host-country nationals whose faiths and beliefs may be different than their own. For many other cultures, religious faith is not a purely personal and private matter; it is the foundation of their culture and society. Learning to respect the different faiths and beliefs of others, and to understand how accommodating different views can contribute to a diverse force is, some would argue, an essential skill to operational effectiveness.

In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes, the religious accommodation policies are sufficient. They strike a balance between individual expression of belief and the needs of the Marine Corps to maintain good order and discipline, unit cohesion, military readiness, and combat effectiveness.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Yes, however we must also consider any impact on military readiness and combat effectiveness.

Question. In your view, does a military climate that welcomes and respects open and candid discussions about personal religious faith and beliefs in a home-port environment contribute in a positive way to preparing U.S. forces to be effective in overseas assignments?

Answer. The Marine Corps respects individuals' personal religious faith and we believe that the current policy accommodates our Marines and balances individual beliefs with the needs of the Marine Corps.

Question. Would a policy that discourages open discussions about personal faith and beliefs be more or less effective at preparing servicemembers to work and operate in a pluralistic environment?

Answer. The Marine Corps respects individuals' personal religious faith and we believe that the current policy accommodates our Marines and balances individual beliefs with the needs of the Marine Corps.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the Administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Commandant of the Marine Corps?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

COUNTER-ISIL STRATEGY

1. Senator MCCAIN. Is our current strategy against ISIL succeeding?

General NELLER. To date, our strategy is not succeeding. Though we have made it difficult for ISIL to operate openly in many areas, and we are supporting allies who are confronting ISIL on the battlefield with some success, ISIL still holds many of the areas they have gained, and they appear to have traction with and support from many in the region. They remain positioned in Iraq, have made gains in Syria, have established a presence in Libya and have gained adherence from Boko Haram in Nigeria, Al Shabab in Somalia and even some Taliban in Afghanistan. Additionally, and as concerning, is the impact their information campaign has had in gaining recruits willing to travel to join them especially from the Western World and to radicalize others in the homeland of the U.S. and our allies, to execute acts of terror at home. They are both a threat as a physical force and in their ability to incite terrorist actions through their messaging.

2. Senator MCCAIN. Are the ends, ways and means of this strategy aligned to achieve the goal of degrading and destroying ISIL in a duration of time that does not pose unacceptable levels of risk to U.S. national security interests?

General NELLER. To defeat any adversary, all elements of national power must be employed with sufficient and comparable effort to do so, and at present this does not appear to be the case. I say that tempered by the fact in my current assignment, I am not immersed on a daily basis in the national strategy. If confirmed, this would be something that would have my personal attention. That said, based on our current level of effort in the military LOOs, and the success thus far achieved in denying a sanctuary and Building Partner Capacity (BPC), unless changed by some yet to be seen dynamic, e.g., a change in the leadership of the primary combatants or their primary supporters, or a greater commitment of Turkish or GCC forces to ground offensive action in Iraq and/or Syria, I believe the campaign timeline to "defeat" ISIL at the current level of effort and the success of the current LOOs must be viewed in years.

3. Senator MCCAIN. You characterized the current conflict with ISIL in Iraq and Syria as a "stalemate." You said that neither side is winning. However, as General David Petraeus has said about the fight against ISIL, "these are fights where, if you are not winning, you are probably losing, because time in not on your side? Would you agree with that assessment?

General NELLER. I would agree that a stalemate with ISIL is not an acceptable option for the United States or its allies, if only because stalemate, as a resolution, permits the establishment and continuation of what would become a nation state that is engaged in hostilities with U.S. interests. At the tactical level today, I see a stalemate. After the appearance of ISIL on the battlefield in Syria, and then in Iraq, they made rapid gains. In Iraq, these gains were partially due to the poor leadership and readiness of the Iraqi Security Forces but also due to the disenfranchisement of the Iraqi Sunni in the areas where ISIL made their advances. These advances have been stopped and to some degree reversed, due in some part to the actions of the U.S. and other coalition members, but until the territorial integrity of Iraq is reestablished there will be no "win." Further, it is important to recognize there are financial costs associated with war, and all are aware of fiscal situation of this country and many others. In this regard, I believe Gen Petraeus is correct. For this to drag on without an end in sight will challenge us not only fiscally, but from the perspective of the support of the American people, which is critical to any U.S. military effort. The best way to gain the support of the American people is to be successful. We are not winning, in the sense that the metrics one would expect to see in a successful military campaign are not necessarily evident.

4. Senator MCCAIN. Have our operations to date seized the strategic and operational initiative from ISIL? If not, why?

General NELLER. No, to date, they have not. Our actions in support of the Iraqi Security Forces did stop the ISIL advance and push it back to the current state. Since then Ramadi and Fallujah have fallen and at this time, ISF operations supported by Shiite Popular Militia Forces supported by Iran are attempting to take back these towns and to push ISIL back from the Bajii area. The Kurds in the north are holding/making some progress. If the Iraqi's were able to apply pressure on ISIL in multiple areas at the same time it would force ISIL to fight on multiple fronts, increasing the possibility of collapsing the ISIL forces in Iraq. So at the operational level of the campaign they have not seized the initiative.

Without being there to see with my own eyes I am not well positioned to answer the "why not." Based on what I have read in open source materials, the ISF lacks the aggressive spirit and combat leaders to take the fight to the enemy. ISIL is willing to fight and die for their cause. Strategically, I cannot speak of how all the coali-

tion, especially the GCC nations who have a stake in this fight, are working together to synchronize their efforts, not just militarily but across all the elements of national power. The United States cannot do this alone and must build a coalition for both Iraq and for Syria to take the fight to ISIL and stabilize the region as a whole.

5. Senator MCCAIN. Our current counter-ISIL strategy assumes that, with enough United States and coalition training, assistance, and support, including air strikes, ground forces in Iraq and Syria will develop sufficient capability and will to go on the offensive against ISIL, defeat them on the ground, take back territory in their countries from ISIL, and put ISIL on the path to defeat. Do you think this assumption about Iraqi and Syrian forces is realistic? If not, how would our strategy have to change in order to maintain our goals of degrading and destroying ISIL?

General NELLER. Based on my experience with the Iraqis, though now somewhat dated, I believe the assumption for Iraqi forces is realistic. There is at least a standing force to begin with and I believe they can be trained to defeat ISIL. To do so they need equipment and training to fight as a unit. More importantly, they must be paid, have a reasonable belief that if wounded they will receive medical care, and if they die their family will receive something. Most importantly, they must have good leadership. Finally, all of this will be for naught if the Bagdad government does not provide an equitable level of support to the Sunni Iraqis and treat them in a just way. This is probably the most difficult piece and the part which if it is not corrected will continue to fuel a Sunni insurgency against the Baghdad government. At the end of the day, the Iraqis have to fight the fight and win the fight. They can do this.

Though I have met with the Jordanian leadership on several occasions from 2012–2013, my sense of the fight in Syria is dated. I have no sense of the quality, skill, intelligence, and motivation of those who are being trained to fight against ISIL, so based on that and based on the results achieved thus far, my military opinion is that this will be much more difficult. As I stated in my testimony, Iraq is complicated but at least all but ISIL are on the same side of the line of contact. Syria is exponentially more complex due to all the various players: the Assad regime, Russia, Iran/IRGC, Hezbollah, Lebanon, and Israel, Syrian Opposition factions, Al Nusra, Kurds, Turkey, Jordan, the GCC nations and ISIL who fight on one comingled battlespace.

6. Senator MCCAIN. Given the attacks conducted in Little Rock, Arkansas; Fort Hood, Texas; and Chattanooga, Tennessee, should our soldiers, sailors and airmen, and marines serving in the United States be armed to protect themselves? If so, what should commanders account for in training, operations and threat assessments?

General NELLER. First and foremost, it must be our absolute priority to provide adequate protection to our servicemembers, regardless of duty station. We need to remain ever vigilant and prepared to modify our posture based on the threats we face. These measures already include the presence of armed security at our gates, base security forces/Military Police, and unit duty officers being armed and other force protection processes and measures in place. Additional measures can be put in place when called for.

While I am confident that the security of our major bases in the Marine Corps is adequate to protect the force and our families on base, security at our approximately 1500 Recruiting Stations/Sub Stations and approximately 150 Reserve Centers, many of which we share with other Services, are somewhat less secure. Our Reserve Centers could more easily have armed servicemembers on duty since they have weapons present and a means to secure them. I believe we are doing this at the present time, in compliance with state and local laws, and where the marine bearing the weapon has met all the qualifications to carry a weapon and has received the necessary instruction in the rules of use of force.

Recruiting stations are the most problematic. At present, there are limitations on storage for ammunition and weapons in some locations. We could remedy this, but it will take time and funding, all of which can be provided. Another important consideration to me is the time taken away from the recruiting mission to perform and sustain these requirements, and more importantly time taken away from efforts to find and recruit the best men and women to be U.S. Marines and the potential that bearing arms might restrict recruiters' access to the places where they find these same young Americans—high schools and college campuses.

I have a responsibility to protect all our marines and their families. The safety of the force will be among my highest priorities and I will be paying close attention to the investigations and Secretary of Defense directed reviews into the recent trag-

edy in Chattanooga to identify areas where we can make improvements, including examining whether and how to arm the force. I will also seek the views of the recruiting force on this issue. In the meantime, we must look at immediate improvements to harden their facilities as well as other security actions that we can implement now.

I am not ready to say, at this time, that we should. I will make force protection one of my highest priorities, including in appropriate environments and conditions, arming the force.

Regarding what commanders should account for in training, operations and threat assessments, the Commandant has directed a review of our authorities for carrying weapons and policies regarding qualifications, training levels and frequency, and applicable certifications. That review, and the lessons we glean from the ongoing investigations and Secretary of Defense directed reviews into the tragedy in Tennessee will inform our way forward. What I can say is that we need to proceed with caution when introducing additional armed personnel into the public environment.

IRAN

7. Senator MCCAIN. How would you characterize the Iranian regime's regional ambitions? Do you believe Iran is currently succeeding in achieving those regional goals?

General NELLER. In my opinion, Iran sees itself as the preeminent power in the Middle East. They believe this is their historical heritage and right. Their actions around the region, in support of other Shiite followers, have caused instability within existing governments, many of whom are allied with the U.S. I believe Iran causes problems in Bahrain, and Iranian adventurism will continue to find footholds there and elsewhere so long as there is an audience predisposed to receive it. So, in varying degrees, Iran is succeeding in shaping and changing the political environment in Yemen, Southern Lebanon, Syria and Iraq to their view and against United States security interests.

8. Senator MCCAIN. Do you believe that the Assad regime in Syria, Houthi forces in Yemen, and Hezbollah are as operationally effective as they have been in large part due to Iranian support?

General NELLER. Based on my information and understanding, Iranian support, from weapons, training, funding, active participation of Iranian advisors and even in some cases units, has been a significant contributor to the effectiveness of each of these groups. Hezbollah has probably benefitted the most. They are a de facto Iranian state within Lebanon that would not have the weaponry or military capability they do without Iranian support.

9. Senator MCCAIN. Do you believe that the United States is doing enough to counter Iran's malign influence in Iraq, Syria, and the region at large? If not, what more can and should be done?

General NELLER. Wherever possible we should step up our efforts against Iran's malign activities. We know that Iran is involved or complicit in destabilizing countries from Iraq to Syria, Lebanon, and Yemen and throughout the region. It is also clear that Iran uses support to militants, support to terrorist groups, and hybrid warfare, all of which are eminently activities NOT in the national security interests of the United States. It is in our interest to push back in every possible way against these destabilizing and damaging actions. The Iranians must be watched constantly, and when they violate treaties and laws such as through the shipment of illegal arms to their proxies, they must be confronted.

We should be more aggressive in this area, to include sharing information about their illegal and destabilizing activities. We must never give them a "pass" on things they do which are illegal and impact our interests and those of our allies. I will endeavor to provide my best military advice on any requested military options for countering Iranian aggression, whether that aggression is direct or through their proxies.

QUESTIONS SUBMITTED BY SENATOR INHOFE

READINESS OF THE FORCE

10. Senator INHOFE. How do lower readiness levels and a smaller force impact our ability to deter aggression?

General NELLER. The Marine Corps is operating with elevated risk in meeting the tenets of the defense strategy. At funding below the President's Budget request, we

would have less readiness and inadequate forward presence to assure allies or respond to crisis in the manner needed. The defense strategy requires a sustained ability to deter aggression, operate effectively across all domains, and respond decisively to emerging crises and contingencies. The Marine Corps, as the nation's expeditionary-force-in-readiness, does this by defending the homeland with forward presence. Smaller, less ready forces will produce fewer forward deployed forces, resulting in increased risk to our national security interests.

11. Senator INHOFE. Should the United States be postured to fight two Major Contingency Operations simultaneously? What is the impact of only being postured to fight one Major Contingency Operation?

General NELLER. Given the complex global security environment and the requirements for safeguarding U.S. interests detailed in our national documents such as the National Security Strategy, the National Defense Strategy, and the National Military Strategy, we must be able to effectively fight our adversaries in more than one theater of war, even if our capability only allows for winning in one theater and deterring/holding in the other.

Being postured to fight one Major Contingency Operation reduces the military's deterrent effect and would likely reduce the confidence of our allies and partners.

12. Senator INHOFE. Given the current force structure of the Marine Corps sized at 182,000 and a global environment that is becoming more unstable, how do you get the Marine Corps back to a goal of 1 to 3 deployment to dwell ratio without growing the Marine Corps knowing the world is not getting safer? How much longer can the Marine Corps sustain the 1 to 2 ratio?

General NELLER. We believe the optimal size force for the Marine Corps is 186,000 marines. As previous Commandants have testified, the 186K force was designed as a 1:3 deployment to dwell force; however, this force is unaffordable. That being said, the American People expect the Marine Corps to be nation's force and readiness, and they demand that when the Nation is least ready and needs us most, the Marine Corps will be the most ready, will answer the call and win. At our current size of approximately 184,000, the Marine Corps seeks to allocate forces supporting current operations with a deployment-to-dwell range of 1:2 to 1:3 for the majority of our units. Utilizing that range, we will work with the combatant commanders and provide forces that support operational and Service requirements. As an integral part of the Marine Corps Total Force, the Marine Corps Reserve will continue to play a key role in providing the essential shock absorber for the Active Component.

182,000 is the minimum force where we can meet the combatant commanders' requirements and provide a two to one deployment to dwell. We are working with the Joint Staff and combatant commanders to develop new, different, innovative ways to give the combatant commanders the capability they need to meet the mission, and at the same time, buy the Marine Corps more dep-to-dwell relief. If we were to go lower than 182,000 marines, the reduced deployment-to-dwell ratios would increase the risk to the force, the time we need to prepare for deployments, and sustain our readiness and our ability to meet combatant commander's requirements.

13. Senator INHOFE. Given the Marine Corps current state of tiered readiness and current global commitments, if a major or even minor contingency operation were executed today in one of the COCOMs, is it possible the Marine Corps would have to send forces into combat that are not fully trained and ready? Would you have to take forces from other COCOMs? If yes, what would be the impact on operations in those COCOMs?

General NELLER. Today forces that are forward deployed are ready to operate and fight tonight. That said, if a major contingency/operation arose and the majority/all of the force were required, we would deploy them at their current state of readiness. This is not optimal, but if necessary, we will do the Nation's bidding. Marines do not run away from a crisis or fight. Although we are always committed to generating ready forces, a strategic surprise or another situation of vital national interest may erupt where national leaders order the deployment of forces that are not sufficiently manned, trained, and equipped—essentially not being fully ready for the mission.

We will do everything in our power to protect the readiness of marines deploying into harm's way and look to the Congress for the support required to guarantee this readiness. A return to sequestration level spending puts the military on the path to degraded readiness and the hollowing of the force. Deploying such an unready force, whose readiness could have been protected, is unacceptable.

If we had a commitment elsewhere, we would take forces that are currently forward-deployed, such as in the Far East and Okinawa, and we would have to reposition them to wherever that contingency was. We did that during the combat in Iraq. The other option—the least favorable— is we go all in. We activate our reserves and we go and do what needs to be done. We've done that before, but it's not sustainable for more than a short period of time.

It's a difficult question without knowing the exact size of the force, what the exact mission was, what the combat ratios were, what we would need to do, and what we would have to accomplish militarily to achieve the political objective. Wherever they are assigned around the globe, the combatant commanders will get Marines who are smart, fit, disciplined, trained, experienced, take care of each other, and are ready to fight tonight and to provide what America expects of her Marine Corps: an expeditionary crisis response force in readiness.

SECURITY OF THE FORCE

14. Senator INHOFE. Do we need to reassess our security levels, rules of engagement, training requirements, ability to increase manning of armed security personnel, and authorization for military personnel to carry government firearms both concealed and openly carry to and from duty?

General NELLER. We learned a great deal in the aftermath of the Washington Navy Yard shooting and developed a comprehensive list of recommendations that was approved by both Secretary of the Navy and the Secretary of Defense. The recommendations became a task list that included directed improvements specific to both Marine Forces Reserve and Marine Corps Recruiting Command. In addressing Chattanooga, we've reconstituted the Washington Navy Yard Integrated Product Team to ensure that the earlier work informs our observations for the future.

USMC actions following the 16 July Chattanooga shooting will focus on the following: Arming/Enhanced Security Postures, Improved Physical Security, and Alert & Notification/Information Sharing. While a great deal of emphasis is being placed on the arming of personnel, we also need to look at the long-term and sustainable approach to improving the physical security of our facilities. We know that we have challenges in our desire to improve mass notification and warning capabilities at our off-installation facilities, and we're exploring a number of possible solutions; nothing is off the table. The recent events have identified a continuing risk that all military personnel face every day while carrying out their duties, and we must ensure that we are prepared and ready to address this risk. To continue supporting the security and safety of our Marines, a review of security, force protection, and arming policies has been conducted. All our commanders have been directed to conduct a review of their current antiterrorism, physical security and force protection policies, procedures, and measures. If higher guidance or local conditions were to require the arming of security personnel, commanders are charged to ensure that all applicable requirements are properly addressed, documented, and enforced.

Rules for the use of force are in place, and weapons qualification and training requirements are well-documented. Aboard our installations, we have a cadre of Military Police and Civilian Police officers who provide 24 hour security. Commanders have established auxiliary security forces aboard the installations to augment law enforcement personnel in the event of increased force protection requirements or emergencies. Commanders also have authorities to establish Camp Guard units.

Commanders have authority to allow personnel to carry concealed weapons in the performance of their duties and all authorizations are provided in writing. Open carrying of weapons is currently limited to personnel in an on-duty status. The ability to carry weapons to and from duty is limited by policy to General Officers and Criminal Investigators.

PROVIDING LETHAL WEAPONS TO THE UKRAINE

15. Senator INHOFE. In your opinion, what types of lethal weapons and assistance should the United States be providing the Ukraine to help defend their terrorist?

General NELLER. Russian aggression and their support to separatists in Ukraine and elsewhere are deeply troubling. That said, given the nature of the crisis, the pursuit of a diplomatic solution remains the optimal way to achieve a resolution consistent with our national interests and the interests of our allies in the region. In the meantime, we should continue the provision of non-lethal supplies and defensive equipment (counter fire radars) and ISR support to Ukraine and continue our training of their forces. If, in the future, the dynamics in Ukraine necessitate a more robust military response, I would recommend the provision of weapons and systems—such as anti-armor weapons—and the commensurate trainers to employ the

weapons capable of effectively countering the battlefield threats the Ukrainian military feels they need the most assistance in defeating.

QUESTIONS SUBMITTED BY SENATOR COTTON

IRAN

Senator COTTON. General Neller, I am sure during your time at I MEF Deputy Commanding General you saw the reports of Marines killed in Iraq, and might have known Marines that were killed in the Beirut Marine Corps Barracks bombing in 1983. Iranian terrorists and proxies have a long, infamous record of killing Americans around the world. The deal cut with Iran on their nuclear program will lift sanctions not only for the Iranian economy, but also for some of the worst actors within the Iranian regime. These are entities that form a nexus of companies and organizations that support not only proliferation and Iran's attempts to create a bomb, but also coincidentally support terrorist groups like Hezbollah, and Iranian militias in Iraq who have targeted and killed many American men and women in uniform with explosively formed penetrators (EFP).

16. General Neller, what do you say to the survivors and families of our men and women killed by Iranian proxies and bombs over the last 35 years knowing that we are going to underwrite their continued terror campaign by lifting sanctions against all of these bad actors, including IRGC Quds Force Commander Ghassem Suleimani?

General NELLER. I did know Marines killed in Beirut and like you have seen first-hand death on the battlefield. When I have met and talked with the families of those we lost, I did my best to comfort them and to assuage their grief. As you know first-hand, this is hard. I tell them that their loved ones did their duty and we who knew them are enormously proud to have served alongside such brave men and women like those who have lost their lives at the hands of the cowards who hide behind weapons of terror. I can only hope and pray that these words and our willingness to talk with them, provides them some comfort. Regardless if we end up with an agreement with the Iranians on their nuclear program, I give you my word that this regime's nefarious and destabilizing actions, assuming that they continue, will have my closet attention and that Marines will be both aware of this threat and be prepared to counter them, wherever they may be.

ASIA

17. Senator COTTON. Asia is arguably the most important region in the world economically for the United States. Asian nations surpassed Europe as our leading trade partners in 1977, and total trade with Asia is double the trade with Europe. Asia is our largest source of imports and second largest export market (outside of North America), and the region has outpaced every other region on in the growth of exports since 2005. The United States trades more with South Korea than with Germany, more with Singapore than with France, and more with Japan than with the United Kingdom, Germany, and France combined. The U.S. must have a sustained role in the region, and that role is secured by American military might. Marine amphibious forces remain a critical capability in demonstrating American military might.

As the Commandant will the amphibious combat vehicle remain a top priority for the Marine Corps?

General NELLER. Yes. The Amphibious Combat Vehicle (ACV) is the centerpiece of the Marine Corps' Ground Combat and Tactical Vehicle Strategy (GCTVS) and a key enabler of our operational concept—Expeditionary Force 21. As such, ACV is the Marine Corps' number one ground acquisition program and is critical to our ability to conduct expeditionary amphibious operations as well as to provide armored protected mobility and maneuver during the conduct of operations ashore.

Armored amphibious surface assault and maneuver ashore are absolutely essential to our amphibious capability. The Naval services have long maintained the need to possess complementary means of conducting vertical and surface littoral maneuver from increased distances, and via multiple penetration points, using the sea as maneuver space to offset the range and precision of modern weapons. The ACV is vital to our ability to meet our statutory obligations to the Nation.

18. Senator COTTON. How important will amphibious capabilities be for our Allies in the Pacific? How will you ensure amphibious interoperability with our Allies?

General NELLER. Amphibious capability will always be important in areas dominated by the littorals. As such, we prize both the capabilities of our allies in the Pacific and our ability to interoperate with them. Further, amphibious capabilities are increasingly important for our partners and allies as they are pursuing ways to meet Humanitarian Assistance/Disaster Relief (HA/DR) missions and crisis response demands in the region.

Interoperability is also essential and allows the U.S. to work in inclusive and coordinated ways to counter challenges to regional security and stability. Interoperability is ensured over time by a commitment by each state to work together on shared interests. We are able to do this through the Marine Rotational Force—Darwin, a unit we are looking to increase the size and scope; our units stationed in Okinawa and Hawaii; the 31st Marine Expeditionary Unit (MEU) which is based in the Pacific; as well as the 11th, 13th, and 15th MEU's based out of San Diego which regularly transit the region.

QUESTIONS SUBMITTED BY SENATOR SULLIVAN

TOP PRIORITY

19. Senator SULLIVAN. General Neller, in your role as commandant you are charged with manning, training and equipping marines for service as directed by the president. When confirmed, what do you see as an area that will require your immediate attention, what will be your first priority?

General NELLER. The current Commandant and the Corps' senior leadership have been wrestling with the current fiscal and readiness challenges for the past several years. Today, our marines are operating forward around the globe performing the mission of America's expeditionary force-in-readiness. If confirmed, my number one priority will be to ensure those marines deployed and those next to respond have the resources and training they need to be successful. I will also continue initiatives instituted to meet our readiness and training challenges such as developing better readiness metrics, improving leader-to-led ratios, identifying key enlisted leader billets and investing more time in the development of those key leaders.

PACIFIC LIFT

20. Senator SULLIVAN. General Neller, the current Commandant has said in multiple forms (hearings, public speaking engagements, answers to Advanced Policy Questions from the SASC), that lift capacity to support the shifting laydown of forces in the Pacific theater will be insufficient and constitutes a major concern for you. In your response to the Committee's questions you stated that you "look forward to working with the Services and the U.S. Pacific Command to address" the lift needs in the Pacific. In your prepared questions you state, "There is not enough amphibious warship capability to support an assault echelon of two Marine Expeditionary Brigades required for contingency response ... There are no alternatives that have been developed to mitigate the wartime or contingency response requirement for an amphibious fleet." General Neller, if confirmed, what are some of the ways you would consider to address this pending shortfall? Does Congress need to appropriate more funds?

General NELLER. Increased funding for amphibious warships will certainly be important. It is true that we currently lack the 33 ships in a mix of 11 LHD/LHA(R), 11 LPD, and 11 LSD/L(X)R required to embark an assault echelon of two Marine Expeditionary Brigades (MEB). The current Plan for Construction of Naval Vessels for 2015 does not meet the required mix until fiscal year 2024. I'd like to mention the fact that the amphibious ship total will actually be 34 because of the wisdom of the Congress in providing funds to support the requirement of a 12th LPD. My recommendation is to authorize multi-year and block buy procurements to ensure that the current shipbuilding plan stays on schedule. This will allow both the service and industry to operate on a predictable and more cost effective schedule which will ensure the maturation of this plan and prevent its completion from continually getting pushed further into the out years.

21. Senator SULLIVAN. General Neller, do we have sufficient lift in the Pacific to accommodate the Marine Corps redeployments from Okinawa? If no, how confident are you that we will have it by the time the marines begin redeploying throughout the Pacific?

General NELLER. Amphibious warfare ships provide the best operational capability and embarkation capacity to enable marines to conduct missions throughout the Pacific. We currently have 30 amphibious warfare ships in the battle force in-

ventory, which is below even the agreed upon minimum number of ships in a fiscally constrained environment (33), let alone the optimal number (38) for crisis and contingency response. Our first redeployment from Okinawa to Guam is scheduled for fiscal year 2021 which pre-dates the completion of the 33 ship amphibious fleet by several years. This will further stress an already under-size fleet. All this said, we must: focus on recapitalizing our amphibious warship inventory by protecting and properly funding the ship building program; improve the readiness/maintenance of the ships we have; and continue to develop alternative lift platforms for Phase 0 and Phase 1 operations.

22. Senator SULLIVAN. General Neller, as Admiral Roughead testified to the SASC in April, do you believe we should also consider moving additional naval and maritime assets forward into the theater to support our peacetime and contingency lift?

General NELLER. Yes, I agree with Admiral Roughead that the more forward presence we achieve in the Pacific with naval and maritime assets, the better we will be able to accomplish our peacetime missions as well as respond to crisis and contingency operations. Additionally, he is correct that simply moving assets around the Pacific is not optimal. Creating additional operational capability and embarkation capacity will provide us the best freedom of movement and allow us to most effectively handle the significant number of missions in this massive theater.

PACIFIC PATHWAYS

23. Senator SULLIVAN. General Neller, over the last two years, the U.S. Army has been conducting an expeditionary-like set of exercises called Pacific Pathways. During these exercises, U.S. Army forces deploy off ships to exercise with our allies in the Asia-Pacific Region. Recently, General McMaster testified in front of the Airland Subcommittee stated about the Army's new Operating concept, "We're emphasizing really two concepts . . . one is expeditionary maneuver." General Neller, in your personal opinion, in a budget constrained environment, can we afford to have an Army mission in the Pacific that is redundant with another service's long-standing mission?

General NELLER. The Pacific is a significantly large AO, with such a large number of opportunities to train and operate with allies and partners, that there is sufficient space for operations of both the Marine Corps and the Army. However, as the service with primary DOD Directive and title 10 responsibility for the development of amphibious doctrine, tactics, techniques, and equipment, our capabilities are reliant on the Nation's investment in our partnered Navy programs. It is therefore imperative that the Marine Corps maintain its historic and habitual relationship with the Navy aboard amphibious assault ships in order to respond with well trained and well equipped amphibious forces. Insufficient inventory and operational availability of the Navy's amphibious warships for training and readiness of marines makes increased demand problematic. Any U.S. Army expansion to a greater capability in amphibious operations should not come at the cost of U.S. Marine Corps amphibious training and readiness or negatively impact our historic and habitual relationship with the U.S. Navy aboard ships.

24. Senator SULLIVAN. General Neller, in testimony before the SASC, General Milley said that the U.S. Army "has to do both" missions of seaborne capabilities and airborne assault capabilities. In your personal opinion, does the U.S. Army have to do both, or does the Marine Corps already provide this nation's amphibious assault capabilities?

General NELLER. Based on title 10, the Marine Corps is responsible to be organized, trained and equipped to come from the sea across the range of military operations, and therefore provide amphibious assault capabilities. The Marine Corps has primary responsibility for the development of amphibious doctrine, tactics, techniques, and equipment, our capabilities.

25. Senator SULLIVAN. General Neller, in your personal opinion, what is view on Pacific Pathways? Is it redundant to the Marine Corps mission in the Pacific?

General NELLER. The Pacific Pathways seeks to increase and enhance allied and partner engagement and interoperability training throughout the PACOM AOR. The Pacific AOR is sufficiently large and complex that it supports operations by both the U.S. Marines, and the U.S. Army without it necessarily being redundant. We look forward to continuing to work with the U.S. Army to maximize the impact and dividends that accrue to our operations in the Pacific and prevent any redundancies in order to achieve the best return on our investments in the region.

MARINE CORPS MISSIONS

26. Senator SULLIVAN. General Neller, the Marines Corps has many missions, including producing responsible and engaged citizens, whether they serve four or forty years. Can you comment on this mission of the Marine Corps?

General NELLER. Returning Marines to civilian life as responsible and engaged citizens is a hallmark of marine training and culture. It is my goal that our ethos of Honor, Courage, and Commitment guides everything we do, whether conducting humanitarian assistance overseas in places like Nepal this year, supporting Americans at home like in Hurricane Sandy, or fighting terrorism while building partner capacity in places like Iraq. From boot camp to the battlefield and back home again, the Marine Corps seeks to set up marines for success.

One part of this is helping marines transition. Our Transition Readiness Program is designed to prepare marines for transition to civilian life. The Marine Corps Transition Readiness Program does this by preparing and connecting transitioning marines with resources to successfully meet educational, employment or entrepreneurship goals throughout their career to ensure success once they move to civilian life. The Personal Readiness Seminar that marines attend after arriving at their first permanent duty station helps plant the seed for their future. Topics include an overview of personal and professional development services, and financial topics such as banking and financial services, savings and investments, living expenses, understanding debt, and servicemembers' consumer rights. The intent is to get marines thinking about transition early, so that they may recognize opportunities while they serve that will prepare them for success after service.

QUESTIONS SUBMITTED BY SENATOR SHAHEEN

INTEGRATION OF WOMEN

27. Senator SHAHEEN. Last fall the Marine Corps established the Ground Combat Element Integrated Task Force to evaluate the performance of women in combat units. I understand that this task force is wrapping up part of its evaluation this month. Can you discuss the metrics you will use to determine whether or not women may serve in infantry units?

General NELLER. The data which was collected during the GCEITF is still being collated and analyzed. It encompasses a number of performance-based metrics that will inform whatever decision the Commandant makes to the SECDEF on the integration of women into the ground combat element which includes: infantry, artillery, armor (tanks, LAVs and Amphibian Vehicles), combat engineers and reconnaissance units. Whatever recommendation is made will be based on the Marine Corps' unwavering focus on combat effectiveness and ensuring the fullest success of each marine. Any recommendations to the Secretary of the Navy, Secretary of Defense, and the Congress will be made in that context.

28. Senator SHAHEEN. The former commanding officer of the 4th Recruit Training Battalion at Marine Corps Recruit Depot Parris Island in South Carolina has received much attention after being relieved for cause in June. This case has raised questions regarding the level of support female recruits receive to ensure their success. While other services have integrated basic training, why does the Marine Corps segregate women during boot camp, and would integrated basic training increase combat effectiveness?

General NELLER. The purpose of recruit training is to make marines out of the fine young men and women who step forward to take the challenge to join our Corps. The young men and women who arrive at the recruit depots to begin the process are generally away from home for the first time. They have brought with them diverse perceptions of right and wrong. Equally eclectic is their understanding of permissible behavior. Their experiences with authority figures may have been good or bad, proper or improper/abusive. In general, they arrive with immature, undeveloped and unfocused thoughts on professionalism and professional conduct. The only thing they have in common is their desire to be a marine. By capitalizing on that desire, recruit training transforms these individuals from many diverse backgrounds into marines imbued with a common set of values and standards.

At the recruit depots, civilians are transformed into basic marines. It is a physically and mentally challenging ordeal, one that requires constant supervision. Drill instructors control and manage the transformation through 24 hour/day interaction with their recruits. They teach core values, institutional rights and wrongs and what constitutes proper authority. This teacher-student/father-son/mother-daughter relationship is the heart and soul of the recruit training experience and success or

failure of the socialization process rests squarely on this process. After much research and analysis, we believe that keeping male and female recruits separate at this entry level of training allows for the most effective transformation from civilian to marines.

After recruit training, the Marine Corps, unlike other Services, has a block of training entitled Marine Combat Training between recruit training (socialization) and military occupational skills training. It is at Marine Combat Training that newly forged marines are actually taught combat skills. This training has been integrated since March 1997. The important distinction from other Services is that this training occurs after recruit training, after the intense transformation process which replaces diverse and confused perspectives of right and wrong with strong and clear marine standards of behavior, and after vulnerable, tentative civilians have developed the values, mental and physical toughness, self-reliance and confidence essential to earn the title marine.

DEPLOYMENT TO DWELL RATIO

29. Senator SHAHEEN. In your advanced policy questions, you state that the Marine Corps is operating at a 1 to 2 deployment to dwell ration. You state that this is not sustainable over the long term. Can you discuss in further detail the impact high operational tempos have on marines and their families as well as on the reserve force?

General NELLER. As the Nation's force-in-readiness, the Marine Corps must maintain a high state of readiness within our home station units as they constitute the ready force that would surge to unexpected crises and major contingencies. At a 1 to 2 deployment to dwell ratio, the time at home station to prepare for the next deployment is compressed, which reduces the time to train and the time after a deployment to be with our families.

In order to continue operating in a high operational tempo, such as a 1 to 2 deployment to dwell ratio, risk is placed on unit readiness as personnel are sourced to protect the readiness of deployed or 'next-to-deploy' units. This decision is necessary when validated operational requirements exceed resource availability. To reduce stress and impacts, the Marine Corps will continue to ensure that our quality of life programs focus on core requirements and provide support in the critical areas that directly impact marines and families; e.g. Yellow Ribbon Reintegration Programs, family readiness programs, and the Military Family Life Consultant Program. Our Reserve Force is fully integrated with the Active Component and, as such, deals with the same stresses and impacts as the Active Component under this scenario but at a reduced tempo of 1 to 5. Our quality of life programs are developed for the needs of our Reservists as well.

MARINES ON FOREIGN SHIPS

30. Senator SHAHEEN. I understand the Marine Corps is considering deploying marines aboard foreign ships to increase response times for contingency operations. What are the risks associated with this strategy, and is it driven by fiscal considerations?

General NELLER. For decades, the Marine Corps has conducted amphibious interoperability training with allies and partners to develop their organic capability and our ability to operate with them should a crisis occur. We currently conduct amphibious training with Japan, Australia, Republic of Korea, Thailand, the Philippines, the United Kingdom, France, the Netherlands, Italy, and Spain. While developing the capacity to operate more seamlessly with our allies/partners remains a priority, the Marine Corps is not seeking relationships that might compromise the ability to command and control U.S. forces. The Marine Corps must retain the capability to respond immediately to threats to our Nation's security. For the Marine Corps, this means retaining the maritime flexibility offered by U.S. amphibious ships.

QUESTIONS SUBMITTED BY SENATOR DONNELLY

AMPHIBIOUS COMBAT VEHICLE (ACV) PROGRAM

31. Senator DONNELLY. General Neller, the Marine Corps has identified the Amphibious Combat Vehicle as a top priority program. What capabilities beyond ACV 1.1 do you want to see in ACV 1.2?

General NELLER. As I stated during recent testimony, we are confident that ACV 1.1 will achieve water mobility performance that is on par with our existing assault amphibian, yet with significantly enhanced protection and improved land mobility. Water mobility and range are obviously very important to us. The sooner we get

these—without trading critical armored protected mobility, land mobility, and troop carrying capacity—the better.

Importantly, ACV 1.2 will include our ACV mission role variants. These mission role variants include Command & Control and Recovery platforms, but could also include other variants identified at a later date.

32. Senator DONNELLY. What in your view is the future of amphibious combat vehicles for the Marine Corps?

General NELLER. Future amphibious combat vehicles must have the capability to rapidly transition from ship to shore, use the natural and man-made waterways in the littoral regions as maneuver space, and once ashore, provide the protected mobility necessary to deliver the infantry to their objectives—be they against an opposing enemy force or in support a host nation's request for humanitarian assistance.

Our phased acquisition approach supports this effort. ACV 1.1 will be an amphibious combat vehicle that will provide armored protected lift for two infantry battalions. Near simultaneously, we will be conducting critical survivability upgrades to our AAV fleet to provide armored protected lift capability for four infantry battalions. In fielding ACV 1.2, we will modernize the required protected lift for four more infantry battalions. Concurrently, the Marine Corps is supporting S&T efforts to pursue a High Water Speed (HWS) capability that will enable an Amphibious Force to rapidly transition from stand-off distance at a sea base to objectives ashore and utilize other littoral and inland waterways as maneuver space.

The bottom line is that the Marine Corps' has established an affordable and technologically feasible strategy that will provide the Nation with the ability to use the sea as a maneuver space across the range of military operations.

33. Senator DONNELLY. How important will amphibious capabilities be for our Allies in the Pacific?

General NELLER. Amphibious capabilities are increasingly important for our partners and allies as they are pursuing ways to meet HA/DR and crisis response demands in the region. Interoperability allows the U.S. to work in inclusive and coordinated ways to counter challenges to regional security and stability. Interoperability is ensured overtime by a commitment by each state to work together on shared interests.

34. Senator DONNELLY. How will you ensure amphibious interoperability with our Allies?

General NELLER. The Marine Corps currently promotes interoperability with our partners and allies through robust exercise and engagement plans. For example, we hold annual service-level staff talks with some of our strongest partners in the Asia-Pacific. These staff talks help facilitate our allies' amphibious development by coordinating activities such as exercises, personnel exchanges, international military education and training (IMET), foreign military sales, and general security cooperation efforts between services.

NAVAL SURFACE WARFARE CENTER LAB STRUCTURE

35. Senator DONNELLY. General Neller, Naval Surface Warfare Center Crane in Indiana is the largest supporter of the Marine Corps across all NAVSEA activities. The Marine Corps relies on the Surface Warfare Center lab structure to meet many of its RDT&E, depot maintenance and in-service engineering support needs. If confirmed, how will you work with the Navy to ensure Marine Corps requirements are adequately prioritized by NAVSEA and the Surface Warfare Centers?

General NELLER. The Marine Corps has an ongoing, mutually beneficial relationship with the NAVSEA Warfare Centers. This partnership deliberately strengthens the understanding of needs and capabilities through continuous communication and coordination. For example, we host an annual "Warfare Center Week" at Quantico with proven productive working sessions where the participants discuss and gain mutual understanding of Warfare Center capabilities, program information, and program needs. We conduct this event early in the calendar year to enable and inform resource planning for the following fiscal year. Negotiations on scope of work continue through the spring, producing "Task-books" with the coordinated specificity to assign the required Warfare Center technical support to individual Program Managers and define the required funding. As an added key link in this teamwork, the Warfare Centers have established a Marine Corps Coordination team. The engineering staff at Marine Corps Systems Command participates in biweekly teleconferences with this team to address emerging opportunities and issues. Continuous engagement with collaborative processes and open dialogue helps us ensure Marine

Corps requirements are fulfilled through the unique capabilities of the NAVSEA Warfare Center enterprise.

SNIPER RIFLE MODERNIZATION

36. Senator DONNELLY. General Neller, in recent weeks media reports have highlighted concerns among current and former marine snipers about the range, accuracy and lethality of the M40A5. What are the top priority capability enhancements in the Marine Corps' current efforts to upgrade from the M40A5 to the M40A6?

General NELLER. Top priority capability enhancements from the M40A5 to M40A6 are an improved ergonomic adjustable stock which is lighter and more ergonomically adjustable for individual shooters along with an improved and more durable barrel; in addition the weapon is lighter and more transportable due to decreased weight and length. Each M40A6 will also receive a Scout Sniper Ballistic Calculator adding to the enhanced accuracy of the sniper suite by increasing first hit probability.

37. Senator DONNELLY. Will the new M40 variant have an extended effective firing range beyond that of the M40A5?

General NELLER. No, the M40A6 like the M40A5 is accurate out to 1000 yards. The Marine Corps is continuing its validation of other weapon systems to determine if adoption of another system in different calibers is a material solution for our requirements and we are participating in SOCOM and U.S. Army testing and evaluation of the PSR in both 300 Win Mag and .338 Lapua.

38. Senator DONNELLY. What is your assessment of the feasibility and advisability of moving to a .300 or .388-caliber round for use by marine snipers?

General NELLER. We are evaluating both calibers in conjunction with Special Operations Command and the U.S. Army. Further, we are also looking at the feasibility of replacing M107 SASR with a weapon that uses .300 Winchester Magnum or .338 Lapua ammunition. Our current .308 caliber weapon (the existing M40 Sniper Rifle) provides range to 1000 yards and allows us to train on all existing sniper ranges. Both .300 Winchester Magnum and .338 Lapua would give us extended range to 1200+ m and provide accuracy for the anti-personnel mission. Finally, .338 Lapua has potential for an anti-material mission.

39. Senator DONNELLY. General, Naval Surface Warfare Center Crane supports Marine Corps Forces Special Operations Command with weapons systems like the MK–13 .300 WINMAG Precision Sniper Rifle AND THE 7.62 Combat Assault Rifle, both of which were developed by NSWC Crane for the Special Warfare community. How can the expertise and capabilities available at NSWC Crane be leveraged in future conversations about modernizing marine sniper rifles?

General NELLER. We currently leverage both the expertise and knowledge of NSWC Crane and are active participants in many of their programs. We have leveraged them in such things as the SOPMOD kit or M4A1 CQBW kit, we were active participants in the SCAR and coordinate with them on most programs especially SOCOM weapons and equipment. We will continue to leverage their abilities into the future.

GROUND BASED OPERATIONAL SURVEILLANCE SYSTEM

40. Senator DONNELLY. General Neller, GBOSS is built by NSWC Crane as the Lead System Integrator. How do you believe G–BOSS can impact or improve our force protection efforts stateside or abroad to monitor the flow of foreign fighters across lines?

General NELLER. The G–BOSS system originated in 2006 through the Urgent Needs Process in support of our marines engaged in OIF and OEF. Their positive impact to improving our force protection and intelligence collection efforts against our enemies, including foreign fighters, in Overseas Contingency Operations have been detailed in numerous lessons learned and After Action Reports. The current GBOSS Family of Systems with its three variants—GBOSS Heavy, GBOSS Medium, and GBOSS Light—scale well to our Marine Air Ground Task Force (MAGTF) structure and allow for operations involving units down to the company level. Primarily, G–BOSS is used in support of overseas operations for force protection, check point security, route reconnaissance, patrol over-watch, IED emplacement detection, intelligence collection, and personnel/vehicle identification.

In May of 2013, the Deputy Commandant for Plans Policies and Operations (DC PP&O) in coordination with Deputy Commandant for Combat Development and Integration (DC CD&I) developed a DOTMLPF Change Request requirement document for G–BOSS. The requirement details the interim transition plan for current

G–BOSS related equipment inventories from post OIF and OEF to steady state operations. It also defines a steady state interim requirement for 41 total G–BOSS systems that support Marine Corps' persistent ground surveillance requirements. In 2015 a Letter of Clarification increased that requirement through Fiscal Year 2020 to our currently funded 52 Systems. These 52 systems support deployed Marine Forces, Special Purpose (SP) MAGTF–Central Command and the Marine Expeditionary Unit (MEU) Augmentation Program (MAP) as well as sustaining home station training. The Marine Corps' Director of intelligence has initiated comprehensive MAGTF sensing strategy to identify how future MAGTFs will "sense" to achieve battlespace awareness. G–BOSS and other similar capabilities will serve as key assets in that future strategy.

The Marine Corps does not intend to use GBOSS as a home station base security system in anything other than a short term augmentation role to our existing systems. GBOSS is a tactical system, designed to be expeditionary and rugged with integral power systems including generators that would be as ill matched to long term CONUS Bases and Station Force Protection requirements as it would not compare favorably in capability for cost against other less tactical purpose built base security systems that would require less sustainment, training, and maintenance.

MUSCATATUCK URBAN TRAINING CENTER

41. Senator DONNELLY. General Neller, the Marine Expeditionary Unit has a vital role in our post-9/11 force. They have performed in Afghanistan, Iraq, Africa, Turkey, and Kosovo, to mention just a few. They also have the task of spearheading the Humanitarian and Disaster Relief mission so vital to our international partners. The Marine Corps has utilized Camp Atterbury and Muscatatuck Urban Training Center previously as a cost-saving option for pre-deployment training. How can these facilities be of greater service to facilitate more training opportunities for the Marine Corps?

General NELLER. Initial analysis is that we keep both locations gainfully employed throughout the calendar year. Muscacatuck has been scheduled and used frequently by Marine Special Operations Command (MARSOC), Marine Forces Reserve (MFR), Expeditionary Operations and Training Group (EOTG II MEF), Training and Education Command (TECG), and the Marine Corps Warfighting Lab. Atterbury has the preponderance of use by a host of elements from MFR, which use it as primary training grounds for reserve elements from MO, IL, IN, and TN, as well as MARSOC, and Recruiting Station Indianapolis. Loss of either would have a huge impact on MFR training for the greater Midwest.

[The nomination reference of Lieutenant General Robert B. Neller, USMC follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 15, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as Commandant of the Marine Corps and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5043:

To Be General

Lt. Gen. Robert B. Neller, 0298.

[The biographical sketch of Lieutenant General Robert B. Neller, USMC, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF LT. GEN. ROBERT B. NELLER, USMC

Source of commission:

Platoon Leaders Course (PLC)

Educational degrees:

University of Virginia, BA, 1975.

Pepperdine University, MA, 1981.

Military schools:

The Basic School, 1976.
Armor Officers' Advanced Course, 1983.
Amphibious Warfare School, 1984.
Marine Corps Command and Staff College, 1991.
NATO Defense College, 1994.
Joint & Combined Warfighting School, 1995.
Capstone, 2004.
Joint Force Air Component Commander, 2005.
Navy Strategic Thinking Course/Executive Business, 2010.
Senior Executive EEO Seminar, 2010.

Joint Qualified Officer.

Promotions:

Promotions	Dates of appointment
2nd Lt.	4 Jun 75
1st Lt.	4 Jun 77
Capt.	1 Sep 79
Maj.	1 May 86
Lt. Col.	1 Aug 92
Col.	1 Oct 97
Brig. Gen.	1 Jan 03
Maj. Gen.	21 Jan 07
Lt. Gen.	11 Jan 11

Summary of assignments:

From	To	Assignment
Jul 14	Present ...	Commander, United States Marine Corps Forces Command; Commanding General Fleet Marine Force Atlantic; Commander, United States Marine Corps Forces Europe (Lt. Gen.).
Aug 12	Jun 14	Commander, U.S. Marine Corps Forces, Central Command (Lt. Gen.).
Jan 11	Aug 12 ...	Director for Operations, J-3, Joint Staff (Lt. Gen.).
Aug 09	Dec 10 ...	President, Marine Corps University (Maj. Gen.).
Jun 07	Aug 09 ...	Commanding General, 3d Marine Division (Maj. Gen.).
Aug 05	Jun 07	Deputy Commanding General, I Marine Expeditionary Force (Forward) (Brig. Gen./Maj. Gen).
Jul 02	Aug 05 ...	Director, Operations Division, Plans, Policy and Operations (Col./Brig. Gen).
Mar 02	Jul 02	Assistant Division Commander, 2d Marine Division (Col.).
Dec 01	Mar 02 ...	Deputy Director of Operations, EC/J–3, U.S. European Command (Col.).
Jun 01	Dec 01 ...	Assistant Division Commander, 2d Marine Division (Col.).
Jul 00	Jun 01	Assistant Chief of Staff, G–3, 2d Marine Division (Col.).
Jun 98	Jul 00	Commanding Officer, 6th Marines, 2d Marine Division (Col.).
Jul 97	Jun 98	Assistant Chief of Staff, G–3, II Marine Expeditionary Force (Col./Lt. Col.).
Jul 94	Jul 97	Staff Officer, Policy and Requirements Division, Supreme Headquarters Allied Powers Europe (Lt. Col.).
Jun 93	Jan 94	Executive Officer, 7th Marines, 1st Marine Division (Lt. Col.).
Jul 91	Jun 93	Commanding Officer, 3d Light Armored Infantry Battalion, 1st Marine Division (Maj./Lt. Col.).
Jun 91	Jul 91	Plans Officer, 1st Marine Division (Maj.).
Jul 88	Jul 90	Commanding Officer, Marine Corps Security Force Company Panama (Maj.).
Jul 86	Jul 88	Project Officer, Headquarters, Marine Corps (Maj.).
May 83	Jun 86	Instructor; Company Executive Officer, Defense Section Head, The Basic School (Capt./Maj.).
Feb 81	Sep 82 ...	Company Commander, Alpha Company, 1st Battalion, 1st Marine Division (Capt.).
May 80	Feb 81 ...	Headquarters Element OIC/Personnel Officer, Headquarters Company, 1st Battalion, 1st Marine Division (Capt.).
Nov 79	Apr 80	Director of Students, Marine Corps Recruit Depot San Diego (Capt.).
Nov 78	Nov 79 ...	Aide De Camp, Marine Corps Recruit Depot San Diego (Capt./1st Lt.).
Jun 77	Nov 78 ...	Assistant Series Commander; Series Commander, Marine Corps Recruit Depot San Diego (1st Lt.).
May 76	Apr 77	Platoon Commander, Company L, 3rd Battalion, 4th Marines, 3rd Marine Division (2nd Lt.).
Oct 75	Apr 76	Student, The Basic School (2nd Lt.).

Summary of joint assignments:

	Date	Grade
Director for Operations, J–3, Joint Staff	Jan 11–Aug 12	Lt. Gen.
Deputy Director of Operations, EC/J–3, U.S. European Command	Dec 01–Mar 02	Col.
Staff Officer, Policy and Requirements Division, Supreme Headquarters Allied Powers Europe	Jul 94–Ju1 97	Lt. Col.

Summary of operational assignments:

	Date	Grade
Commanding General, 3rd Marine Division/Operation Enduring Freedom	Mar 09–Mar 09	Maj. Gen.
Deputy Commanding General, I Marine Expeditionary Force (Forward)	Feb 06–Feb 07	Maj. Gen./
Operation Iraqi Freedom	Oct 05–Oct 05	Brig. Gen.
Staff Officer, Policy and Requirements Division, Supreme Headquarters Allied Powers Europe/Operation Allied Force	Jan 97–Feb 97	Lt. Col.
Commanding Officer, 3d Light Armored Battalion, 1st Marine Division Operation Restore Hope	Dec 92–Feb 93	Lt. Col./Maj.
Commanding Officer, Marine Corps Security Force Company Panama Operation Promote Liberty	Feb 90–Ju1 90	Maj.
Commanding Officer, Marine Corps Security Force Company Panama Operation Just Cause	Dec 89–Jan 90	Maj.
Commanding Officer, Marine Corps Security Force Company Panama Operation Contingency Security	Aug 88–Dec 89	Maj.

Decorations

Defense Distinguished Service Medal
Legion of Merit
Bronze Star
Defense Meritorious Service Medal
Meritorious Service Medal
Joint Service Commendation Medal
Navy and Marine Corps Commendation Medal
Navy and Marine Corps Achievement Medal
Combat Action Ribbon
Joint Meritorious Unit Award
Navy Unit Commendation
Marine Corps Expeditionary Medal
National Defense Service Medal
Armed Forces Expeditionary Medal
Iraq Campaign Medal
Global War on Terrorism Service Medal
Armed Forces Service Medal
Sea Service Deployment Ribbon
Navy Arctic Service Ribbon
Navy and Marine Corps Overseas Ribbon
Marine Corps Drill Instructor Ribbon
NATO Medal

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Lieutenant General Robert B. Neller, USMC in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Robert Blake Neller.

2. **Position to which nominated:**
Commandant of the Marine Corps.

3. **Date of nomination:**
15 July 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
9 February 1953, Camp Polk, LA.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to D'Arcy A. Neller (39 years). Maiden name: Dutch.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.
Lifetime Member, University of Virginia Alumni Association.
Member, Marine Corps Association.
Lifetime Member, Third Marine Division Association.
Member, AARP.
Military Officers Association of America.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

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

LIEUTENANT GENERAL ROBERT B. NELLER, USMC

This 8th day of July, 2015

[The nomination of Lieutenant General Robert B. Neller, USMC was reported to the Senate by Chairman McCain on August 4, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 5, 2015.]

NOMINATION OF ADMIRAL JOHN M. RICHARDSON, USN, TO BE CHIEF OF NAVAL OPERATIONS

THURSDAY, JULY 30, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:35 a.m. in Room SD–G50, Dirksen Senate Office Building, Senator John McCain (chairman) presiding.

Committee members present: Senators McCain, Inhofe, Sessions, Ayotte, Fischer, Cotton, Ernst, Tillis, Sullivan, Reed, Manchin, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, and King.

OPENING STATEMENT OF SENATOR JOHN MCCAIN

Chairman MCCAIN. Good morning. The Senate Armed Services Committee meets today to consider the nomination of Admiral John Richardson to be the 31st Chief of Naval Operations.

Admiral Richardson, we thank you for joining us this morning. We're grateful for your many years of distinguished service to our Nation and for your continued willingness to serve.

We also welcome members of your family who are joining us this morning, and thank them for supporting you and the Nation. As is our tradition, at the beginning of your testimony we will invite you to introduce any family members that are joining us.

The next Chief of Naval Operations will lead our Navy in confronting the most diverse and complex array of global crises since the end of World War II. With instability spreading across the Middle East and North Africa, more than ever our Nation is counting on the forward presence, power projection, and rapid response that the Navy uniquely delivers.

In the Asia-Pacific, China is undertaking an ambitious naval buildup that seeks to project power and influence in key waterways of the Asia-Pacific and beyond. While our rebalance to the Asia-Pacific has shown some success, this policy has not yet addressed the shifting military balance in any serious manner. While some would rather avoid a discussion of our competition with China, this relationship will be a serious challenge for our Navy. And yet, while worldwide challenges like these grow, the Defense Department has grown larger but less capable, more complex but less innovative, more proficient at defeating low-tech adversaries but more vulnerable to high-tech ones. And worse, the self-inflicted wounds of the

Budget Control Act and sequestration-level defense spending have made all of these problems worse.

Now more than ever, a strong Navy is central to our Nation's ability to deter adversaries, assure allies, and defend our national interests. And yet, by any measure, today's fleet of 273 ships is too small to address these critical security challenges. The Navy's requirement is 308 ships. The bipartisan National Defense Panel calls for a fleet of 323 to 346 ships. And our combatant commanders say they require 450 ships. With continuing high operational tempo and drastic reductions to defense spending, we will conduct the downward—we will continue the downward spiral of military capacity and readiness until Congress acts.

Admiral Richardson, there are several challenges that will require the next Chief of Naval Operations' personal leadership. I look forward to discussing many of these today.

First, each *Ford*-class aircraft carrier has experienced more than $2 billion in cost growth. This program continues to be plagued by technology immaturity, concurrent development and production, and a lack of reliability test data for critical systems. This is unacceptable. I repeat, unacceptable. And I fully expect the Navy's ongoing study of alternative aircraft carrier designs to provide real options.

Next, the Navy still needs to justify the littoral combat ship's transition to a frigate, which is required in the Senate NDAA, and all 3 of the LCS mission packages must overcome major technology integration challenges to deliver the promised warfighting capability.

Several other important new shipbuilding efforts will require the Service Chief's leadership in the coming years, including building the first *Ohio*-class replacement submarine, building the first Flight-3 destroyer with the new air and missile defense radar, and integrating the Virginia payload module on attack air—submarines. In naval aviation, it will take strong leadership to address the strike fighter shortfall, oversee the smooth and timely integration of the F–35 joint strike fighter into the fleet, and ensure the right requirements for the first unmanned carrier-launched airborne surveillance and strike system. We must also maintain our advantage in the capability and capacity of our munitions. Fielding new weapons, like the long-range anti-ship missile, and improving existing ones, like the family of standard missiles, will continue to be essential. Our ships and planes have been operating at a sustained high operational tempo for over a decade. And it shows. Clearing maintenance backlogs and restoring the Navy's readiness will be a priority.

Finally, we cannot forget about our members of the United States Navy. High operational tempo and lucrative opportunities outside the Navy continue to drive some our best talent to leave the service. I'm interested in your plans to manage operational tempo and views on how best to provide a competitive and modern compensation package that provides the right retention incentives. No matter how many dollars we spend, we won't be able to provide our military the equipment they need with a broken defense acquisition system that takes too long and costs too much. With this year's National Defense Authorization Act, this committee has em-

barked on a major effort to reform this system, including ways to empower our service leaders to manage their own programs and take on greater accountability.

Admiral Richardson, we are interested to hear your views on improving defense acquisition based on your many years of service. Thank you. We look forward to your testimony.

Senator Reed?

STATEMENT OF SENATOR JACK REED

Senator REED. Well, thank you very much, Mr. Chairman.

Let me join you in welcome Admiral Richardson and his family—his father, his wife, his daughter. Thank you all very much. We all understand that no one serves alone in the Navy or elsewhere, so thank you very much.

You have an extraordinary record of service to the Nation in the Navy, and we thank you for that. You have a remarkable record as the Director of Navy Nuclear Propulsion Program, your current assignment. And, in that assignment, you are familiar with many of the issues Senator McCain raised: acquisition. How do you design a program that's not only effective but is affordable? And those are one of the major issues you're going to confront as the CNO.

You'll be asked to ensure that we have a quality force—that's recruiting, training—and, in this respect, ensuring the highest ethics are employed in the service, particularly when it comes to the issues of domestic violence, which we've seen all too often in the military services. That's another role we expect you to play.

We have a world that is full of crises, and the Navy is one of the major ways that we project force and we deal with uncertainty and changing conditions. And it remains that way. But, as the Chairman has pointed out, one of the issues you'll face is affordability. How do we afford all the ships that we need? How do we bring on the next class of ballistic missile submarine, the *Ohio* replacement class? And then, these challenges are exacerbated by the prospect of looming sequestration or temporary arrangements to get by year to year rather than a long-range plan to fund the Navy and the other services.

So, all of these challenges will be before you. I'm confident that you will be able to face them, and look forward to your testimony this morning.

Thank you very much, Mr. Chairman.

Chairman MCCAIN. Admiral, before we continue, let me ask you the standard questions that we ask all of military nominees.

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress be able to receive testimony, briefings, and other communications of information. Have you adhered to applicable laws and regulations governing conflicts of interest?

Admiral RICHARDSON. Yes, sir.

Chairman MCCAIN. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Admiral RICHARDSON. I do.

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Admiral RICHARDSON. No, sir.

Chairman MCCAIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Admiral RICHARDSON. I will.

Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

Admiral RICHARDSON. Yes, sir.

Chairman MCCAIN. Will those witnesses be protected from reprisals for their testimony or briefings?

Admiral RICHARDSON. They will.

Chairman MCCAIN. Do you agree, if confirmed, to appear and testify, upon request, before this committee?

Admiral RICHARDSON. Yes, sir.

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communications, in a timely manner when requested by a duly-constituted committee, or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

Admiral RICHARDSON. Yes, sir.

Chairman MCCAIN. Welcome. And please proceed.

STATEMENT OF ADMIRAL JOHN M. RICHARDSON, USN, NOMINEE TO BE CHIEF OF NAVAL OPERATIONS

Admiral RICHARDSON. Thank you. Chairman McCain, Senator Reed, and distinguished members of the committee, I am honored and humbled to appear before you as the nominee to be our next Chief of Naval Operations. I am grateful for the confidence of President Obama, Secretary Carter, and Secretary Mabus.

I'd like to begin by thanking Admiral John Greenert and his wife, Darlene, for their magnificent service to our country for over 40 years, and especially for their role in leading our Navy these past 4 years. They have been tireless and superb advocates for our sailors, their families, our Navy, and our Nation.

I'm grateful to have my family here with me today, Chairman, as you recognized, as they have been throughout my entire career.

My dad is here with me today. My dad's a retired Navy captain who served with distinction for 25 years through the Cold War. And I remember, like it was yesterday, the nights that my mom and we six kids would get together in our living room, and my dad would come out in his service dress blues and his seabag. We would say goodbye for 6 months, and then we would carry on, supporting each other until my dad came back home. I got my start in the Navy from my dad, and he continues to advise me, sometimes vigorously, and make me proud.

My wife, Dana, is here.

Chairman MCCAIN. I had the same experience.

Admiral RICHARDSON. Yes, sir.

[Laughter.]

Admiral RICHARDSON. My wife, Dana, is also here. Dana and I met as classmates in York High School in southern Maine, and we

married just as soon as we could after I graduated from the Naval Academy. And over the last 33 years, Dana has raised our five children while I was away at sea, and has supported Navy families in every way possible. She's always been there with me, challenging me and adding perspective that I long ago grew to depend on.

Our daughter, Rachel, one of our five children, is here representing the Richardson tribe. She's a student at the University of Virginia and is a summer intern in the Amputee Center at Walter Reed.

Our oldest son, Nathan, is a Navy lieutenant. He and his wife are serving overseas in Naples, Italy. Our other son, Daniel, is doing research for renewable fuels in Hawaii. Our two youngest children, Matthew and Veronica, are visiting family in Oregon before they return home to go back to school.

If you ask Dana, she would say, "We're just a typical Navy family." We have moved 20 times, our kids have attended dozens of schools, we've lived all around the country and overseas. Today, the Richardson family, like so many other Navy families, is ready to continue to serve our Nation.

I am also conscious that I am here before this committee for the very first time, and I want to thank you for your leadership in keeping our Nation secure and keeping our Navy the strongest that has ever sailed the seas. And, if confirmed, I very much look forward to working closely with you to continue that important work.

I see the naval profession as a bond of trust and confidence with the American people and with our sailors. And I hold some core beliefs about our Navy that guide me. The Navy must be at sea, underway. It must be present around the world, protecting American interests, enabling access to international markets and trade, responding to crises, and providing security. We are at our best when we operate with others, including our fellow services, especially the Marine Corps, as well as with our partners and allies.

The muscle and bones of the Navy are our ships, submarines, and aircraft, highly capable, exercised frequently, well equipped, and ready to operate from the sea and far from home. But, the heart and soul of our Navy are our sailors. Every day around the world, our sailors can be found on, under, and over the sea. They are smart, resourceful, committed Americans who want to be part of something special, to serve their country by being part of a high-performing team. They are rightly proud of what they do. And they are a formidable force. Despite a growing set of challenges and some significant strains, they continue to go to sea to do what must be done today, and to adapt and innovate in order to prevail tomorrow. It is a privilege to work with, and especially to lead, such a capable and resilient team.

America sends us their sons and daughters, their brothers and sisters, their fathers and mothers to go to sea with us, potentially into harm's way. In return for that sacrifice, our Navy must provide them a positive and respectful environment where they can thrive and achieve their highest potential.

And finally, the American people demand, as they should, that we execute our mission in a prudent and responsible way, worthy of their confidence in us.

The bottom line is that, in any situation, in any competition, and certainly in any fight, America expects that their Navy will find a way to win. And we will.

Mr. Chairman and members of the committee, if confirmed, I will give everything I have to honor and strengthen the bonds of trust and confidence that your Navy has with our Nation and its people.

Thank you. And I look forward to your questions.

Chairman MCCAIN. Thank you, Admiral.

Admiral Richardson, General Dunford recently stated—made a couple of statements in his appearance before this committee. One was that he said we can't—we cannot execute the 2014 Quadrennial Defense Review with the budget cuts as a result of Budget Control Act, known as sequestration. He continues stating that ongoing cuts will threaten our ability to execute the current defense strategy. Do you agree with that?

Admiral RICHARDSON. Yes, sir, I do.

Chairman MCCAIN. Do you believe that, as other witnesses have—in uniform have stated, that continued adherence to sequestration will put the lives of the men and women serving in the Navy at greater risk?

Admiral RICHARDSON. Yes, sir, I do.

Chairman MCCAIN. You do.

Are you seeing what I'm hearing, that there is becoming a morale problem and possibly, over time, a retention problem because of the effects of sequestration on ability to plan, ability to train, readiness, long deployments, et cetera?

Admiral RICHARDSON. Senator, from my experience, when I get around the fleet—and I do a fair amount of that—morale remains high, but there is a degree of unsettledness and uncertainty that arises from uncertainty in the fiscal environment. And so, as we manage our way through continuing resolutions, the looming sequestration—sequestration always looming over us, and manage our way through these times of reduced resources, there is an unsettled feeling in the force as this uncertainty clouds the air. They remain committed, as I said in my statement, to doing the job that they have been given. They want to be trained properly to execute the mission. And so, that's the way I see it right now.

Chairman MCCAIN. Which sequestration is a hindrance to.

Admiral RICHARDSON. It is, yes, sir.

Chairman MCCAIN. Department of Defense has announced a 2-month gap of aircraft carrier presence in the Middle East later this fall while we are conducting air operations from the carrier there. Does that concern you?

Admiral RICHARDSON. Sir, that does concern me, but I would say that the overriding message that I hope is clear is our firm commitment to a naval presence in that region. We've been there for decades.

Chairman MCCAIN. And the absence of the carrier doesn't really authenticate a commitment.

Admiral RICHARDSON. Sir, I think the commitment does remain strong, and we'll work to mitigate——

Chairman MCCAIN. So, does this impair our ability to carry out operations, the absence of the carrier?

Admiral RICHARDSON. Sir, I think we will mitigate the absence—any absence of the carrier through other capabilities, using the entire——

Chairman MCCAIN. Tell me one other—tell me what replaces an aircraft carrier, Admiral.

Admiral RICHARDSON. Well, sir, you could use other air assets, strike assets to mitigate that gap.

Chairman MCCAIN. For example.

Admiral RICHARDSON. Land-based air or——

Chairman MCCAIN. So, now you're—believe that land-based air can replace the presence of the carrier?

Admiral RICHARDSON. Sir, there's no question about the value of an aircraft carrier in the region, sir.

Chairman MCCAIN. Well, then that doesn't comport with what you just said.

Admiral RICHARDSON. Sir, I was trying to make the point that—about our long-term commitment in the region.

Chairman MCCAIN. I'm talking about a 2-month gap in the short term.

Admiral RICHARDSON. Yes, sir. That gap is a reflection of the earlier strains on the force, long-term commitments——

Chairman MCCAIN. Yeah, but my question was, Is that going to hinder our ability to carry out the needed operations in the region, where obviously there's conflict taking place?

Admiral RICHARDSON. Without that carrier, there will be a decrement in our capability there, yes, sir.

Chairman MCCAIN. After more than 2 million—billion dollars in cost growth of the first three *Ford*-class carriers, what—it's an example, and a glaring example, of cost overruns and schedules delays. What extent would giving the Chief of Naval Operations greater responsibility for acquisition programs help reduce cost overruns, schedule delay, and fix this problem, which, at least in the view of many of us, have difficulty justifying to our taxpayers?

Admiral RICHARDSON. Sir, I share your concern about the cost overruns of the carrier, and I agree with you that they are unacceptable. From my experience, controlling cost and schedule while delivering capability really resides from adhering to a few fundamental principles. One is clear command and control that is lean and agile. We've got to have a definition of requirements that is informed by available technology and available resources. You've got to have a stable design and a build plan before you begin production. And finally, you have to have informed and close oversight. I think that the Chief of Naval Operations is involved in every step—every one of those four steps. And, if confirmed, I look towards—forward to being very involved in acquisition.

Chairman MCCAIN. Well, unfortunately, the last Chief of Naval Operations testified before this committee that he didn't know who was responsible for it. I hope you're aware of the changes that we're trying to make in the NDAA [National Defense Authorization Act] which would make the Chief of Naval Operations more involved.

And finally, do you believe that it's appropriate, or would you be supportive of, a provision in the NDAA which calls for examina-

tions of alternative platforms for aviation, as opposed to what is basically, right now, the only game in town?

Admiral RICHARDSON. Mr. Chairman, I look very much forward to supporting that study completely and seeing what information it produces.

Chairman MCCAIN. Thank you.

Senator Reed.

Senator REED. Well, thank you, Mr. Chairman, Admiral Richardson.

Following on the Chairman's questioning, the biggest program—new program coming online is the *Ohio*-class replacement. And you talked about sort of getting it right, from the beginning, which is requirements. And you're in a very significant position right now with your participation on the nuclear reactor program. Are you satisfied with the requirements, as they exist today, of 16 missile tubes on the *Ohio*-class, one of the most significant aspects?

Admiral RICHARDSON. Senator, the current requirements for the *Ohio* replacement program are exactly what we need to continue to deliver that capability.

Senator REED. And not only now, but if you're the CNO, you'll continue to look closely at those requirements to ensure that they're necessary and sufficient, though.

Admiral RICHARDSON. Yes, sir.

Senator REED. The other—what other requirements in—with respect to the *Ohio*-class replacement do you think are critical, besides the two? Are there any other key, sort of, game changers that you're looking at?

Admiral RICHARDSON. Yes, sir. Certainly, as I look at the *Ohio* replacement program, a program that will be defending the Nation well into the—for 50 years—well, potentially into 2080s—there are some things that you must build into the ship that you must get right from the very start, and then there are some things inside the ship where you allow technology to mature and advance. I would say that a critical component that must be addressed from the start is—in addition to the missile tubes—is stealth. And we've paid a great—amount of time and energy to make sure that we have the stealth requirements of the submarine right.

Senator REED. Very good.

One of the things that we have done in the last several years in the National Defense Authorization Act is create a sea-based deterrence fund to try to aid the construction and deployment of this new class of submarines. And the Navy is developing plans to use this sea-based deterrence fund. Do you have any notion of when those plans will be forthcoming and available to us?

Admiral RICHARDSON. Sir, first, you know, the creation of this fund, I think, highlights the existential importance of this program to our Nation, and also that executing this program will require a combination both of resources and authorities. We're conducting a study right now to both mature the design and mature the build plan. We should get that completed by the fall timeframe, and I look forward to collaborating when we have that more mature.

Senator REED. And the essence underlying this national sea-based deterrence fund, the same logic, I presume, will apply—this is maybe a comment more than a question—to the necessity as we

go forward to replace the air- and land-based legs of the triad, also. Because, a service—exclusively service-funded program is very expensive, given competing demand. So, is that your logic?

Admiral RICHARDSON. Yes, sir, I agree with that logic. Sir, these are critical builds to reconstitute our strategic triad. Yes, sir.

Senator REED. Thank you.

One of the other areas which gives us an edge, and we hope increasing edge, an increasing one, is the labs and the test facilities and the intellectual infrastructure of the Navy. And it's all over the country. We have the Naval Under-Warfare Center in Newport, but there are so many critical aspects of this. Particularly in these difficult budgetary times, do you have any concerns about appropriate funding for the laboratories? And will we lose out, in terms of their contribution to national security?

Admiral RICHARDSON. Sir, I think it's absolutely critical that we maintain this intellectual capital to inform our decisions, not only today, but even more so into the future, addressing your concern that programs like *Ohio* replacement remain attuned and relevant, going forward. It's absolutely critical that we fund this so that we can remain relevant. Also look forward to participating in discussions that can make them more agile and competitive with their private-sector counterparts, as well.

Senator REED. Just a final point. I think your comments are right on target. You need an infrastructure of research centers, the Navy, other services, but they have to be much more agile, much more connected to commercial procurement, commercial enterprise, and that's a challenge that you'll have to take on as you assume these duties.

Thank you very much.

Admiral RICHARDSON. Thank you, sir.

Chairman MCCAIN. Before I recognize Senator Ayotte, I'd like you to affirm that the finest shipyard on earth is the Portsmouth Naval Shipyard. Is that correct?

[Laughter.]

Chairman MCCAIN. Thank you.

Senator Ayotte.

Senator AYOTTE. Well, thank you, Chairman. I appreciate your confirming what we all know, and certainly what Senator King agrees with me about, that the Portsmouth Naval Shipyard is the finest naval shipyard on earth.

[Laughter.]

Senator AYOTTE. We have a great partnership between Maine and New Hampshire on this shipyard.

And I actually know that you have a history with the shipyard. I certainly have been there before, and——

Admiral RICHARDSON. Yes, ma'am, I sure do.

Senator AYOTTE.—we look——

Admiral RICHARDSON. I—well, that's where my wife and I met, was up there, and we dated all around Portsmouth. So, we go all the—that's our——

Chairman MCCAIN. See? Just as I——

[Laughter.]

Senator AYOTTE. So, we will welcome you back to the shipyard, and we'd enjoy that.

But, I thank—I very much thank you and your family for your service to the country and willingness to take on this important leadership position during these challenging times.

And yesterday, before the Committee on Readiness, Senator Kaine and I hosted a hearing that was focused on best practices at our Nation's public and private shipyards. And I believe my staff provided that testimony to you.

Admiral RICHARDSON. Yes, ma'am.

Senator AYOTTE. And one of the things that came out that is happening at the Portsmouth Naval Shipyard is a very strong partnership between labor and management that has driven performance significantly, where they are producing—producing the work they're doing on our attack submarine fleet ahead of schedule, under budget. And a takeaway from the hearing was that some of these best practices that are being put in place, that we need a better mechanism to share those among the shipyards before—public shipyards—to ensure that we can learn from each other to make sure that that strong partnership is there for excellent performance between labor and management. And I know that the Naval Sea Systems Command, NAVSEA, Labor-Management Partnership Forum is an important start in that effort, but I think there can be more done, based on the hearing we had yesterday.

So, I wanted to ask you about this issue, and your commitment to ensuring that we institutionalize best practices among our workforce and relationships between labor and management among all the four shipyards.

Admiral RICHARDSON. Yes, ma'am. First, I would say that they just are a magnificent team up in Portsmouth. And all of our public yards are absolutely strategic jewels in our Nation's capability. Even in my current job as Director of Naval Reactors, we are very involved with the shipyards. And it has been a thrust of my time here as the director to do exactly that, ma'am, is that we can share best practices, and we can share lessons learned, as well, more effectively. And so, that has been a—an emphasis of my time here, and will continue, if confirmed as CNO.

Senator AYOTTE. I appreciate it.

As we look at the request for combatant commanders for the support from our attack submarine fleet, and then we look at—we have—currently, we have about 54 attack submarines, and we're only meet of half of combatant commanders' request for. And as we look at some of the activity, particularly in the Asia-Pacific region, we know that there's—this is very important, to have this capacity. And yet, where we're headed is the number of attack submarine fleet—of subs is actually going down to 41 as we look forward to 2029. And so, one thing that this committee has done is really focusing on having the Navy procure at least two *Virginia*-class submarines per year.

What are your thoughts on this shortfall and how we address it? Now, overriding everything, of course, is sequester and our need to resolve that. But, going forward, assuming we can work together to resolve that, which has got to be top priority, what's your thought on making sure that we have what we need?

Admiral RICHARDSON. Ma'am, I think it's very clear, and can show hard evidence that we currently enjoy superiority in the un-

dersea domain. But, that domain is hotly contested, and we cannot rest for a minute and remain confident. We have to continue to keep pressing.

To address your question, ma'am, exactly as you say, we've got to continue to try and mitigate that dip in attack submarine force level before the—below the requirement of 48, and we are doing everything we can to mitigate that. One is that the two *Virginia*-class submarines per year are a critical part of that program, very highly successful, continuing to deliver below budget and ahead of schedule. That must continue, and we must continue to try and reduce that construction time.

As well, we're looking to do what we can to extend the life of our current *Los Angeles*-class attack submarines and every other thing we can to mitigate that trough.

Senator AYOTTE. I thank you.

And I know that my time is expired, but I know the Chairman would share this concern, since we're in this public forum, that we say something about what Russia did yesterday in the United Nations, in terms of blocking the request for an investigation into MH–17. And I think it shows—it's not related to this hearing, but it shows our concerns that we've been trying to address in this committee on Russia.

And I thank you for your willingness to serve in this important position.

Admiral RICHARDSON. Thank you, ma'am.

Chairman MCCAIN. Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman. And I was hoping you would introduce me by saying I'm from the home of the greatest Naval Surface Warfare Center in southern Indiana, that naval bastion.

Chairman MCCAIN. I'll try to do that in the future.

Senator DONNELLY. Thank you, sir.

[Laughter.]

Senator DONNELLY. Admiral, thank you. And, to your family, thank you very, very much. Like the Chairman and like you, Admiral, my dad was a Navy veteran. He was a little bit below decks on the ship, but loved every minute of having a chance to be part of it.

When we look foreign and we look at the challenges we have in the nuclear area in regards to submarine warfare, one of my greatest concerns is the efforts to attack us, cyber-wise, to find out our technology, to find out our plans, to find out how we plan to map it out, going forward. And so, it's not only on the naval side, but on our contractor side. And I was wondering what is being done to make sure that there's no backdoors open with our contractors that other countries can get into.

Admiral RICHARDSON. Senator, I share your concern about activity in the cyberdomain. As we speak today, that is a hotly contested domain. And, just on our defense and Navy networks, we are, you know, subject to tens of thousands of attacks per day. Attribution is very difficult, but, just like in other domains, success, I think, revolves around being properly organized, trained, and equipped. And Navy is moving out in that area with 10th Fleet, the formation of cybermission teams that would provide not only defen-

sive and support capabilities, but offensive tools that would be available, should our leaders choose to use those.

With respect to protecting our networks, we use a variety of tools. Some of those exact techniques, I'm reluctant to talk about in an open forum.

Senator DONNELLY. Right.

Admiral RICHARDSON. But, we do maintain, both from a physical security, a cybersecurity, and personnel, appropriate measures to prevent those sorts of intrusions.

Senator DONNELLY. And I know you're working hard on it, and working in connection with our contractors to go over best practices with them to ensure that every avenue to the technology, to the intellectual capital, is cut off.

One of the things we do at Crane Naval Warfare Center is, we collaborate a lot with the Air Force on systems and how to save money and how to kind of be able to—and I know this is a subject dear to the Chairman's heart—How do we make every dollar go a little bit further? How do we work in coordination to see if something can fit on—in both the Navy and in the Air Force? And I'm sure you would want to continue that effort.

Admiral RICHARDSON. Absolutely. Everywhere we can, not only meet the requirements of the mission, but be more efficient and effective, I'm very open to that. And particularly with respect to the work there at Naval Surface Warfare Center Crane, and their work in fighting the proliferation of counterfeit parts and those sorts of things is a big part of maintaining our security in the cyberdomain.

Senator DONNELLY. Thank you. And I had the privilege of traveling with you to one of our facilities. And, during that time, we had a discussion about the mental health of our sailors. And I am sure that you will continue the efforts of Admiral Greenert in making sure that—the mental health challenges our men and women face, that you're there to make sure there's no stigma and that services and assistance are available.

Admiral RICHARDSON. Senator, absolutely will remain fully committed to that, to help our sailors be fully part of a connected team so that, when challenges come of any sort, they can fall back and feel—and get support.

Senator DONNELLY. Let me ask you this. What keeps you up at night? What is your greatest concern? Number one, logistics-wise, what do you need the most? And, number two is, what's the greatest danger you see out there, in your job?

Admiral RICHARDSON. Senator, I think the Chairman mentioned it, and it's been discussed here already at the hearing. The thing that has my attention is the growing complexity and urgency of our security environment around the world. Our Nation is pulled in so many different directions, not only the Indo-Asia-Pacific, but also we mentioned Russia and their activity in Europe, and certainly the activity in the Middle East. Contrasting to that is—sequestration, I think, is a symptom of sort of a level of awareness that I look forward, if confirmed, to enhancing, to make that message more vivid so that we can close the gap between the growing requirements in the security environment, and things like sequestration would—which would threaten the resources to address it.

Senator DONNELLY. Admiral, thank you for your service to the country.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Cotton.

Senator COTTON. Admiral, thank you very much for your service. And thanks, to your family, for their service, as well. The Navy is unique among our services, that, in wartime or peacetime, the deployment pace does not really change, and we know it puts strains on families. So, both for what you represent for our sailors and what you represent for all their families, we're grateful for all of their service.

Admiral, is China an adversary?

Admiral RICHARDSON. Senator, I think China is a complex nation. They are clearly growing in every dimension. Many of the things that they do sort of have an adversarial nature to them. They—they've got a vastly growing nation. Their activity in the South China Sea in land reclamation certainly has potential to destabilize that region.

Senator COTTON. So, it doesn't sound like rosy relationship right now with China, between the United States and our allies, but various published reports have speculated that civilian—our Civilian Nuclear Cooperation Agreement with China that the Obama administration has submitted to Congress may facilitate the transfer of sensitive nuclear equipment and technology to the People's Liberation Army's Navy. This is very troubling to me. And, given the trends you cite, I would imagine any increase in the capability and lethality of the PLA navy would also worry you. Do you believe that the United States Navy has a appreciable military advantage over the PLA navy at this point, especially regarding nuclear naval capabilities?

Admiral RICHARDSON. Senator, this is something I obviously watch extremely closely. The details of this are very, very technical and difficult to discuss in an open forum. I would look forward to discussing those in a classified setting with you.

But, we have taken a look very closely at the successor agreement to continuing to exchange nuclear technologies. I believe that, in aggregate, we would be better with a renewed successor agreement than without it.

Senator COTTON. Even if you suspected or knew that the PLA navy was going to divert that civilian nuclear technology towards nuclear naval systems?

Admiral RICHARDSON. Senator, again, the details of exactly that assessment are classified, but I can say, with a fair degree of confidence, that we are better with this agreement than we are without it.

Senator COTTON. Okay, thank you.

Right now, the Navy is on a budgetary path to 260 ships or less. Do you agree with the findings of the 2014 National Defense Panel, which was a bipartisan and congressionally mandated group of experts, that we should have a target force of between 325–346 ships?

Admiral RICHARDSON. Sir, I think that the strategic environment—you know, we could easily justify an appetite for more ships, but another dimension of the strategic environment is the resource part of that environment. Our current plan for a 308-ship Navy

represents, right now, the very best balance to meet the demands, not only of the security environment, but also to do that with available resources.

Senator COTTON. Secretary of the Navy Ray Mabus has said that quantity has a quality of its own. Do you believe that that is true? And, if so, is 308 ships going to be enough of a quantity to give us that quality of its own kind?

Admiral RICHARDSON. I 100 percent agree with Secretary Mabus about the quality of the number of ships. And the current plan does allow us to meet our responsibilities in the defense strategic guidance, albeit with some risk.

Senator COTTON. In the recently issued National Military Strategy, General Dempsey, the Chairman of the Joint Chief of Staff, describes the need to counter certain revisionist states—Russia, China, Iran, North Korea principally among them. But, he also writes that the U.S. military advantage has begun to erode. Are there areas in which the U.S. Navy's military advantage has begun to erode, relative to our adversaries?

Admiral RICHARDSON. Senator, this is a very dynamic environment, and the technological environment is changing very rapidly. As the Chairman mentioned, we've got to become more agile in our acquisition systems to stay competitive in that realm. But, I'm confident that, with the support of this committee and with Congress and the innovation of the Navy, we will do that. But, as you said, you know, some of our readiness is starting to—we're still recovering from the effects of the 2013 sequestration as we continue to build our readiness back up so that we've got appropriate responses forces for global contingencies.

Senator COTTON. So, the flip side of what you just said is, without adequate support from this Congress, then our military advantage, as it relates to our Navy, may, in fact, begin to erode?

Admiral RICHARDSON. Yes, sir.

Senator COTTON. Well, I hope that we provide you and all the sailors that you represent the adequate support you need, both to modernize our fleet and to continue to be a forward-deployed force to project American power.

Admiral RICHARDSON. Thank you, Senator. I look forward to working with you.

Chairman MCCAIN. We might now hear from the Newport News Naval Shipyard, Senator Kaine.

Senator KAINE. And Norfolk, as well, Mr. Chair.

Chairman MCCAIN. Norfolk. Excuse me. Both.

[Laughter.]

Senator KAINE. Thank you, Mr. Chair.

And thanks, Admiral Richardson. And congrats to your cavalier daughter, Rachel. We're glad to have her here, as well, and your family.

You've got a big day Saturday. The launch of the USS *John Warner,* a *Virginia*-class sub, at the Norfolk base, a former chair of this committee, and wonderful colleague. And that's a great program, actually, to exemplify a couple of issues. The Chair asked questions about acquisition reform. The *Virginia*-class program, because of this kind of "coopetition" between the shipyard at Newport News

and Electric Boat in Connecticut, has been a pretty solid program, in terms of delivering the subs, as contracted, on time, on budget.

Admiral RICHARDSON. Yes, sir.

Senator KAINE. Are there lessons from that acquisition strategy that, you know, we replicate on *Ohio*-class or other platforms?

Admiral RICHARDSON. Senator, we intend to leverage all of those lessons to design and deliver the *Ohio*-class, using many of the same tools that have been successful in Virginia. And we hope to bring to you a design that is very mature. That was one of the key successes to the Virginia program. We hope to provide you a stable build plan that, if funded with predictable funds, will allow the team of shipyards at Newport News and Electric Boat to allocate risk and deliver those submarines, along with the *Virginia*-class, at the lowest possible price.

Senator KAINE. Another aspect of the USS *John Warner* is—it's obviously a nuclear sub, and you are the—currently the commander of Navy Nuclear Propulsion. When we talk about sequester and the effects of sequester on the defense mission, sometimes I think we ought to make sure we're broadening our view. In your current role, you work very closely with the Department of Energy around nuclear reactor work, as well, don't you?

Admiral RICHARDSON. Yes, sir.

Senator KAINE. And sequester doesn't just affect defense by affecting the Department of Defense. The nondefense accounts, Department of Energy being one, that are affected by sequester also have a significant effect on our national security, isn't that correct?

Admiral RICHARDSON. Senator, that's exactly right. And Secretary Moniz has been very clear about the national security mission that he has in the Department of Energy, not only for naval reactors, which he fully supports, but also in the nuclear weapons business.

Senator KAINE. So, if we were just to fix sequester in the defense accounts, but not fix sequester in the nondefense accounts, things like nuclear research through the DOE that has a direct impact on national security would still be compromised, correct?

Admiral RICHARDSON. That's true, yes, sir.

Senator KAINE. I want to ask you about readiness and the measures of readiness. Because Senator Ayotte and I are chair and ranking on the Readiness Subcommittee. Let's get into the metrics a little bit.

My understanding is, normally you have about a third—Navy would have about a third of its ships forward deployed to support regional commanders, but then have an additional component, usually three carrier strike groups and three ARGs, in a surge status, so kind of trained up and ready to deploy within 30 days. Talk to us about how sequestration and budgetary uncertainty affects that surge capacity, the readiness to respond to the unforeseen contingency.

Admiral RICHARDSON. Yes, sir.

Senator, certainly, our priority has been—and Admiral Greenert's made this clear—that we will not deploy forces unless they are fully ready. And so, those forward-deployed strike groups and amphibious-ready groups will be ready in every respect. But, to meet our responsibilities in the Defense Strategic Guidance, we

also need that surge force to respond to contingencies once those forward-deployed forces have done their mission. Currently, you know, our requirements are that we have three carrier strike groups and three amphibious-ready groups ready to deploy in the event of a contingency. Right now, we are at one of those three. We are on a path to recover so that we've got full readiness in both of those areas by 2020, but that also is contingent on stable and reliable funding to get us there.

Senator KAINE. And so, from the earlier testimony, even the forward-deployed—when we end up with this 2-month carrier gap, the forward-deployed is affected by budgetary uncertainty, and then, up until 2020, our surge capacity and readiness is—has been significantly affected, and we hope to get back to that surge capacity that we think is optimal.

Admiral RICHARDSON. Yes, sir.

Senator KAINE. Just last item, quickly. Senator King and I were in India in October and visited the shipbuilders at the Magazon docks in Mumbai. And there was a great deal of pride there, and a great deal of desire to partner with the United States. I like the fact that you mentioned the Indo-Asia-Pacific region. I view India and the Indian navy as a partner of growing importance as we look at this pivot to Asia. And I think there's a strong desire to partner with the United States, participate in naval exercises. They do more joint exercises with the U.S. than any other nation, and I would just like your opinion about that as my final question.

Admiral RICHARDSON. Senator, I agree, there's tremendous importance to that region, and also potential to further those relationships. And, if confirmed, I look forward to getting personally involved in making those ties stronger.

Senator KAINE. Great. Thank you so much.

Thanks, Mr. Chairman.

Chairman MCCAIN. Senator Ernst.

Senator ERNST. Thank you, Mr. Chair.

Thank you, Admiral, for being here today. And I do want to take special time and thank your father, your wife, Dana, and your daughter, Rachel, for accompanying you today.

And, Rachel, a special shout-out to you for serving at Walter Reed right now. I have a dear friend that recently went through the Amputee Center. So, thanks so much for all your great service, as well.

Admiral, in reference to the Iran nuclear agreement, the Obama administration has continuously said, over and over again, that the alternative to the Iran nuclear agreement is war. He—the President has made it clear in his statement, that the only alternative is war. So, as I'm out visiting with other people, that's kind of the response. It's picked up, and people are saying, "Oh, we have to go to war if we don't sign this agreement."

In your best military judgment, do you believe that the only alternative to this nuclear agreement is war?

Admiral RICHARDSON. Senator, I think—my way of answering that would be that a major mission of our Armed Forces, the Joint Force and certainly the Navy, is to use all means necessary to deter that type of war, not only through preventing Iran from getting a nuclear weapon, but also by deterring any kind of—many of

the other tools that they use to disrupt activity in that region. So, they've got considerable conventional forces, ballistic missiles, surface forces, and they've talked about mining the Straits of Hormuz, they support terrorist organizations throughout the region. We need to use the full set of capabilities that the Joint Force and the Navy can deliver to deter that. And that military contribution is also just a subset of a whole-of-government approach along with our allies in the region.

Senator ERNST. So, a whole-of-government approach. And I think that's extremely important, that we remember that, that we do not have to sign this agreement, and that does not necessarily mean that we will be going to war with Iran. Is that your assessment?

Admiral RICHARDSON. Ma'am, I do support a whole-of-government approach and——

Chairman MCCAIN. Admiral, you were just asked to give your personal opinion, if asked for it. The Senator is asking for your opinion as to whether there are other options besides going to war with Iran.

Admiral RICHARDSON. I think that there are other options besides going to war.

Chairman MCCAIN. Thank you.

Senator ERNST. Thank you, Admiral.

Thank you.

Since we're on that topic, Iran's military budget is approximately $11 billion per year on defense. Its posture, however, is bolstered by a variety of asymmetric and relatively low-cost capabilities and tactics, including swarming at sea, artillery rockets, ballistic missiles, and UAVs. And, as you know, through this agreement, Iran will gain about $150 billion, due to sanctions relief, and the ability to purchase more advanced weapons and equipment through the lifting of the U.N. arms embargo. And even if a small portion of the sanctions relief money is directed towards their military capabilities in Iran, what types of weapons and equipment do you believe that Iran would purchase to improve its ability to project force within the Persian Gulf?

Admiral RICHARDSON. Well, ma'am, I think that we would, as we have been throughout, be sensitive to the proliferation market in weapons. And so, I would be very concerned about them increasing their ballistic missiles fleet—force, as well as their anti-ship cruise missiles, the mines, and the surface combatants that you mentioned, as well.

Senator ERNST. Okay. Well, I appreciate that.

And I do think it is something that we have to be ever vigilant about. This is a very serious matter that we are facing today with Iran and its potentially increased military capabilities in that region. This is not an American problem, this is not an Iranian problem, this is a worldwide problem.

So, I appreciate your attention to the matter, and I do look forward to supporting you in your confirmation.

Thank you, Admiral.

Admiral RICHARDSON. Thank you, ma'am.

Senator ERNST. Thank you, Mr. Chair.

Chairman MCCAIN. Senator King.

Senator KING. Thank you, Mr. Chair.

Admiral, in this day and age where people move around so much, and particularly service families, it's hard to determine where someone is from. My definition is, it's where you went to high school, so I claim you as a proud son of the State of Maine. Delighted to have you here today.

A second point. I spent some time, a year ago, on one of your *Virginia*-class submarines under the ice in the Arctic. When I came home, my wife said, "What most impressed you?" And I think she expected to hear about the marvelous technology and the amazing command center and all of that. And I said, "No, what really impressed me was the young people on that boat."

And you have extraordinary people. The officers, of course, were excellent. But, what really I noticed was the spirit and dedication and pride of the enlisted people, of the sailors. It was their boat, and they were so engaged and proud of the work that they were doing. I just want to commend you and pass along the observation that you are taking command of an extraordinary group of people. And, of course, the technology, which we've talked a lot about today, is important. But, ultimately, it seems to me it's the people that are going to make the difference.

Admiral RICHARDSON. Senator, thank you for that recognition. And I could not agree with you more. And I am so privileged for the opportunity presented here today.

Senator KING. One of the questions that the Chairman asked you at the beginning—he goes through a set of standard questions—is, Will you give your personal opinion when called upon in your position? I want to emphasize that. You're going to be in the National Security Council. You're going to be in the Oval Office. You're going to be at the upper reaches of the decisionmaking process at the Pentagon. You've got to speak up. If—you have extensive experience, wisdom, and background to—judgment to be brought to be bear on these questions. And I hope there'll be that—we all experience that moment in a meeting where you say, "Should I say something, or not?" I hope you'll remember this moment and, even if it's the President of the United States, say, "Mr. President, I have to respectfully disagree." We need that from you, and I think that's one of the most important things that you bring to this position.

Will you give me a commitment that you're going to be just this side of obnoxious in making your case at the highest levels of the United States Government?

Admiral RICHARDSON. Sir, I specialize in going well beyond obnoxious.

[Laughter.]

Admiral RICHARDSON. And I look forward, if confirmed, to participating in those discussions. And I will use——

Chairman MCCAIN. If you need practice in that, Senator King will help you out.

[Laughter.]

Admiral RICHARDSON. Thank you, sir.

Senator KING. Thank you, Mr. Chair. Your confidence is overwhelming.

[Laughter.]

Senator KING. I mentioned about the Arctic. I see the Arctic as an area of tremendous both opportunity and challenge. Charac-

terize our force structure and capabilities in the Arctic, vis-a-vis Russia, particularly in the area of icebreakers.

Admiral RICHARDSON. Senator, the United States is an Arctic nation, and the security environment in the Arctic is changing as navigation passages open and access to natural resources, you know, opens up, as well. We must remain engaged in the Arctic. The Navy is on a—has developed a roadmap to increase our capability in the Arctic to pace this changing security environment. We are partnering closely with the whole of government and other sister services, particularly of the Coast Guard, in this area.

Senator KING. But, isn't it true that, in terms of icebreakers, which are the roadbuilders of the Arctic, we have one little country road, and—they have a bunch of interstate highways, or something like 40 icebreakers, we have one.

Admiral RICHARDSON. Yes, sir. Senator—Admiral Zukunft, from the Coast Guard, has testified, I think, in very clear terms, that we need to address this icebreaker situation.

Senator KING. I think it's a serious problem that we're going to have to really put some attention to. And I understand it's in the Coast Guard's jurisdiction, but it's—it certainly affects your ability to operate in that region.

Admiral RICHARDSON. We're absolutely closely partnered, no daylight between us on that.

Senator KING. In your advance policy questions, you mentioned that you believed it would be in the national interests that we accede to the Law of the Sea Treaty. Could you expand on that a bit?

Admiral RICHARDSON. Senator, I do believe that. I think that becoming part of that community would give us a great deal of credibility. And, particularly as it pertains to these unfolding opportunities in the Arctic, this provides a framework to adjudicate disputes and participate as everybody, you know, moves to, you know, improve their capability and posture in the——

Senator KING. Well, in fact, because we're not members of that treaty, we are in—we are literally losing ground in the Arctic, isn't that correct?

Admiral RICHARDSON. I think that becoming part of that treaty is an important part of our movement into the Arctic, yes, sir.

Senator KING. Thank you, Admiral. Thank you for your service.

Admiral RICHARDSON. Thank you, Senator.

Chairman MCCAIN. Thank you, Admiral, for that testimony on the Arctic. I know that Senator Sullivan will have more on that. But, we—it seems to me that the—just the icebreaker situation is indicative of the difference in emphasis that Russia and the United States seem to place. Would you agree with that?

Admiral RICHARDSON. Sir, if you just look at the resources, they've been very focused in the Arctic for a long time.

Chairman MCCAIN. Senator Tillis.

Senator TILLIS. Thank you, Mr. Chair.

Admiral Richardson, thank you for being here. Congratulations to you and your family. And thank you all for your years of service.

I also want to thank you for the time we spent in my office answering a range of questions.

One general question that I would have here, and would appreciate your personal opinion and your candor, is—it relates to the

current advantage that we enjoy with our adversaries, like Russia and China, and the specific threats to those gaps being narrowed as a result of sequestration if you have to deal with that in 2016.

Admiral RICHARDSON. Yes, sir. As I said, the pace of technological change is just picking up. And so——

Senator TILLIS. Can you talk to specific areas where you—that are your greatest concern?

Admiral RICHARDSON. I would say that, in particular, the ability to use a long-range precision-guided munition, a weapon, to target with greater and greater precision at longer and longer distances, this anti-access area denial capabilities that we've talked about many times, are a particular concern.

Senator TILLIS. The—what advice would you give us, as we're sitting here and we're trying to conference the defense authorization, and we're trying to get an appropriations process going—if you're kind of guiding us through what we need to do to help you do your job, what do you need to tell us? What do we need to stop doing, what do we need to start doing?

Admiral RICHARDSON. Senator, I think that we've proposed a solid plan, and we've mentioned, already, the effects of sequestration and uncertainty in the fiscal environment, the budget environment. And perhaps the greatest thing that we could do together is put in place a long-term and predictable stream of funding.

Senator TILLIS. Thank you for that.

I'm going to get a little bit more parochial now with my marines down in North Carolina. And I know the Commandant of the Marine Corps has frequently stated that the combatant command requirement, I think, for amphibious ships across a range of operations exceeds 50. I think the minimum is 38. Yet, we're at 30 operating today, and it doesn't look like we'll obtain a amphibious fleet of more than 34 across 30 years of a shipbuilding plan. Are you concerned with that? And what more do we need to do? What can Congress do to help you overcome that ship shortfall?

Admiral RICHARDSON. Senator, this is an area where Navy and Marine Corps have been discussing and, again, have realized together that, although the requirement—the military requirement is 38, the current fiscal environment is going to drive us to 34. I appreciate the assistance of Congress to getting us to 34. To address those—that gap between the requirement and what we can resource, we're looking at augmenting our lift there with other platforms besides gray hulls. Gray hulls are absolutely, you know, the requirement that's needed for the high-end threat, but there may be applications and opportunities to lift marines using other platforms.

Senator TILLIS. Thank you.

And again, I want to tell you I look forward to you—your confirmation. I wholeheartedly support it.

I would ask some questions about concerns in the Arctic, but I have a feeling that my colleague here is going to do a better job of that than I can, because he's got bird's-eye view. But, I think it is an area that we all share a concern, and would appreciate your support in addressing his and all of our concerns.

Thank you, Mr. Chair.

Chairman MCCAIN. Senator Gillibrand.

Senator GILLIBRAND. Thank you, Mr. Chairman. Thank you, Mr. Ranking Member.

Thank you, Admiral, for being here. Thank you for your service. I'm grateful for your family's service, as well. We're very pleased to have you in front of this committee.

I want to talk a little bit about combat integration. I strongly believe that we should have appropriate standards that meet the needs of the positions and that allow anyone who meets those standards to be able to do those jobs. According to your advance policy questions, the Navy will provide a written report to the Secretary of Defense in September of 2015 with validation of standards as gender-neutral. Ninety-five percent of Navy jobs are already open to both men and women. And my understanding is that the remaining positions are Special Operations positions. Can you tell me how you will work with Special Operations Command to assess if you will need to ask for an exception? And what, if anything, would you—would lead you to ask for an exception, particularly with regard to the Navy SEALs?

Admiral RICHARDSON. Ma'am, it's true that, currently, we have more than 95 percent of the jobs open, as you said, to women already. I was privileged to be the commander of the submarine force as we integrated women into the submarine force, and that integration has gone spectacularly. They've——

Senator GILLIBRAND. That's good news.

Admiral RICHARDSON.—really have done a terrific job.

Those discussions, I think, must begin with mission effectiveness. And I'm interested in any plan that would improve our mission effectiveness in those areas. We have really just the Special Operations Forces that remain to be evaluated. I'm not familiar with the details of those discussions at those time, but, if confirmed, looking forward to getting very involved with Special Operations Command to make sure that we give everybody a fair opportunity.

Senator GILLIBRAND. Thank you.

And a related issue, prevalence of sexual assault in the military still remains quite high. And one of the biggest concerns this whole committee shares is the rate of retaliation; that, in fact, of all those who reported, 62 percent were retaliated against. And that's the same rate as it was 2 years ago. And retaliation takes many forms. Fifty-three percent experienced social retaliation, peer-to-peer. Thirty-five percent experienced adverse administrative action. Thirty-two percent experienced professional retaliation. And 11 percent received punishment for an infraction. So, arguably, more than half of that retaliation is coming from their chain of command or from some command structure.

So, I would urge you to look very heavily at this issue of retaliation, because, unfortunately, the effect of it is, less survivors come forward. And if you have less survivors coming forward, you have less cases to investigate, and you will convict less rapists.

And I want to just give you a thumbnail sketch of data that we got from one naval base. There were—and this is the—for the year of 2013 at Camp Pendleton—there were 15 cases considered, two court-martial charges preferred, two proceeded to trial, two convicted of sexual assault. So, two out of 15 went forward. What we know about the crime of rape, it has very little false reporting.

Some estimate between 2 and 5 percent are false reports. So, in those cases, you were only able to get about 10 percent cases to move forward. So, I think we have to do better, in terms of doing the investigations, assessing viability of witnesses and credibility of witnesses, and bringing more cases to trial, because two out of 15 is not a great rate.

So, those are challenges that you will have. This committee is very interested in it. I hope you will make a commitment that you will work with me and the rest of us on trying to end the scourge of sexual violence, because it does result, unfortunately, in a lot of people leaving the military. And so, a lot of your women, a lot of your men, are leaving because they are experiencing assault within their own ranks.

Admiral RICHARDSON. Ma'am, you have my full commitment that I'll spare no effort to eliminate—we can't be—we can't rest until sexual assault is eliminated from the services. I can't think of anything more toxic to teamwork than that insider threat that preys upon the confidence between team members. I'm fully committed to eliminating this.

Senator GILLIBRAND. And one of your challenges will be in lower command structures, where, in the last survey, women responded to experiencing some form of sexual harassment and sexual discrimination. Sixty percent of that harassment, they reported, was from their unit commander. So, there's an issue with some commanders that they really need to be trained better to eradicate sexual harassment and sexual discrimination, because, again, it creates a negative climate that perhaps is more permissive toward sexual assault.

Admiral RICHARDSON. Yes, ma'am, I think that is absolutely the most productive battleground. If we're going to solve this, we're going to solve it with the deck-plate leaders, the chief petty officers, the officers who are in the spaces and will eliminate not only sexual assault, but those precursor behaviors that start us down the road.

Senator GILLIBRAND. Exactly.

For the record, I will submit a question about cyber. I'm very grateful for your interest in cyber. And I—my question for the record will be, What career paths do you see for members of the Navy who want to make cyber their career?

Admiral RICHARDSON. Yes, ma'am, I'll look forward to that.

Senator GILLIBRAND. Thank you.

Admiral RICHARDSON. Yes, ma'am.

Chairman MCCAIN. Senator Sullivan.

Senator SULLIVAN. Thank you, Mr. Chairman.

And, Admiral, good to see you again. Great to see your family. My father was also a Navy officer, also a father of six kids. When I joined the Marine Corps, he reminded me, on a daily basis, that the Marine Corps was Department of the Navy. Is that true?

Admiral RICHARDSON. That is true, yes, sir.

Senator SULLIVAN. Oh, okay. I'll make sure he knows that.

[Laughter.]

Senator SULLIVAN. I do want to touch on the Arctic. The actual numbers are, as Senator King mentioned, one icebreaker for the United States, about 40 for Russia. They're building five to six new

ones. Some of them are nuclear-powered. I mean, we are completely just not even in the game. And you know the importance.

I must admit, I was a little disappointed by your answer to Senator King, because what's—what I see is happening is, the Arctic and icebreakers are becoming kind of a bureaucratic football. So, for example, 4 months ago, I asked Assistant Secretary of the Navy Stackley to just give me a straight-up answer on the Arctic, on icebreakers. He kind of did the same thing, "Well, it's a little bit in the Coast Guard realm." Well, the question is, Is it in the national interests of the United States to have more than one icebreaker when the Russians are trying to own the Arctic? What's your answer?

Admiral RICHARDSON. I think the answer is clearly yes.

Senator SULLIVAN. Okay. So, I think what we need to do is not keep talking about—I've never gotten an answer from the Assistant Secretary of the Navy. Four months ago. I never got an answer. We just need to know, Do we need it? How many? And then, How do we get there? No more, kind of, "Well, it's the Coast Guard's problem, not really the Navy's." In the '70s, the Navy was the service that supplied icebreakers to the country, wasn't it?

Admiral RICHARDSON. Yes, sir, I believe so.

Senator SULLIVAN. Yeah. So, I think we need to just get through the bureaucratic redtape. It's clearly in the national interests. You just stated it, everybody states that we need to move forward and quit kind of doing the football back and forth between the Navy and the Coast Guard. Would you agree with that?

Admiral RICHARDSON. Senator, I am not interested in a bureaucratic approach to this. We need to have a plan of action. And I look forward, if confirmed, to working with the—our partners in the Coast Guard to address this in real terms.

Senator SULLIVAN. Okay. And it would be good to hear back from Assistant Secretary Stackley. I asked him a question on this 4 months ago. He said he'd get back me. He never has.

Just a real quick question, just a yes-or-no answer. We had an amendment in the NDAA supporting the Pacific rebalance that said it was the sense of the Congress that the services should increase force posture to give credibility to the rebalance. Is it—should services be free to ignore the defense guidance of the Congress—just yes or no—in the NDAA?

Admiral RICHARDSON. No.

Senator SULLIVAN. Okay.

Finally, I want to draw your attention to the chart and some of the handouts we had here. This relates to China's reclamation activities in the South China Sea. This is an example. It's 18 months, before and after, of the Fiery Cross Reef. I'm sure you're familiar with it, Admiral. It's actually a 2.7 square—2.7 million square meters, 505 football fields, a 3,000-meter airstrip long enough for any PRC military aircraft. It's just a huge—one of their large reclamation projects.

We were recently in Singapore, a number of us, at the Shangri-La Dialogue, and Secretary Carter gave a speech, that I thought was quite strong, on what our policy is. But, there seems to be a confusion in the policy. So, Secretary Carter stated, "We will continue to fly, sail, and operate wherever international law allows."

He then stated, "After turning an under-—after all, turning an underwater rock into an airfield simply does not afford the rights of sovereignty or permit restrictions on international air or maritime transit."

However, PACOM Commander Harris, just 2 weeks ago at the Aspen Security Forum, stated, "It is U.S. policy to afford a 12-minute limit around all of the islands that are in the South China Sea. And it's been a longstanding policy, not because they're occupied by China or built up by China, but just in general." He later clarified his statement to include islands and formations.

Do you think—first of all, to me, that's very confusing policy—do you think that we need to clarify that? And do you think that Admiral Harris's statement is just a de factor recognition of China's reclamation strategy? And is it your—in your best professional judgment, should we be sailing within 12 nautical miles and not allowing the facts-on-the-ground strategy to be changed by China to essentially recognize Fiery Cross Reef and other places?

It's a really important issue, and there's no clarification from the White House, State Department, or Department of the Navy. I think Secretary Carter and Admiral Harris's statements are actually very contradictory. That kind of uncertainty can create miscalculations.

Admiral RICHARDSON. Senator, I think it's absolutely important that the Navy continue to be present in that region, for a number of reasons, to provide our continued presence, that we are there as a matter of routine in international waters. We do have to respect the legitimately claimed territorial boundaries. I think that Secretary Carter and Admiral Harris would agree with me there. And so——

Senator SULLIVAN. But, does that mean respecting that, in terms of a 12-nautical-mile radius?

Admiral RICHARDSON. Sir, I'd have to look at exactly which of those claims are legitimate. It's a dynamic situation. There's competing claims down there. But, the bottom line is, we need to get down there, understand the truth, make that very clear, and be present in that area so that we don't get shouldered out of the South China Sea.

Senator SULLIVAN. Mr. Chairman, I'll be submitting questions for the record to make sure that the policy of the United States is clarified on this important issue, because right now it's very murky.

Chairman MCCAIN. Good luck.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I join Senator Sullivan in hoping that this issue is clarified, because I think it is so important to our national security, and I'd like to work with him in seeking additional answers.

And I recognize that those answers will involve more than just your input and contribution. But, on your contribution, thank you so much for the great work that you've done throughout your career to assure that our submarine force is unmatched in the world in its power, stealth, and strength.

And I want to thank you and your family for your service, and ask you, first of all, whether you can commit to coming back to

Connecticut to visit our sub base there as one of your first official visits after you're confirmed, as I expect you to will be.

Admiral RICHARDSON. Yes, sir.

Senator BLUMENTHAL. Thank you.

On the subject of our submarine force, the *Ohio* replacement program—you probably know more about it than most anyone else in the Navy and in our Department of Defense. And I believe that you are committed to it, personally and professionally. Is that correct?

Admiral RICHARDSON. Absolutely, Senator. It's our number-one modernization priority.

Senator BLUMENTHAL. And in that regard, as the number-one priority of modernization in the United States Navy, the pricetag is likely to be in the range of $100 billion, which seems staggering and obviously has to be met, even though the Navy has other programs, other modernization efforts, and other shipbuilding projects. Have you given any thought to how that will be possible to do?

Admiral RICHARDSON. Senator, as a—as you and I have discussed, this is an absolutely critical program for the country, and we are doing everything in the Navy to make sure that we not only get the requirements right and stable, but that we treat our cost targets like any other performance parameter for that program. And we are driving and on a good track to achieve all of those cost targets.

Having said that, as you said, it will be a significant investment for the Nation, one that I believe must be done. If we absorb that entire cost within the Navy, that will come at a tremendous price, in terms of our other responsibilities in ships and aircraft. I don't, either, want to leverage that on our sister services, and so I look forward to working closely together with the Department and Congress to address this.

Senator BLUMENTHAL. Really, it should be seen as a challenge for our entire national defense, not just the Navy, because its ramifications and contributions to our defense range well beyond just seapower.

Admiral RICHARDSON. Yes, sir, I would agree.

Senator BLUMENTHAL. Let me move to another aspect of the Navy's combat capability, the F–35, which, according to the analysis I've seen, will be six times more effective than legacy fighters in air-to-air combat, five times more effective in air-to-ground combat, six times more effective in reconnaissance and suppression of air defenses. Again, another investment—a good word, an appropriate one, I think—to use in our national defense.

I noted that the fiscal year 2016 (FY–2016) budget request from the Navy included 16 fewer F–35 aircraft in the last 3 years of the Future Years Defense Plan than were anticipated just 1 year before. Can you shed some light on that request? And also, I'd appreciate your assurance that the F–35 is still a priority for the Navy.

Admiral RICHARDSON. Senator, the Navy remains committed to the F–35 Lightning as an essential part of our future air wing. It is the aircraft that is designed from the ground up to address, you know, the fifth-generation challenges in information warfare. So, we do remain committed to that.

The adjustments in the President's budget request for fiscal year 2016, again, just reflect some of the extremely difficult choices that

we're making to balance the best way to address the national security challenges within the resources provided.

Senator BLUMENTHAL. And the F–35, like the *Ohio* replacement program, is really essential to all of our national defense. Obviously, the other services share in the costs and the benefits of it. And I'm hoping that the strategy here will be a combined Department of Defense commitment to the investment that's required.

Admiral RICHARDSON. Senator, if confirmed, I look forward to exploring all those options.

Senator BLUMENTHAL. Thank you. I look forward to seeing you in New London as the Chief of Naval Operations. Thank you very much.

Admiral RICHARDSON. Thank you, Senator.

Senator BLUMENTHAL. And again, thank you to your family, as well.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman.

And, Admiral, we appreciate the opportunity to have you with us. And I believe you have the background and the dedication and the character to lead the Navy. And this Congress, I believe and am confident, will support you. I hope that you understand that you have to give us the straight facts, tell us what you believe, and, if there are problems, I'll—bring them forward to us, and I believe Congress will respond if in any way possible.

Will you, as you've committed, I think, in your written answers, but will you give your best judgment to the President of the United States and to Congress on all issues of which you're inquired of?

Admiral RICHARDSON. Yes, sir, I will.

Senator SESSIONS. Thank you for that.

I see you've had background as a submarine development squadron and other submarine effort—other commands. Do you feel that that will assist you as we deal with the *Ohio*-class development?

Admiral RICHARDSON. Yes, sir, I do.

Senator SESSIONS. Give us some of the ideas that you bring to bear on the development of the *Ohio*-class, which we all know is important and essential, but also we know we've got some budget constrictions out there that are going to place that program in jeopardy if we don't watch it. And I think, more than a lot of programs, failure on the beginning to get it right in the procurement process could endanger that program. So, give us your thoughts about what you think needs to be done as we go forward.

Admiral RICHARDSON. Yes, sir. I think you've got it exactly right, sir, that you've got to get that—the requirements set. And the Navy has done that. We are working towards providing a mature design so you've got to have a mature and stable design before you begin production so that you're not dealing in managing costly change orders after you've begun production. And then I hope to provide a program—a build plan that would allow for stable and predictable funding. That allows us—the Navy to work very closely with the shipbuilders to provide a production line that results in the lowest cost per unit.

Senator SESSIONS. I think most of us have come to understand how unpredictability and uncertainty and alterations of schedule

can drive up cost. And sometimes that's Congress, sometimes it's Department of Defense's fault, other times the contractors have to be held to account. But, are you—will you help us remain committed to maintaining the kind of schedule that keeps cost at the lowest level?

Admiral RICHARDSON. Absolutely, sir. And what we've found is that we've got tremendous commitment on the part of our shipbuilders. They are as committed to driving costs down as we are. And there are ample opportunities to deliver high-end warfighting capability at the appropriate price, delivers the capability that's required for the Nation, and provides businesses a chance to thrive, as well.

Senator SESSIONS. You made reference earlier to the triad, our nuclear defense triad—aircraft, submarines, and land-based ICBMs. Do you believe that remains a critical part of our defense structure?

Admiral RICHARDSON. Yes, sir, I do.

Senator SESSIONS. Some have questioned that. And I guess you're familiar with those concerns. I believe you're correct. I think Congress believes you're correct. But, I hope you will keep us informed on that, because some would suggest otherwise. I think that would be a big mistake at this point in time.

You and I had the opportunity to discuss just efficiencies. I serve on the Armed Services Committee and the Budget Committee. I feel the tensions there very intensely. It's been said in—that the Defense Department—in and around the Defense Department, but each service is committed to maintaining personnel levels. They fear that if their personnel levels drive—drop, they'll be diminished in their influence and power. Tell me, Are you committed to maintaining the defense—the Navy fleet at the level it needs to be, but, at the same time, maintaining personnel levels, like private businesses have to do, lean and productive?

Admiral RICHARDSON. Senator, absolutely. And so, we must maintain—what we deliver is capability. And we want to, particularly as the environment—the technological environment changes, there will be new opportunities that open up for our people. We want to make sure that we keep our people employed in the very best possible way doing things that people do best. And so, I am committed to making sure that we do that in as lean and agile a fashion as possible.

Senator SESSIONS. And sometimes rules that we pass in Congress make that difficult for you. I hope that you will keep us informed on how we can help you achieve that goal.

Thank you, Mr. Chairman.

Chairman MCCAIN. Well, Admiral, we thank you for your testimony this morning, and we thank you for responding with your personal opinion when it's requested. You're taking on a very difficult task in very difficult times, and I'm sure that you are well qualified, and we will attempt to make sure that your nomination is confirmed before we depart for our ill-deserved August recess.

This hearing is adjourned.

[Whereupon, at 11:00 a.m., the hearing was adjourned.]

[Prepared questions submitted to Admiral John M. Richardson by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. Do you see the need for modifications of any Goldwater-Nichols Department of Defense Reorganization Act of 1986 provisions? If so, what modifications do you believe would be appropriate?

Answer. Goldwater-Nichols was revolutionary in its time and has helped to transform the Department of Defense. However, much has changed in the past 30 years in both the Joint Force and the security environment. As such, I believe a review would be useful. If confirmed, I would work closely with the Secretary of Defense and the Secretary of the Navy if such a review were undertaken.

DUTIES

Question. Section 5033 of title 10, United States Code, describes the duties of Chief of Naval Operations and requires that the person nominated to fill the job have had significant experience in joint duty assignments, including at least one full tour of duty in a joint duty assignment as a flag officer.

What is your understanding of the duties and functions of the Chief of Naval Operations?

Answer. Under the authority, direction, and control of the Secretary of the Navy, the Chief of Naval Operations is responsible for organizing, training and equipping forces that will be provided to combatant, fleet and component commanders; serves as the primary maritime advisor to the President and Secretary of Defense; is the senior Uniformed Leader of the Navy; and represents the Navy on the Joint Chiefs of Staff.

Question. What background and experience, including joint duty assignments, do you possess that you believe qualifies you to perform these duties?

Answer. My career has afforded me a broad range of experience as a Naval Officer and Joint Warfighter. I have been privileged to command the submarine USS *Honolulu*, Submarine Development Squadron 12, Submarine Group 8, Submarine Allied Naval Forces South, Naval Submarine Forces, and served as the Director of the Naval Nuclear Propulsion Program.

My Joint assignments included the Naval Aide to the President, the Assistant Deputy Director for Regional Operations on the Joint Staff, and the Director of Strategy (J5) for U.S. Joint Forces Command.

I have also served on a number of Navy staffs including U.S. Pacific Fleet, the Navy Staff, and U.S. Naval Forces Europe and Africa.

Question. Do you meet the joint requirements for the position, including at least one full tour of duty in a joint duty assignment, or did you require a waiver?

Answer. I meet the Joint requirements for the position.

Question. Do you believe that there are any steps that you need to take to enhance your ability to perform the duties of the Chief of Naval Operations?

Answer. No.

RELATIONSHIPS

Question. Other sections of law and traditional practice establish important relationships between the Chief of Naval Operations and other officials. Please describe your understanding of the relationship of the Chief of Naval Operations to the following officials:

Secretary of Defense.

Answer. The Secretary of Defense is the principal assistant to the President in all matters relating to the Department of Defense. As a Service Chief and member of the Joint Chiefs of Staff, the Chief of Naval Operations (CNO) is a military adviser to the Secretary of Defense, particularly regarding matters of naval warfare, policy, and strategy.

Question. Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense, on occasion, serves as acting Secretary in the absence of the Secretary. During these periods, the CNO's relationship with the Deputy Secretary will essentially be the same as with the Secretary. The Deputy Secretary is also responsible for the day-to-day operation of the Department of Defense. If confirmed, I will endeavor to interact regularly with the Deputy Sec-

retary to provide my best possible professional military advice and the same level of support as I would the Secretary.

Question. The Under Secretaries of Defense.

Answer. Under current DOD Directives, Under Secretaries of Defense coordinate and exchange information with DOD components, to include the Services, in the functional areas under their cognizance. If confirmed as CNO, I will respond and reciprocate, and use this exchange of information as I communicate with the Chairman of the Joint Chiefs of Staff to provide military advice to the Secretary of Defense.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The CNO is a member of the Joint Chiefs of Staff and, as such, works with and through the Chairman in the execution of duties. Along with the other Service Chiefs, if confirmed I will be a member of the Joint Chiefs of Staff tasked with the responsibility for actively reviewing and evaluating military matters and offering professional military advice to the President, National Security Council, and Secretary of Defense.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. When functioning as the Acting Chairman, the Vice Chairman's relationship with combatant commanders is that of the Chairman. Also, the Vice Chairman has the same rights and obligations as other members of the Joint Chiefs of Staff. If confirmed, I would exchange views with the Vice Chairman on any defense matter considered by the Joint Chiefs of Staff. The Vice Chairman also heads or has a key role on many boards that affect readiness and programs and, therefore, the preparedness of naval forces. If confirmed, I will establish a close relationship with the Vice Chairman on these critical issues.

Question. The Secretary of the Navy.

Answer. The CNO is responsible, under the Secretary of the Navy for providing properly organized, trained, and equipped forces to support combatant commanders in the accomplishment of their missions. In addition, the CNO assists the Secretary of the Navy in the development of plans and recommendations for the operation of the Department of the Navy. The Navy enjoys a productive, collaborative environment within the Department, and if confirmed, I will work closely with the Secretary of the Navy to perpetuate it.

Question. The Under Secretary of the Navy.

Answer. The Under Secretary of the Navy is the principal assistant to the Secretary of the Navy and is first in line of succession. The Under Secretary performs such duties, and exercises such powers, as the Secretary shall direct. If confirmed, I look forward to establishing a close relationship with the Under Secretary to achieve the Secretary's goals.

Question. The Assistant Secretaries of the Navy.

Answer. The Assistant Secretaries of the Navy work with the Under Secretary to achieve the Secretary's goals. Like the Under Secretary, the Assistant Secretaries perform such duties, and exercise such powers, as the Secretary shall direct. If confirmed, I will work with the Assistant Secretaries to achieve the Secretary's goals.

Question. The General Counsel of the Navy.

Answer. The General Counsel of the Navy serves as legal advisor to the Department of the Navy and performs such functions as the Secretary of the Navy shall direct and as necessary to provide for the proper application of the law and effective delivery of legal services within the Department. If confirmed, I will work closely with the General Counsel to achieve the Secretary's goals.

Question. The Judge Advocate General of the Navy.

Answer. Under 10 USC § 5148(d), the Judge Advocate General (JAG) of the Navy performs duties relating to any and all Department of Navy legal matters assigned by Secretary of the Navy. The JAG provides and supervises the provision of all legal advice and related services throughout the Department of the Navy, except for the advice and services provided by the General Counsel. It is important that the CNO receive independent legal advice from his senior uniformed judge advocates. If confirmed, I will work closely with the JAG and seek the JAG's legal advice.

Question. The Commandant of the Marine Corps.

Answer. A unique historical and operational relationship exists between the Navy and the Marine Corps. Many of our capabilities, programs, and personnel issues are inextricably linked. Our forces deploy together, and both must be ready on arrival. If confirmed as CNO, my relationship with the Commandant of the Marine Corps must be exceptionally close and I will be committed to making every facet of the Navy-Marine Corps team stronger.

Question. The Chief of the Navy Reserve.

Answer. Under 10 USC § 5143, the Chief of the Navy Reserve serves on the staff of the CNO and is the principal adviser on Navy Reserve matters to the CNO and

is the commander of the Navy Reserve Force. The Chief of the Navy Reserve has an essential role in advising CNO of Navy Reserve capabilities alignment to Navy's Total Force mission and operations. If confirmed, I am committed to working with the Chief of the Navy Reserve to continue and enhance the vast progress and Total Force synergies we have achieved.

Question. The Chiefs of Staff of the Army and Air Force.

Answer. Our Armed Forces must work together to recognize each other's strengths and to complement each other's capabilities. We must achieve and maintain synergy in warfare, training, and procurement to ensure each Service contributes optimally to Joint and combined operations. If confirmed, I am committed to working with my counterparts to enhance Joint interoperability and other aspects of the Joint relationship in order to improve the war fighting capabilities of the United States.

Question. The combatant commanders.

Answer. The CNO's responsibility as a Service Chief is to provide properly organized, trained, and equipped forces to the combatant commanders to accomplish their military missions. If confirmed, I will work to foster close working relationships with the Unified and Specified Combatant Commanders.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges that will confront the next Chief of Naval Operations?

Answer. The international security situation is becoming more demanding and complex as both state and non-state actors challenge our national interests. Simultaneously, we face an era of fiscal challenges and uncertainty. Against this backdrop, the principal focus of the next CNO will be to provide relevant, ready naval forces to meet today's challenges, as well as to modernize the Navy to protect America's interests in the future.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will remain focused on providing adaptable, agile, and effective war fighting capabilities. Working with the fleet commanders and the Commandant of the Marine Corps, I will continue to work to establish a sustainable forward presence that is consistent with our force structure and can quickly respond to crises and deter conflict. As well I will work to ensure that the Navy, operating as part of the Joint Force, will remain capable of winning in conflict should deterrence fail.

As we address increasingly complex security challenges, the Navy has an obligation to deliver present and future capability in a fiscally responsible manner. I will work diligently with leadership to ensure that we deliver the most effective Navy possible for the resources we are provided. This must include close oversight to drive out inefficiencies and waste.

Finally, the Navy's success depends on attracting and retaining high quality people. I will devote myself to enhancing the Navy's ability to develop leaders—for today and tomorrow. This must include a comprehensive approach that provides opportunity for each member of the Navy to reach their full potential, that develops a diverse and adaptable force, and that supports our Navy families who share in the sacrifice to strengthen our Nation.

Question. Recognizing that challenges, anticipated and unforeseen, will drive your priorities to a substantial degree, if confirmed, what other priorities, beyond those associated with the major challenges you identified above, would you set for your term as Chief of Naval Operations?

Answer. If confirmed, I would look forward to more fully exploiting the electromagnetic spectrum and to harnessing the potential of revolutionary advances in information technologies.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the execution of the functions of the Chief of Naval Operations?

Answer. For any Chief of Naval Operations, there is always the challenge of balancing the need for the Navy to be ready today and the need to modernize for the future. This tension is more acute today because we face uniquely complex problems in both the security and fiscal environments—as the security demands increase, the resources to address these demands are harder to obtain.

Exacerbating these diverging trends, the environment demands faster and faster responses—as a result we absolutely must be more agile.

Question. If confirmed, what management actions and associated timelines would you establish to address these problems?

Answer. Becoming more agile and responsive is relevant in every dimension of the CNO's responsibilities—organizing, training, and equipping. If confirmed, I would look forward to working with Defense Department leadership and the Congress to improve our Navy's responsiveness.

ORGANIZE, TRAIN, AND EQUIP RESPONSIBILITY

Question. The Chief of Naval Operations is responsible for organizing, training and equipping forces provided to fleet and component commanders, including the prioritization of funding and effort to meet these needs in the near term, while developing capabilities for the far term.

How would you characterize your experience in force management and capability requirement decisions?

Answer. I have years of relevant experience in this area. By virtue of my time as commander, Submarine Development Squadron 12, and commander, Submarine Forces, I am very familiar with providing ready forces and capabilities to meet combatant commander demands. Through my time as commander, Submarine Group Eight, and Deputy Commander, U.S. Sixth Fleet, I am familiar with defining and requesting forces and capabilities to execute combatant commander responsibilities. Finally, as a member of the Joint Staff serving in J3 during Operations Iraqi Freedom and Enduring Freedom, I was responsible for adjudicating all combatant commander requests with the ability of the services to provide forces and capabilities.

Question. What innovative ideas are you considering for organizing, training and equipping the Navy?

Answer. I anticipate a sustained focus on how the Navy can continue to improve both the process and substance of how it organizes, trains, and equips its forces. If confirmed, I will work closely with the Secretaries of the Navy and Defense, as well as with the Congress, to develop initiatives in each of these areas.

SECURITY STRATEGIES AND GUIDANCE

Question. How would you characterize current trends in the range and diversity of threats to national security we face today?

Answer. As Dr. Kissinger testified in January, I believe that the traditional power and state structures in many areas of the world are being challenged by different models of governance and power. This trend is manifesting itself concurrent with advances in technology that allow both state and non-state actors—even individuals—to act with increasing range, precision, and speed. The Navy faces an increasing array of diverse threats that will challenge our superiority and hamper our access and ability to operate around the world.

Question. The Defense Strategic Guidance issued January 2012 took into account a $487 billion dollar reduction in defense resources.

With the additional $500 billion in cuts to the Department of Defense as a result of sequestration, is the Defense Strategic Guidance still valid?

Answer. The fiscal year 2016 President's Budget Request is the minimum funding necessary in order to execute the Defense Strategic Guidance and 2014 Quadrennial Defense Review (QDR). Should the budget be cut below the PB16 levels, the defense strategy would need to be revised.

Question. In your view, as Russian aggression and the emergence of ISIL have occurred since the Defense Strategic Guidance was issued in January 2012, is that strategic guidance still appropriate for the threats we face today or do you think an update is warranted?

Answer. The guidance in the Defense Strategic Guidance and the Quadrennial Defense Review remains relevant. No strategy will ever be able to anticipate all surprises. This reality reinforces the imperative to continue to do our best strategic thinking even as we develop forces that can remain balanced, responsive, and adaptive to unforeseen challenges.

Question. In your view, is our defense strategy and current establishment optimally structured, with the roles and missions of the military departments appropriately distributed, and U.S. forces properly armed, trained, and equipped to meet security challenges the Nation faces today and into the next decade?

Answer. I believe our strategy and structure is essentially sound. The reality of a dynamic security and fiscal environment demands that both our strategy and structure be continually assessed and adapted. Of particular concern is the need to remain ready today and to modernize for tomorrow in a fiscally constrained environment.

Question. If confirmed, what changes, if any, would you propose to the capabilities, structure, roles, and missions of the defense establishment?

Answer. If confirmed, I will continue to examine options that increase the adaptability and agility of current and planned Naval forces to further enhance the natural advantages they offer through their forward presence and responsiveness. I would also look forward to working with other leaders across the defense enterprise to identify additional areas where we can improve our ability to address a broadening range of challenges. I see the need to reconstitute our nuclear deterrent forces and to fully exploit the potential of information technologies as areas of particular priority.

MILITARY CAPABILITIES IN SUPPORT OF DEFENSE STRATEGY

Question. In your opinion, do current military plans include the necessary capabilities to meet the defense strategy stated in the 2014 QDR? Please identify areas of higher risk.

Answer. The fiscal year 2016 President's Budget provides for the minimum necessary capabilities to meet the defense strategy stated in the 2014 QDR, albeit with considerable risk. The strategic environment is very dynamic. If confirmed, I will remain personally involved to ensure that maximize the Navy's capability within available resources and to provide leadership with my most accurate and timely assessment of the Navy's ability to meet strategic objectives.

Question. Does the 2014 QDR specify the correct set of capabilities to decisively win in future high-end engagements?

Answer. I believe so. This is an extremely dynamic environment, and if confirmed, I will remain personally engaged to ensure that I maximize the Navy's capabilities within available resources and provide leadership with my most accurate assessment of the Navy's ability to win in a high-end fight.

Question. According to the force sizing construct in the 2014 QDR, American forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region." In your opinion, does the Department's force sizing construct provide adequate capability to address the country's current threat environment?

Answer. Currently yes. But after three years of budget shortfalls and a high operating tempo, the Navy currently operates with considerable risk in its ability to fully execute this warfighting mission in accordance with existing plans. The fiscal year 2016 President's Budget Request begins to put the Navy on a path to recovery. If confirmed, I will work with my fellow leaders to maximize the Navy's abilities within available resources.

Question. Is the Navy adequately sized to meet this construct?

Answer. The Navy's 2014 update to the 2012 Force Structure Assessment calls for a force of 308 ships. Provided sufficient readiness is restored and maintained across the Fleet, this fleet size should support the highest priority requirements for both presence and "surge" in the event of increased tensions or outright conflict. The fiscal year 2016 President's Budget puts the Navy on a path to procure the right mix of ships as defined by the Navy projections, though there are some capability risks of concern—amphibious ships, attack submarines, small surface combatants, aircraft inventory, and other modernization efforts.

Question. If the Navy cannot meet the demands placed on it, how will you address this issue?

Answer. If confirmed, I would work closely with the Secretary of the Navy, the Secretary of Defense and Chairman of the Joint Chiefs of Staff to prioritize missions to meet the most critical objectives in protecting national security, and evaluate and clearly articulate areas of risk.

DEFENSE REDUCTION

Question. In your view, what have been/will be the impacts of the following defense budget reductions on the Navy's capability, capacity, and readiness:

Initial Budget Control Act reduction of $487 billion?

Answer. The initial reduction from the Budget Control Act of 2011 placed abrupt, deep fiscal constraints on the Navy, which required hard choices and prioritization. This sudden topline-driven reduction compelled us to accept risk in our defense strategy in key areas. The Navy needs the restoration of adequate and predictable funding to recover balance, resilience, and adaptability.

Question. Sequestration in fiscal year 2013?

Answer. Sequestration in fiscal year 2013 resulted in a $9 billion shortfall to the Navy's budget, compelling reductions in afloat and ashore operations, and particu-

larly in ship and aviation maintenance and training. This resulted in degraded readiness and fleet response capacity, ultimately contributing to excessively long deployments for Carrier Strike Groups and Amphibious Ready Groups. In addition, the Navy cancelled five ship deployments and delayed the deployment of the USS *Harry S. Truman* Strike Group by six months. Civilian furloughs, combined with hiring freezes and no overtime for our civilian employees, contributed to reduced maintenance and sustainment output. We are still recovering from these cuts, particularly in crisis response capacity. The fiscal year 2016 President's Budget Request puts the Navy on a path to recover by fiscal year 2020.

Question. Reduction of $115 billion in projected spending in the fiscal year 2015 budget, in line with the 2014 Quadrennial Defense Review?

Answer. Congress's passage of the Bipartisan Budget Act of 2013 averted some of the BCA cuts in fiscal year 2014–2015, but still resulted in significant funding shortfalls in fiscal year 2014–2015 and extended budget caps through fiscal year 2023. For fiscal year 2015, the funding shortfall compelled the Navy to further reduce procurement of weapons and aircraft, slow modernization, and delay upgrades to all but the most critical shore infrastructure. If we are held to current statutory budget levels for fiscal year 2016–2019, the Navy would not be able to execute the defense strategy as currently written.

Question. Sequestered Budget Control Act discretionary caps starting in fiscal year 2016 onward?

Answer. If funded at less than the fiscal year 2016 President's Budget Request, the Navy would be unable to execute the defense strategy as currently written. The required cuts would force us to further delay critical warfighting capabilities, reduce readiness of forces needed for contingency responses, further downsize weapons capacity, and forego or stretch procurement of force structure as a last resort.

Question. The fiscal year 2016 budget request assumes that the Budget Control Act will be amended in fiscal year 2016. The fiscal year 2016 Budget Resolution passed by the Senate and House of Representatives do not assume this, but instead provides $38 billion of the requested spending through the Overseas Contingency Operations (OCO) budget.

Should this OCO funding not be available, what recommendations would you have, if confirmed, for how the Navy should manage additional cuts for fiscal year 2016?

Answer. The fiscal year 2016 President's Budget is the minimum funding necessary for the Navy to execute its responsibilities in the current defense strategy. The severity of those cuts would determine the degree to which critical warfighting capabilities would be further delayed, the readiness of forces needed for contingency responses would be further eroded, weapons inventories would be further reduced, and procurement of force structure would be cancelled or further postponed.

Question. What are your views on the impact that these cuts could have on readiness for the Navy?

Answer. The cuts would have a significant impact on readiness for the Navy. If cut, my advice would be to prioritize the readiness of forces forward deployed. This would come at the expense of surge and response forces. In addition, ship and aviation depot maintenance backlogs would increase and shore infrastructure would further deteriorate, creating greater risk of mishaps or serious injury.

Question. What are your views on the impact that these cuts could have on Navy capabilities?

Answer. These cuts would also have a significant impact on the Navy's capabilities, resulting in a smaller, less capable force. Modernization and asymmetric capabilities could be slowed, and inventories of critical assets would be insufficient to execute the current strategic requirements for the Navy.

HEADQUARTERS STREAMLINING

Question. The Senate-passed Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the military departments.

If confirmed, and if the provisions in the bill become law, what would be your role in streamlining functions, as well as identifying and implementing reductions in the Navy headquarters?

Answer. It is crucial for the Department to carefully align resources to the highest priority missions, functions, and tasks, and I am committed to continuing to examine management activities and improve efficiency of operations at all levels. If confirmed, I will work with the Department and Congress to continue to make significant strides in gaining efficiencies and savings through a more appropriate align-

ment of workforce to workload, a streamlining of operations, and the optimization of mission delivery while reducing redundancies and overhead.

Question. What areas and functions, specifically and if any, do you consider to be the priorities for possible consolidation or reductions within the Navy?

Answer. Every area and function must be considered as a potential candidate for reductions. While I view right-sizing the staff to be a critical responsibility, it requires a thoughtful approach. If confirmed, I will specifically explore areas where greater use of advanced processes and technology could add value. I will exchange information and best practices with other leaders across the defense enterprise and the private sector to ensure we consider all alternatives.

Question. To the extent that the Navy has functions that overlap with the Department of Defense, Joint Staff, or other military departments, what would be your approach to consolidating and reducing redundancy?

Answer. If confirmed, I will look forward to participating in a Department-wide examination of functional overlaps to identify areas for greater streamlining.

INTERNATIONAL PARTNERSHIPS

Question. Interactions between the naval forces of different countries are often negotiated at the Chief of Navy level, including international exercises, Foreign Military Sales, educational exchanges, and protocols for operations. For example, recent former Chiefs of Naval Operations were able to draw on their experience to gain international cooperation on the Codes for Unplanned Events at Sea (CUES) by the Western Pacific Naval Symposium and the use of France's aircraft carrier Charles de Gaulle in the fight against the Islamic State.

If confirmed, how do plan to ensure the U.S. Navy continues to build strong partnerships, overcome challenges, and exploit opportunities in international cooperation?

Answer. I believe we are stronger when we operate together, engaged with allies and partners, and if confirmed would enthusiastically continue to take advantage of these opportunities. Through activities like leader-to-leader engagements, student exchanges, exercises, and information sharing, the Navy is already providing a foundation for strengthening alliances and improving our combined capabilities. I would seek to maintain these activities and expand upon them where possible.

Question. How would you characterize your familiarity with international naval leaders, forums, and processes?

Answer. Many of my assignments have afforded me the opportunity to establish solid relationships with international naval leaders and key forums throughout the world. If confirmed, I look forward to fostering those relationships and building new ones through a robust engagement plan.

JOINT OPERATIONS

Question. Naval operations are becoming increasingly "joint" as marines plan to deploy in larger numbers and on a wider range of ships; the U.S. Army and Air Force begin to invest in counter-maritime capabilities; and air and naval forces continue to develop and implement interoperable capabilities to defeat anti-access and area-denial (A2/AD) networks—a process that started with the Air-Sea Battle Concept in 2010.

How would you characterize your familiarity with the other Services' capabilities and how they organize, train and equip their forces?

Answer. I have been privileged to serve on the Joint Staff, Joint Forces Command, and on several operational staffs. In these assignments, I gained an appreciation for the capabilities and processes that the other Services bring to the Joint Force.

Question. Are there other innovative ideas you are considering to increase Joint interoperability and ensure opportunities to improve cross-domain capability and capacity are not missed?

Answer. If confirmed, I will work closely with the other Service Chiefs and combatant commanders to seek new ways to combine forces in adaptive and responsive force packages. I look forward to improving information sharing standards and architectures within the Naval and Joint Forces to enhance interoperability.

RECAPITALIZING THE FLEET

Question. Despite the Navy's 308-ship requirement to meet the maritime demands of the National Military Strategy, it is currently operating with 272 battle force ships. Additionally, the Congressional Budget Office (CBO) has concluded that the Navy has underestimated the costs for its shipbuilding plan by approximately 11 percent.

Do you consider the 308-ship force structure requirement to be appropriate given the current and future strategic environment? If not, please describe what changes may need to be made.

Answer. Currently, yes. The 308-ship FSA update was completed in 2014 based on the 2014 Quadrennial Defense Review. The 308-ship battle force possesses the minimum capability and capacity to continue protecting American interests, to deter or contain conflict and, if called upon, to fight and win our Nation's wars.

Question. Do you agree with the CBO's assessment that there is significant cost risk associated with executing the Navy's shipbuilding plan?

Answer. The Navy and CBO are in relatively close agreement in our cost estimates for the first ten years of the 30 year shipbuilding plan because we have a good understanding of the ships' requirements and costs. Beyond the first ten years, our estimates begin to diverge largely due to uncertainty in costing and differing inflation projections. As the near term is most relevant from an execution perspective, the relatively small differences pose limited risk to the shipbuilding plan. If confirmed, I will be personally engaged to ensure that the Navy maintains accurate estimates of costs for shipbuilding.

What actions do you believe are necessary to execute the Navy's shipbuilding plan within the Navy's budget estimates?

Answer. An immediate concern is maintaining a viable shipbuilding program while also building the *Ohio* replacement class submarine. I will work with Defense Department and Congressional leaders to address this challenge.

Question. How would you characterize the risks to national security posed by the current shortfall in battle force ships and tactical aircraft?

Answer. Today, the Navy meets all requirements of the current defense strategy, albeit with considerable risk.

Question. What adjustments to the respective shipbuilding programs are necessary and appropriate to reduce operational risk?

Answer. Based on our current strategy, I believe the fiscal year 2016 President's Budget Request reflects the best balance of available resources to meet our requirements. If confirmed, I will continuously evaluate this question as a critical part of my responsibilities.

Question. What further adjustments would you consider if the Navy's shipbuilding program comes under further pressure due to cost growth?

Answer. The Navy is working hard to reduce cost growth and increase affordability and stability within our shipbuilding programs. Should these measures prove inadequate, if confirmed I will work with Defense Department leaders and the Congress to determine the appropriate responses and to develop acceptable adjustments.

FORD-CLASS AIRCRAFT CARRIERS

Question. After more than $2 billion in cost growth in each of the first three *Ford*-class aircraft carriers, the costs of these ships range from $11.5 billion to $13.5 billion.

Do you support the on-going Navy study of alternatives for future development of aircraft carriers that would replace or supplement the *Ford*-class carrier?

Answer. I fully support the Department's decision to consider alternatives to the current aircraft carrier design as well as changes to the existing *Ford*-class design to reduce cost while retaining essential capability. The study will provide insight into the requirements, capabilities, costs, and alternatives for aircraft carriers.

Question. In your view, should the Navy build 11 *Ford*-class aircraft carriers or should the Navy pursue a different mix of platforms for sea-based tactical aviation?

Answer. The current plan for the *Ford*-class construction is the Navy's best approach for meeting the demand for an 11-aircraft carrier force. We are not where we need to be on costs and are working hard to reduce them—-more effort is needed. While providing the needed capability to meet current and projected threats, delivery of this class will also provide major lifecycle savings compared to *Nimitz*-class carriers ($4B/ship due to reduced crewing and maintenance requirements). If confirmed, I look forward to further reducing the acquisition cost of the *Ford*-class ships.

Question. What options would you pursue to control the cost of aircraft carriers and ensure individual responsibility of officials in charge of different aspects of the acquisition program?

Answer. I believe that acquisition discipline arises from adhering to four basic behaviors:

(1) A clear command and control structure that clearly specifies authorities, responsibility, and accountability;

(2) Unambiguous program requirements, defined early in the process and informed by realistic assessments of technological maturity and affordability;
(3) A stable and mature design and build plan before entering into production; and
(4) A close and knowledgeable oversight process to ensure delivery of the required capability on time and within budget.

The Navy has taken action to incorporate these behaviors and drive improved performance. CVN 79 is now benefiting from design maturity, stable requirements, and a cost-effective construction plan. I will seek further opportunities to routinely review and align the requirements and costs for this program.

Question. If confirmed, how do envision being personally involved in the oversight of this program?

Answer. If confirmed as the Chief of Naval Operations, I will be personally involved in acquisition, to include the CVN program. In each of my preceding positions, I have engaged with those in my command to make clear my standards and expectations and directly monitor performance in meeting these standards. I would continue this approach as CNO.

Question. The Director of Operational Test and Evaluation's Fiscal Year 2014 Annual Report states the reliability of four systems—the electromagnetic aircraft launching system, advanced arresting gear, dual band radar, and advanced weapons elevators—are the most significant risks to the USS *Gerald R. Ford* (CVN–78) for successfully completing initial operational test and evaluation.

What is your understanding of the testing and reliability status of each of these key systems on CVN–78, which is scheduled to deliver in March 2016?

Answer. My understanding for each of these systems is:

The Electromagnetic Aircraft Launching System (EMALS) has nearly completed all initial land based developmental testing with some shared inverter and reliability testing remaining. EMALS is currently conducting certification testing of the first production hardware on board CVN–78. Over 100 deadloads have been successfully launched in shipboard testing. While not meeting its original reliability growth curve, EMALS reliability is tracking to the revised reliability growth plan reviewed with DOT&E staff in early fiscal year 2015.

The Advanced Arresting Gear (AAG) is conducting land based developmental testing with deadloads, and will begin land based developmental aircraft testing at the end of this calendar year. Certification testing of the production hardware on board CVN 78 is scheduled to begin in late July 2015. AAG is not meeting its original reliability growth plan due to technical design issues but a revised plan was reviewed with DOT&E staff in early fiscal year 2015. The Navy will commence AAG reliability tracking when land based performance testing begins this summer.

Dual Band Radar (DBR) has been in use at Wallops Island supporting land based integration and testing since March 2014; land based testing will continue through June 2016. Shipboard radar subsystem testing began in May 2015, and shipboard radar testing starts in August 2015. DBR has just begun reliability tracking at Wallops Island, and will continue through post-delivery testing onboard CVN 78. The DBR reliability growth plan was revised and reviewed with DOT&E staff in early fiscal year 2015.

Finally, the Navy has completed the functional demonstration of the Advanced Weapons Elevator (AWE) at the land based test site. While behind schedule, shipboard installation is in progress, and testing will commence in August of this year. AWE reliability tracking begins at ship delivery and will continue through post-delivery testing.

Clearly, the maturity and reliability of each of these systems is not where the Navy would like them to be. Navy leadership attention is focused on expeditiously completing these test programs and demonstrating effective operation and suitable reliability to support Initial Operational Test & Evaluation in 2018.

Question. What is your understanding of the measures being taken to ensure these key systems are stable for the next aircraft carrier, USS *John F. Kennedy* (CVN–79)?

Answer. CVN 79 is benefitting from a much more stable design and near complete test programs for the developmental technologies as well as construction experience on FORD. For each of these key systems, hardware design is complete and detailed test and installation experience is known. Shipboard test performance remains a risk. The Navy has incorporated lessons learned from these test programs and shipboard installation into CVN 79 plans. As a cost-saving measure, the Navy is adapt-

ing a proven off-the-shelf radar (Enterprise Air Surveillance Radar (EASR)) to replace the DBR on all future *Ford*-class hulls and air-capable amphibious ships.

OHIO-CLASS REPLACEMENT PROGRAM

Question. Navy leaders have testified that the *Ohio*-class Replacement Program will require significant investment and will result in equivalent reductions in the Navy budget, if a higher Navy topline or outside funding is not provided.

What is your recommendation for how the *Ohio*-class Replacement Program should be funded?

Answer. It is absolutely critical for the Nation to replace the *Ohio*-class submarines. The Navy is doing everything it can to limit requirements and control costs for this ship. Without increased shipbuilding funding in fiscal year 2021 and beyond, the *Ohio* Replacement Program will consume the majority of the Navy's annual shipbuilding budget, costing the equivalent of 2–3 ships per year. If confirmed, I look forward to working with Defense Department leadership and the Congress to address this significant challenge.

Question. What additional Congressional authorities do you believe are necessary for the *Ohio*-class Replacement Program?

Answer. Obtaining sufficient funding to build the *Ohio* Replacement Program (ORP) while also preserving other shipbuilding is a significant challenge for the Navy. As the ORP design matures and the build plan is mapped out, if confirmed, I will work with the Assistant Secretary for Research, Development, and Acquisition to review the ORP shipbuilding and procurement strategies, including an assessment of additional authorities that might improve the cost and efficiency of ORP production and related shipbuilding programs. When that work is complete, I look forward to discussing the plan with the Congress.

Question. Navy leaders have testified that 12 *Ohio*-class replacement submarines must be procured and the *Ohio*-class Replacement Program schedule cannot be delayed in order to ensure the first deterrent patrol occurs in 2031.

Do you support the view that there is no room for delay of the *Ohio*-class Replacement Program?

Answer. Yes, the Navy has stretched the *Ohio*-class to the maximum extent possible, from 30 to 42 years. There is no room for further delay of the ORP.

Question. What is the minimum number of *Ohio*-class replacement submarines that must be procured to meet mission requirements?

Answer. A 12-ship, 16-missile tube SSBN force has sufficient flexibility and capacity, and satisfies national strategic deterrent requirements in a cost efficient manner.

Question. What further support could Congress provide to ensure the *Ohio*-class Replacement Program remains on schedule?

Answer. If confirmed, I look forward to being personally engaged with Defense Department leaders and the Congress to find ways to fund and execute both the *Ohio* replacement and the rest of the shipbuilding plan.

Question. Do you assess *Ohio*-class replacement submarines will have the capabilities and attributes needed to perform their unique mission in the 2030s?

Answer. Yes. The program is being designed to provide the Nation's most survivable nuclear deterrent into the 2080s, and will deliver the core essential military capabilities required by our Nation in a cost effective and fiscally responsible manner.

Question. How confident are you that the program will be able to produce *Ohio*-class replacement submarines that meet current cost estimates (i.e., $14.5 billion for the lead ship with plans and $5.2 billion for hulls 2–12)?

Answer. I am confident the program will deliver at the current cost estimate.

Question. Congress established the National Sea-Based Deterrence Fund in section 1022 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for fiscal year 2015.

What are your views on how the Navy should use this Fund to acquire *Ohio*-class replacement submarines?

Answer. The Navy is currently undertaking a thorough review of the program design and build plan, costs, authorities, and other issues that could affect how the Fund might best be used. If confirmed, I look forward to sharing the results of that with you in order to inform the best way forward.

ATTACK SUBMARINE FORCE LEVELS

Question. The Navy's most recent statement of requirements for attack submarine force levels was 48 attack submarines. However, the Navy projects that the number

of attack submarines will fall as low as 41 boats and remain below the 48-boat requirement for 16 years.

What options exist to ensure the Navy deploys attack submarines sufficient to meet the requirements of the combatant commanders and other intelligence, surveillance, and reconnaissance needs?

Answer. The Navy can partially mitigate the attack submarine shortfall through multiple parallel efforts: continuing procurement of two *Virginia*-class attack submarines (SSNs) per year; shortening the construction timeline for *Virginia*-class submarines; extending the deployments of select *Virginia*-class attack submarines; and extending the service lives of select SSN 688 attack submarines.

Question. What risks are being incurred by allowing the attack submarine force levels to remain below 48 for 16 years?

Answer. Under current planning guidance, an attack submarine force level below 48 will increase the risk of gaps in our coverage for indications and warning of potential hostile action, and delay or reduce the arrival of submarines critical to warfighting if conflict should arise.

CHINESE NUCLEAR ATTACK SUBMARINES

Question. According to the Department of Defense, in the next decade, in addition to expanding its force of nuclear powered attack submarines (SSNs), China likely will construct a guided missile attack submarine (SSGN) incorporating better quieting technologies.

What are the implications for the U.S. Navy, as well as U.S. military operations in the Pacific, of the deployment by the Chinese of new nuclear submarines incorporating better quieting technologies?

Answer. Our Nation currently has superiority in the undersea domain. Military effects from the undersea domain enable and support joint forces in the air, surface, cyber, land, and space domains to gain access and be more effective. It is critical that we maintain superiority under sea in order to achieve desired military outcomes and strategic influence. The U.S. advantage is being challenged by China and Russia, and we must be alert to an advancing and adapting threat. Quieter and more capable submarines will require that the Navy continually improve our undersea capabilities.

Question. According to the Nuclear Proliferation Assessment Statement submitted by the President, "China's strategy for strengthening its military involves the acquisition of foreign technology as well as greater civil-military integration." The report notes that "one notable area of interest is China's selection of domestic manufacturers for the AP–1000, which is a civil nuclear reactor's canned motor pumps. These are the same domestic manufacturers contracted to produce the pumps for China's first generation nuclear-powered ballistic missile submarine.

What are the risks pertaining to the possible diversion of civil nuclear reactor technology for military use—particularly for quieting Chinese submarines and providing longer patrol time?

Answer. These questions are very difficult to discuss in an unclassified environment. As requested by the Congress, in my role as Director, Naval Reactors I submitted a classified report on 24 April 2015. These topics were also discussed at classified briefings with the Senate Foreign Relations Committee on 11 May 2015 and the House Foreign Affairs Committee on 3 June 2015. If desired, I look forward to continuing those discussions in a classified setting.

Question. Can you assure the committee that there will be no risk of military diversion resulting from the United States-China nuclear cooperation agreement?

Answer. While it is impossible to state that there will be "no risk," per the terms of the successor United States-China Atomic Energy Act Section 123 Agreement each party agrees any material, equipment, components, technology, and information transferred pursuant to this Agreement shall not be used for any nuclear explosive device, for research on or development of any nuclear explosive device, or for any military purpose. Enhancements included in the successor Agreement help to strengthen enforcement of the terms of the Agreement.

Question. Given China's activities in the South and East China Seas, in your view, does it make sense at this time to agree to expand civil-nuclear cooperation?

Answer. The successor United States-China Atomic Energy Act Section 123 Agreement ensures continued United States access to China's civilian nuclear complex, allowing for the development of a culture of best practices on nuclear security and safety, as well as the opportunity to ensure Chinese nonproliferation policies are consistent with international nonproliferation norms. I believe that the United States' ability to achieve a positive outcome in this effort is enhanced through an open and active relationship fostered under this Agreement.

Question. What message could this cooperation send to our allies in the region who look to the United States to respond to increasing Chinese military and political influence in the region?

Answer. I believe that the successor United States-China Atomic Energy Act Section 123 Agreement is intended to reaffirm that the U.S. will remain an active partner in the Pacific, and to reassure our partners and allies of the U.S. commitment to strategic balance in the region.

Question. In your role as Director of Naval Reactors, what actions did you take to ensure the AP–1000 pump design and its components would not enable the Chinese Navy to advance their submarine reactor pump technologies?

Answer. The AP–1000 reactor coolant pumps are designed by Curtiss Wright, the same company that produces the U.S. Navy's reactor coolant pumps. The military and commercial product lines are segregated at the Curtiss Wright facility. Personnel, cyber and physical security protocols are enacted at Curtiss Wright and our other critical military suppliers to protect U.S. Navy technology.

Question. What role does your office play in reviewing license applications for the export of nuclear technology?

Answer. The Department of Defense, including the U.S. Navy and Naval Reactors, is involved in reviewing civil nuclear technology export license requests. These reviews, which are informed by Intelligence Community assessments, evaluate the implications of potential diversion to military programs and are an important part of the Interagency process used to adjudicate export license requests.

BALLISTIC MISSILE DEFENSE (BMD)

Question. The Navy plays an important role in defending the Nation against the threat of long range ballistic missile attack and in defending allies, friends, and deployed forces against theater ballistic missile threats.

In conjunction with its 2014 Force Structure Assessment update, the Navy informed the committee that the entire 88-ship large surface combatant requirement includes having a BMD capability, with 40 of these needing the advanced BMD 5.X capability. Today, the Navy has 33 BMD-capable ships, with just three of these having the advanced BMD 5.X capability. In 2020, the Navy projects having 39 BMD ships, with 16 having BMD 5.X.

Do you view ballistic missile defense as a core Navy mission?

Answer. Yes, it is a proven capability the Navy provides to the Joint Force.

Question. What options should be explored to reduce the shortfall in meeting the stated requirement of having 88 BMD-capable ships, including 40 with the advanced BMD 5.X capability?

Answer. The Navy is on a path to field 88 large surface combatants, to include 40 new and modernized DDGs equipped with advanced BMD capability.

Question. Do you support removing BMD capability from *Ticonderoga*-class guided missile cruisers as part of the Navy's proposed cruiser phased modernization plan?

Answer. Given my current understanding of the issue, I do. This represents one of the difficult choices forced by tight financial constraints. At this point, the Navy has determined that the benefits to investing in DDG modernization, to include its BMD enhancements, are greater than those that would result from retaining BMD capability on the CGs.

Question. If so, how do you reconcile having a shortfall to the stated BMD requirement and removing BMD from large surface combatants?

Answer. Investing in DDG modernization is the most cost effective path to meeting our BMD requirement.

AMPHIBIOUS FLEET REQUIREMENTS

Question. What is your view of the need for and size of the Navy's amphibious ship fleet?

Answer. Amphibious ships are a critical element of our joint force capabilities. I support the current requirement of 38 amphibious ships and the plan to build 34, given fiscal constraints. If confirmed, I look forward to working closely with the Commandant and the Secretary of the Navy to continue to support amphibious shipping.

Question. What alternatives would you consider to augment amphibious ships in providing lift to Marine Corps units? In what scenarios would these alternatives be necessary and appropriate?

Answer. Increased fleet operations have strained combatant scheduling and reduced our fleet commanders' tasking flexibility. As such, the Navy has evaluated methods to use auxiliary ships to augment—not replace—our most capable amphibious ships. We have successfully embarked marine detachments on ships such as

the afloat forward staging bases (AFSB), destroyers, littoral combat ships (LCS), mobile landing platforms (MLP), and joint high-speed vessels (JHSV). Military Sealift Command (MSC) also maintains additional auxiliary platforms which are successfully operating with marine detachments today. These platforms help mitigate shortfalls of amphibious shipping.

None of these alternatives provide the same breadth or depth of capabilities resident in our amphibious fleet. Their use is most appropriate in settings where the risks of combat are believed to be low, and where the greatest needs are for lift, rather than the broader suite of military capabilities offered by more capable amphibious platforms.

If confirmed, I will continue to work closely with the Marine Corps, the Secretary of the Navy, and others to identify the most appropriate solutions to supporting Marine Corps activities and operations around the globe, given existing resources.

LITTORAL COMBAT SHIP (LCS)

Question. In December 2014, the Secretary of Defense announced his decision to upgrade the Littoral Combat Ships, designated LCS–33 through LCS–52, to provide a more capable and lethal small surface combatant, generally consistent with the capabilities of a frigate.

Do you support the Secretary of Defense's decision to upgrade the LCS?

Answer. Yes, I believe the modifications to the LCS design will add valuable lethality and survivability to the final 20 hulls.

Question. What is your understanding of the acquisition strategy for the LCS and LCS mission modules, as modified by the Secretary of Defense's decision?

Answer. The Secretary of Defense's decision to procure a modified LCS (Frigate) to follow the LCS Flight 0+, will produce 32 LCS and 20 Frigates. The acquisition strategy procures three LCS per year through fiscal year 2018. Frigate procurement starts in fiscal year 2019 with two ships, and continues with three ships per year from fiscal year 2020 through fiscal year 2025. The Navy is updating the mission module procurement plan.

Question. Are you concerned by the personnel and configuration management issues that are presented by fielding and sustaining LCS Flight 0, LCS Flight 0+, the upgraded LCS (frigate), and "backfitting" frigate-like capabilities on existing LCS, as well as the managing the various mission modules and mission module increments?

Answer. The Small Surface Combatant Task Force examined a range of configurations and platforms before arriving at the plan that was subsequently approved by the Secretary of Defense. The Navy is working with the shipbuilders to incorporate the changes. If confirmed, ensuring that this plan delivers the best outcome in a cost effective manner will be one of my top priorities.

Question. If so, and if you are confirmed, how would you propose managing and simplifying these configuration issues?

Answer. If confirmed, I will assess whether any additional steps are required beyond a close collaboration with the program manager and the shipyards.

Question. What is your view of the peacetime and wartime mission of the LCS?

Answer. LCS provides the Navy with critical capabilities to address validated gaps in Surface Warfare (SUW), Mine Countermeasures (MCM), and Anti-Submarine Warfare (ASW) in both open ocean and the littorals. LCS also supports deployed forward presence to meet combatant commander demand.

Question. What is your assessment of the requirements for survivability of the LCS Flight 0, Flight 0+, and LCS (frigate)?

Answer. LCS survivability requirements were analyzed by Naval Sea Systems Command, which determined they are adequate to meet the missions expected of the ship. The work performed by the Small Surface Combatant Task Force identified several survivability enhancements for the Frigate that will be back-fitted as practical in LCS.

Question. What is your assessment of the delivered survivability capability of the LCS Flight 0, Flight 0+, and LCS (frigate)?

Answer. The delivered survivability capability of LCS meets the requirements laid out in the LCS Flight 0+ Capabilities Development Document (CDD).

Question. Do you support the Navy force structure assessment requirement of 52 small surface combatants?

Answer. Currently yes. I support the Force Structure Assessment (FSA) requirement of 52 small surface combatants. The Navy plans to meet this requirement with a combination of 32 LCS and 20 Frigates.

TACTICAL FIGHTER PROGRAMS

Question. The F–35 Joint Strike Fighter Program, which is the largest and most expensive acquisition program in the Department's history, was formally initiated as a program of record in 2002 with a total planned buy of 2,443 aircraft for the U.S. At projected procurement rates, the aircraft will be procured by the Department well into the 2030 decade to reach its total quantity buy. The program has not yet completed its systems development and demonstration phase, and is not due to enter full rate production until 2019, 17 years after its inception.

The Navy's fiscal year 2016 budget request indicates a program of record of 369 F–35C, with Navy procurement continuing throughout the life of the F–35 procurement program.

The overall requirement for 2,443 aircraft was established nearly 20 years ago. Since that time, however, there have been countervailing pressures to: (1) reduce force structure to conserve resources; (2) improve capability to respond to prospective adversary technological advances and increased capabilities from updated threat assessments; and (3) respond to an evolving national defense strategy.

Do you believe the Navy's F–35C requirement is still valid?

Answer. Yes, the F–35C will be a vital part of the future Carrier Air Wing.

Question. Do you believe the Navy can afford and needs to procure 310 more F–35Cs with a procurement cost of over $42 billion?

The F–35C provides essential 5th generation strike fighter capability to our Carrier Air Wings. Without this capability, we cannot achieve air superiority. The Department of the Navy currently has a requirement for 340 F–35Cs. If confirmed, I will work with the Chairman and other service chiefs to revalidate the appropriate number of aircraft the Navy requires to meet the mission.

Do you believe that the Navy will still want to buy the F–35C, an aircraft design that will be 30 years old before the Navy production is scheduled to finish?

Answer. The Navy is committed to making the F–35C the next Carrier Air Wing fighter, complementing the F/A–18E/F until that aircraft reaches the end of its lifetime in the 2030s.

Question. Do you believe the Navy's current and planned force mix of tactical aircraft is sufficient to meet current and future threats around the globe, and most especially in the Asia-Pacific theater of operations where the "tyranny of distance" is such a major factor?

Answer. Currently, I do. There are capability, inventory, and readiness aspects to delivering the required force mix. If confirmed, I will work with leadership to determine the best options to pace the threat in a dynamic security and fiscal environment.

Question. The Secretary of the Navy recently remarked that he believed the F–35 should be and would be the Nation's last manned fighter aircraft. Do you believe this to be true?

Answer. If confirmed, I will work with the Secretary of the Navy to aggressively advance the development of unmanned systems. It is crucial that we push the boundaries of what unmanned technologies can achieve; the next generation in tactical aviation will play a large part in this transformation.

Question. What will be your role in leading capabilities and requirements development to increase the role of unmanned aerial combat systems in the Navy?

Answer. If confirmed, I intend to make the continued development of unmanned systems a hallmark of my tenure. I intend to push the Navy into new ways of thinking about combinations of people and technologies to maximize our operational advantage.

Question. How do you see the future balance developing between manned and unmanned combat aircraft for the Navy's future force structure?

Answer. I believe that the advent of advanced information technology is redefining the approach to obtaining the most effective relationship between people and technology. There is vast potential to change the balance of manned and unmanned platforms in general, and this potential is a key to helping the United States minimize the risk to our people and stay ahead of rapidly evolving threats.

READINESS

Question. What is your assessment of the current readiness of the Navy to meet national security requirements across the full spectrum of military operations?

Answer. While forward deployed Navy forces continue to meet readiness standards, I am most concerned about the Navy's ability to meet the timelines associated with providing either follow-on or "surge" forces should they be requested by combatant commanders. For instance, we are currently not meeting our required crisis response capacity and do not fully recover until 2020.

Question. What is your assessment of the near-term trend in the readiness of the Navy?

Answer. The 2016 President's Budget Request provides the minimum resources to achieve the levels of readiness to meet requirements by 2020. This plan still includes considerable risk, and does not allow for any unexpected contingencies.

Question. How critical is it to find a solution to sequestration given the impacts we have already seen to readiness in fiscal year 2013?

Answer. It is absolutely critical. Without relief from the current budget caps, we will fall farther below requirements to the point that the Navy will not be able to meet our responsibilities in the current strategy.

Question. What is your understanding and assessment of the methods currently used for estimating the funding needed for the maintenance of Navy equipment?

Answer. To estimate the resources needed for maintenance, the Navy takes a requirements-based approach that first defines the required level of readiness for a given unit at a particular time, for a particular mission. This accounts for personnel, equipment, sustainment, training, and ordnance. Efforts are made to ensure that units are appropriately ready, balancing the operational availability to the warfighters consistent with expected employment. While this analytical approach provides discipline and predictability to the system, recent budget perturbations and uncertainty makes cost and associated readiness estimates much more complex, and drives up the cost/readiness in nearly every case. When readiness suffers—particularly in maintenance—it can take years to recover.

Question. Given the backlog in equipment maintenance over the last several years, do you believe that we need an increased investment to reduce this backlog?

Answer. The fiscal year 2016 President's Budget Request, with OCO funding, fully funds ship maintenance to continue life cycle maintenance reset of CVNs and surface force ships. To address workload to be completed in our public shipyards, Navy also funds additional workforce and will send selective submarines to private shipyards. Navy funds aviation depot maintenance to capacity, increasing funding as throughput improves.

Question. How important is it to reduce the materiel maintenance backlog in order to improve readiness?

Answer. It is very important to the Navy. Maintenance and training backlogs have delayed deployments, which have in turn forced extensions for those already deployed. Since 2013, many CSGs, ARGs, and destroyers have been on deployment for 8–10 months or longer. This comes at a cost to the resiliency of our people, sustainability of our equipment, and service lives of our ships. Readiness shortfalls take stable and predictable funding over a period of years to correct, and force operational units to extend beyond sustainable levels.

Question. How important is it to receive OCO funding 2 or 3 years after the end of combat operations in order to ensure all equipment is reset?

Answer. It is very important. We remain reliant on OCO funding for ongoing overseas operations, reset, and enduring requirements.

Question. In your judgment, is the current and recent operational tempo adversely affecting the readiness or retention of sailors on Active Duty and in the Reserve component?

Answer. There is no doubt that our sailors and their families are mission focused—they are proud to do their job—making significant sacrifices—as they serve the Nation. Having said that, in my experience, the dominant factor that is negatively affecting our sailors' professional experience in the Navy, and the stress that their families experience, is the frustration associated with things like delays to getting underway, deployment extensions, training delays and gaps, delays in maintenance periods, and last-minute parts availability. These avoidable unpredictabilities are the single biggest detractor to quality of service.

Question. If confirmed, what will be your priorities for maintaining readiness in the near term, while modernizing the Navy to ensure readiness in the future?

Answer. If confirmed, I will strive to achieve the appropriate balance between these two imperatives. My first priority will be to deliver a sustainable level of mission-ready forward presence and contingency response capacity to the combatant commanders. However, these near-term priorities cannot be made at the expense of the capability and capacity of the Navy's future force. We must maintain commitment to modernize our Navy to meet tomorrow's challenges, particularly the need to modernize our undersea strategic deterrent, and to address emerging opportunities in information technology. If confirmed, I will work with Defense Department leadership and the Congress to achieve adequate and predictable resources to meet current readiness and employment requirements while investing in the future.

Question. In years past, Congress has based additional readiness funding decisions on the Service Chief unfunded priorities lists. However, in recent years those lists have not been provided or have arrived too late to help in our markup process.

If confirmed, do you agree to provide unfunded priorities lists to Congress in a timely manner beginning with the fiscal year 2017 budget request?

Answer. Yes. I will make all efforts to comply with Congressional direction.

Question. In the past, a number of ships failed inspections by the Board of Inspection and Survey (INSURV), including Aegis cruisers and destroyers, due to poor material condition. The Navy classified INSURV inspection results in 2008 and stopped using pass-fail criteria in 2012.

Do you support the current policy of keeping INSURV results classified?

Answer. Yes, getting an unvarnished assessment of our ships is critical to understanding the readiness level of the fleet. Furthermore, the detailed readiness assessment of our forces should be kept from any potential adversaries.

Question. Do you support the current grading criteria, which lack a pass/fail determination?

Answer. Yes. I believe that the existing system, which grades ships using a holistic score and compares them to other ships in their class, provides more useful insight about a ship's condition and the path to correct deficiencies.

Question. Given INSURV no longer provides failing or unsatisfactory scores, how will you ensure Congress is promptly notified when the material condition of a ship is unsatisfactory?

Answer. If confirmed, I will work to ensure that the readiness of our fleet is promptly known to Defense Department leadership and the Congress.

Question. Navy leaders have stated rotational deployments will be stabilized and more predictable through continued implementation of an improved deployment framework called the Optimized Fleet Response Plan (O–FRP).

What is your understanding of the O–FRP?

Answer. O–FRP is designed to align manning, maintenance, and modernization of our platforms with training in order to achieve readiness and meet regional needs in the most effective and efficient manner. O–FRP should allow the Navy to achieve stable and predictable 7-month deployments, which will help to reset our readiness and increase certainty for our sailors and families.

Question. Do you support implementation of the O–FRP?

Answer. Yes. As O–FRP goes forward, if confirmed I will work closely with the fleet commanders to continuously review effectiveness of O–FRP in meeting our strategic objectives.

Question. To what extent will implementation of the O–FRP improve the material readiness of the fleet?

Answer. O–FRP is designed to improve material readiness by providing greater stability and predictability in maintenance schedules. Restoring predictability to maintenance periods, when combined with sufficient and predictable resources in our shipyards and depots should allow for better maintenance outcomes and improved overall fleet readiness.

Question. What metrics should Congress use to track the material readiness and material condition of Navy ships and aircraft, as well as the effectiveness of O–FRP?

Answer. If confirmed, I will work to ensure that the material readiness of our fleet is promptly known to Departmental leadership and the Congress.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Question. Officials of the Department of Defense, including previous Chiefs of Naval Operations, have advocated for accession to the Law of the Sea Convention.

Do you support United States accession to the United Nations Convention on the Law of the Sea?

Answer. I support accession to the Convention. Being a party to the Convention enhances the United States' security posture by reinforcing freedom of the seas and rights vital to ensuring our global force posture. The Convention provides legal certainty in the world's largest maneuver space. Access would strengthen the legal foundation for our ability to transit through international straits and archipelagic waters; preserve our right to conduct military activities in other countries' Exclusive Economic Zones (EEZs) without notice or permission; reaffirm the sovereign immunity of warships; provide a framework to counter excessive maritime claims; and preserve our operations and intelligence-collection activities. Joining the Convention would also demonstrate our commitment to the rule of law, strengthen our credibility among those nations that are already party to the Convention, and allow us to bring the full force of our influence in challenging excessive maritime claims. Fi-

nally, it would secure for us a leadership role in shaping and influencing future maritime developments.

Question. How would you respond to critics of the Convention who assert that accession is not in the national security interests of the United States?

Answer. There are significant national security impacts from failing to join the Convention. By remaining outside the Convention, the United States remains in scarce company with Iran, Venezuela, North Korea, and Syria, and foregoes the most effective way to counter undesirable changes in the law or to exercise international leadership. By not acceding to UNCLOS we deny ourselves the ability to challenge changes to international law as a result of the practice of nations at the local, regional, or global level. As some states seek to interpret treaty provisions in a manner that restricts freedom of navigation, U.S. reliance on customary international law as the legal foundation for our military activities in the maritime becomes far more vulnerable and needlessly places our forces in a more tenuous position during operations. Moreover, by failing to join the Convention, some countries may come to doubt our commitment to act in accordance with international law.

Question. In your view, what impact, if any, would U.S. accession to the Law of the Sea Convention have on ongoing and emerging maritime disputes such as in the South China Sea and in the Arctic?

Answer. Acceding to the Convention would strengthen our credibility and strategic position on issues pertaining to these regions. While we do not take sides in the various territorial disputes in the South China Sea, we do have a national security interest in ensuring disputes are resolved peacefully, countries adhere to the rule of law, and all nations fully respect freedom of the seas. However, we undermine our leverage by not signing up to the same rule book by which we are asking other countries to accept. As for the Artic, the other Arctic coastal nations (Russia, Canada, Norway, and Denmark (Greenland)) understand the importance of the Convention and are in the process of utilizing the Convention's procedures to establish the outer limits of their extended continental shelves (ECS) in the Arctic. The United States has a significant ECS in the Arctic Ocean, but cannot avail itself of the Convention's mechanisms to gain international recognition of its ECS. We must put our rights on a treaty footing and more fully and effectively interact with the other seven Arctic Council nations who are parties to the Convention.

UNITED STATES FORCE POSTURE IN THE ASIA-PACIFIC REGION

Question. The Department continues the effort to rebalance toward the Asia-Pacific as announced in the January 2012 Strategic Defense Guidance.

Are you satisfied with the rebalance efforts to date?

Answer. Thus far, I am satisfied with our rebalance efforts, as they have resulted in a significant adjustment in United States Navy force structure and capabilities in the Asia-Pacific region.

Question. What do you see as the United States security priorities in the Asia-Pacific region over the next couple of years and what specific Navy capabilities or enhancements are needed in to meet those priorities?

Answer. The Indo-Asia-Pacific region is becoming a priority not only for the United States, but for the world. Rising economies, access to natural resources, critical trade routes, and growing navies all present both opportunities and risks. In order to protect our interests, the United States faces a range of challenges in the Asia-Pacific region, including provocations by North Korea and the growth of its ballistic missile programs, as well as China's expansion into the Pacific and Indian oceans, supported by their rapidly growing navy.

Going forward, a whole-of-government approach is warranted. Moreover, I believe we must address this challenge in a regional context—continuing to enhance relations with and the capabilities of regional allies and partners. For our part, as this is such a vast maritime theater, the Navy must continue to prioritize the full spectrum of our capabilities towards the Pacific.

Question. Do the budget cuts and resource constraints associated with sequestration threaten your ability to execute the rebalance to the Pacific?

Answer. Resourcing levels below the fiscal year 2016 President's Budget Request would necessitate reworking the current defense strategy, including the rebalance to the Pacific.

ANTI-ACCESS/AREA DENIAL

Over the past few years, much has been made of the emerging anti-access and area denial capabilities of certain countries and the prospect that these capabilities may in the future limit the U.S. Navy's freedom of movement and action in certain regions.

Question. Do you believe emerging anti-access and area denial capabilities are a concern?

Answer. Yes. The development and proliferation of advanced systems that can sense, target and strike ships at increasing ranges and accuracy is a vital concern to me. If confirmed, I will work with other defense leaders and leaders in industry to develop technologies that assure access by the joint force.

Question. If so, what do you believe the Navy needs to be doing now and in the next few years to ensure continued access to all strategically important segments of the maritime domain?

Answer. The free use of the maritime commons is critical to the global economic system and U.S. national interests. The Navy will continue to first and foremost be present and exercise freedom of navigation in international waters and to reassure our allies and partners. Further the Navy must continue to develop new concepts, platforms, and technologies that can effectively address this emerging threat to access.

Question. If confirmed, you would play an important role in the process of transforming the Navy to meet new and emerging threats. Concerning capability and capacity to meet new and emerging threats, what are your goals regarding transformation of the Navy?

Answer. If confirmed, one of my primary goals would be to ensure the Navy fully exploits the potential offered by advances in technology, and particularly information technology, to enhance our ability to rapidly and adaptively combine forces and capabilities. To support this aim, the acquisition processes that design and build these capabilities must become more agile. Finally, we must consider what changes must be made to the way that we train and employ our people to ensure that our sailors remain on the cutting edge of capability. If confirmed, I will ensure that the Navy incorporates these changes swiftly and effectively.

CHINA ASSERTIVENESS

Question. How has China's aggressive assertion of territorial and maritime claims, particularly in the South China Sea and East China Sea, affected security and stability in the region?

Answer. China's actions in the South and East China Seas, as well as its rapid military modernization and growing defense budgets, have led many in the region, including the United States, to question its long-term intentions. China has still not clarified its 9–Dash Line claim, and it continues to conduct land-reclamation and construction activities in the South China Sea. Such behavior has been destabilizing for the region and has increased the risk of miscalculation or conflict among regional actors. Our allies and partners in the region are increasingly looking to the United States for leadership and support in the face of these challenges, and so our response to China's challenges to the international maritime order should be firm and consistent.

CHINA

Question. What is your assessment of the current state of the United States-China military relationship?

Answer. The United States-China military-to-military relationship is a critical component of our overall bilateral relationship and an important aspect of our regional maritime strategy. Right now, I believe the military relationship is contributing to stability in the region. This stability allows us to increase cooperation on areas of overlapping interests, while improving our ability to manage other aspects of the security relationship responsibly. The broader bilateral relationship can improve through strengthening trust and transparency between the two militaries.

Question. What are your views regarding China's interest in and commitment to improving military relations with the United States?

Answer. I believe China recognizes the United States will have an enduring presence in the Pacific and therefore has a clear interest in sustaining military-to-military contacts. If confirmed, I will continue to use the military relationship as a tool to build sustained and substantive dialogue, develop areas of practical cooperation, and manage competition in a way that protects national interests and supports overall stability in the relationship and the Asia-Pacific region.

Question. What is your view of the purpose and relative importance of sustained military-to military relations with China?

Answer. Mil-Mil relations are an important part of our bilateral relationship. They can be fruitful because of a shared military culture, this is true for navies in particular as we operate together in international waters governed by common rules and must communicate with one another. The goal would be to protect national in-

terests by strengthening understanding, transparency, and familiarity. This must be done in a thoughtful way that protects our interests.

Question. What role do you see for the Chief of Naval Operations in this process?

Answer. I believe the CNO plays a pivotal role to personally sustain a meaningful working relationship with all of his counterparts around the world, to the end of promoting the international rules and norms that have been the foundation of regional stability for decades and have afforded nations such as China unprecedented economic growth and prosperity.

UNMANNED SYSTEMS

Question. The Navy's current plan for the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) system aircraft is to develop an airframe optimized for unrefueled endurance (14 hours) and the ISR mission.

Given the combat radius of the planned Carrier Air Wing, are you concerned the Navy's aircraft carriers will lack the ability to project power at relevant distances, given emerging anti-access/area-denial threats?

Answer. I am concerned. The rapidly evolving technological and security environments require that we continually work to develop concepts and capabilities that will allow us to maintain assured access and project power when needed. That is why our planned modernization integrates the warfighting capabilities of the entire Air Wing including strike fighter, airborne electronic attack, and command and control modernization to assure access in contested environments. As part of this integrated approach, the UCLASS program is designed to provide both Intelligence, Surveillance, Reconnaissance, and Targeting and future strike capabilities. If confirmed, I look forward to participating with other defense leaders and industry to ensure success in this critical area.

STRATEGIC THINKING

Question. How do you plan to foster a dedicated, educated, and assigned group of strategic thinkers and planners who rise to the rank of flag rank officer?

Answer. The Navy has several opportunities for an officer to develop into a strategic leader. The Naval War College, Naval Post Graduate School, and other services' schools provide a rich education in strategy and policy. As well, the Navy has programs with other colleges and universities both in the United States and abroad that provide opportunities to become educated in strategic thinking. We are and will continue to pursue initiatives to improve in this vital area.

CONVENTIONAL VS. NUCLEAR DETERRENCE

Question. What role do you see for the Navy in conventional deterrence?

Answer. Naval forward presence is critical to conventional deterrence. Captured in the phrase that the Navy is "where it matters, when it matters" is the ability to be forward to enhance stability and deter undesired behavior.

Question. How do strategic and conventional deterrence complement one another?

Answer. It is a complementary relationship. Our Nation's strategic deterrent has been a bedrock of peace and stability, precluding major wars for over 50 years. The Navy's contribution to this is the SSBN force, which has provided a survivable and responsive capability and 100 percent alert coverage since the 1960s. That force recently celebrated its 4,000th strategic deterrent patrol. Complementing this strategic deterrent, as discussed above, our conventional naval forces are present to be seen and to reassure our partners that we have a global reach that protects the international system. Both work in tandem within the Joint force to guarantee stability.

OFFSET TECHNOLOGIES

Question. During the Cold War, the DOD pursued three key technologies to offset the numerical superiority of Soviet conventional forces: precision guided munitions, stealth technology, and satellite-based navigation. These three technologies have given U.S. forces unparalleled superiority until now. However, with advancements by our emerging adversaries, it seems like the military technological superiority is beginning to erode. As a result, it is critical that the United States once again focus on offsetting the erosion of our technology advantages being achieved by our potential adversaries.

Which technology priorities do you believe the Navy should be pursuing to maintain the military technological superiority of the United States?

Answer. The advances in information technology—via cyber capabilities and in the electromagnetic spectrum—present significant future potential. Related, these

technologies, when coupled with precision guidance and sensors, present significant opportunities for unmanned systems. The advent of additive manufacturing (3D printing) technology is another area that should be aggressively pursued. Finally, advances in power generation and conditioning allow for opportunities in directed energy weapons. Just as important as any technology, the process by which the Navy develops and fields new capabilities must become more agile. We must learn and adapt faster.

Question. What strategies would you recommend be implemented to develop these technology priorities?

Answer. If confirmed, I look forward to continuing the momentum the Navy has established to develop and deploy innovative technologies and to refine our staff organization and processes to become more adaptable and agile. My sense is that closer collaboration with industry will enhance our effectiveness in this endeavor.

Question. What role should the services play in their development?

Answer. The Services play a vital role in resourcing the research and development to address needs, lead creative thinking about the future, and ensure that promising approaches survive the leap from research to production. If confirmed, this will get my personal attention.

SCIENCE AND TECHNOLOGY

Question. One of the main objectives of the defense research enterprise is to develop advanced technologies that will be of benefit to the warfighter. In this regard, it is critical that advancements quickly transition from the development phase into testing and evaluation and ultimately into a procurement program for the warfighter.

What are some of the challenges you see in transitioning technologies effectively from research programs into programs of records?

Answer. If confirmed, I intend to work with Defense Department leadership and the Congress to enhance the Navy's ability to develop capabilities that can be rapidly prototyped and tested in the field, and if successful, integrated into the fleet. I believe this will accelerate the learning cycle and allow capability to enter the Navy at a pace more comparable to the private sector. This must be done thoughtfully, keeping in mind that Naval systems must operate reliably for extended periods of time in hostile maritime environments. Continued mission success and the safety of our sailors depend on these capabilities.

Question. As the Chief of Naval Operations, what steps will you take to ensure that the services are benefitting more quickly and directly from the research being performed by the defense research enterprise?

Answer. Leveraging the research being conducted elsewhere in the defense enterprise, ensuring we don't duplicate efforts unnecessarily, and bringing the technical communities together to share information are all high priorities for me. Our technical workforce needs to be able to spend time interacting with researchers and attending professional workshops. If confirmed, I will engage with universities, industry, and research institutions to work on our toughest challenges.

Question. Do you feel that defense technologies and systems, especially in areas such as mobile communications, computing, and robotics, are keeping pace with global and commercial technological advances? If not, what do you suggest that the Department do to keep up with the pace of global technological change?

Answer. Global technological advancements are profound, and I believe that we should monitor and leverage them that at every opportunity, as they represent a source of tremendous advantage. If confirmed, I look forward to identifying specific areas where we can trust commercial markets to produce capabilities that are suitable—even preferable—to independently developing them "in house."

Question. As you know, robust investment in S&T underpins technological advances in our military capabilities and is vital for maintain our military technological superiority over emerging adversaries.

If confirmed, what metrics would you use to assess whether the Navy is investing adequately in S&T programs?

Answer. Given the challenges associated with identifying a benefit, it may be most useful to ensure that a fixed percentage of overall funding remains allocated to basic research. I believe the Defense Department, to include the Navy, must have a robust understanding of the areas of basic research that are likely to provide those advances most relevant to its missions, and invest in those that are least likely to attract adequate funding from other sources. If confirmed, I would ensure that the Navy's analysis in this area remains robust.

Question. How would you assess the value and appropriate investment level for basic research programs?

Answer. I believe that our current investment in basic research is appropriate given the current fiscal reality.

Question. What tools would you use to ensure that appropriate technologies are transitioning quickly into programs of record?

Answer. If confirmed, this will be an area of keen interest during my tenure as CNO. At every level of this organization, we recognize that delivering technological superiority to our warfighters is of paramount importance yet often happens too slowly. I would assist the Secretary in the acquisition process to ensure that the warfighter's needs are properly articulated, prioritized, and resourced, and that the requirements process is agile enough to drive an even faster pace. The Navy has already started moving in this direction with Task Force Innovation, establishing a DASN for unmanned systems, and establishing the office of OPNAV N99 to focus on transitioning new technologies more quickly.

TECHNICAL WORKFORCE

Question. A significant challenge facing the Department of Defense today is an impending shortage of high quality scientific and engineering talent to work at Defense laboratories and technical centers.

In your view, what are the pros and cons of having Active Duty Navy personnel trained and working as scientists and engineers within the Navy research and acquisition system?

Answer. The Navy is continually assessing the appropriate roles for military, civilian, and contractor personnel to determine the best approach to meeting our research and acquisition needs. If confirmed I look forward to exploring this issue more fully.

Question. How would you ensure that directors of labs in your service have the tool they need to dynamically shape their S&T workforce?

Answer. If confirmed, I will work with the directors and the resource sponsors to ensure that we maintain a system that is responsive to the needs of the current S&T environment, including people, security, and instrumentation and tools.

TEST AND EVALUATION ISSUES

Question. What do you see as the role of the developmental and operational test and evaluation communities with respect to rapid acquisition, spiral acquisition and other evolutionary acquisition processes?

Answer. The operational test and evaluation communities play a critical role in ensuring the systems the Navy produces are ready for the stresses of extended operation at sea and ultimately for combat. This community ensures that our systems will perform to expectations and allow our sailors and commanders to have the capability and confidence in their gear that they need to win.

Question. Are you satisfied with the Navy's test and evaluation capabilities, including workforce and infrastructure?

Answer. Yes.

Question. In which areas, if any, do you feel the Navy should be developing new test and evaluation capabilities?

Answer. New technologies and rapid prototyping and fielding schemes will likely require us to develop new test and evaluation capabilities as well—capabilities that will evaluate new systems in ways that both provide the confidence in the system's performance and also are responsive. If confirmed, I look forward to working closely with Defense Department leadership and the Congress to explore ways to achieve both of these aims.

Question. What are your views on the appropriate roles of OSD developmental and operational testing organizations with respect to testing of Navy systems?

Answer. The evaluation performed by OSD developmental and operational testing organizations is critical to delivering combat ready systems. If confirmed, I look forward to continuing to partner with these organizations.

RECRUITING AND RETENTION

Question. What do you consider to be the key to the Navy's success in recruiting the highest caliber American youth for service and retaining the best personnel for leadership responsibilities?

Answer. Today our recruiting and retention numbers are at historic highs. Maintaining this quality as the economy improves will be critical to our ability to command the seas and provide options to national leadership. Key to recruiting and retaining high quality personnel will be to remain true to our values and beliefs. People with talent such as we see joining our ranks have many choices—and they chose to join our Navy team because we work together in high-preforming teams that

stand for something noble and true. We must always remain vigilant to ensure that our behaviors remain consistent with our values. As such, our ability to revise and renew outdated and cumbersome policies, practices, and technologies, to permit our current and future generations to fulfill their potential and their desire to serve, will be critical to keeping people on our team.

Question. What steps, if any, do you feel should be taken to ensure that current operational requirements and tempo do not adversely impact the overall readiness, recruiting, retention, and morale of sailors?

Answer. Central to recruiting and retaining high quality personnel and maintaining readiness and morale is our ability to provide sailors deployment predictability and the resources necessary to carry out their mission. Years of continuing resolutions, coupled with the long-lasting negative effects of sequestration in 2013 and the looming threat of sequester in the future have increased frustration and anxiety in our sailors. This "say-do mismatch" over time erodes trust, and factors heavily into a family's decision to stay Navy or recommend a career in the naval service to others.

Question. What impact, if any, do you believe the Department's proposals aimed at slowing the growth of personnel and health care costs will have on recruiting and retention in the Navy?

Answer. If communicated properly and put in the appropriate context by leadership, slowing growth, while still meeting expectations regarding those matters that sailors and their families value most, should allow the Navy to make appropriate adjustments in a controlled and sustainable manner. Our sailors want to be fairly compensated for their hard work and sacrifice, but they also join and stay in the Navy for the sense of purpose and teamwork that comes from operating around the world as part of high-performing units on advanced platforms.

MILITARY COMPENSATION

Question. What is your assessment of the adequacy of military compensation?

Answer. To win in the challenging future security environment, we must continue to recruit and retain high-quality people and their families. Our warfighting readiness and ability to win a future conflict depends on this. My general sense is that the basic structure of the compensation system is about right. There may be additional room to achieve greater efficiencies or provide even higher levels of satisfaction, but doing so will require developing deeper insight into the specific needs and desires of our sailors and civilians. If confirmed, I look forward to working closely with the Secretary of the Navy and the Secretary of Defense on these types of initiatives.

Question. What recommendations would you have for controlling the rising cost of personnel?

Answer. I agree with the recent Military Compensation and Retirement Modernization Commission (MCRMC) findings that our current system is generally sound, although we must continue to look for efficiencies where possible. I support proposals to modernize our retirement system so long as our sailors are given supporting education to make choices to best support their families. My inclination is that the MCRMC recommendation to combine some commissary and exchange functions make sense; I would like to study this more closely. If confirmed, I will work with my fellow Chiefs to continue to seek out opportunities to better align servicemember needs with support, both through compensation and through updates to how we manage our people.

Question. Do you support the administration's compensation and health care proposals?

Answer. I support opportunities to find efficiencies in how we manage and pay for the healthcare of our sailors and families, but am mindful of the absolute need to keep our commitments to fairly reward them for their service. As we work through this process, our priority must be to ensure we continue to recruit and retain high quality people and their families. Our warfighting readiness and ability to win a future conflict depends on this.

EDUCATION FOR SAILORS

Question. An important feature of the Post-9/11 GI Bill is the ability of career-oriented servicemembers to transfer their earned benefits to spouses and dependents.

What is your assessment of the effect of the Post-9/11 GI Bill on recruiting and retention of sailors?

Answer. According to quick polls and surveys, the Post 9–11 GI Bill has a positive effect on both recruiting and retention. It provides excellent opportunities for aca-

demic, technical, intellectual, personal, and professional development of our servicemembers and their families. This contributes to overall readiness, quality, and morale of our force.

Question. In your view, what has been the effect of the transferability option on retention and career satisfaction of sailors?

Answer. The Post-9/11 GI Bill benefits and the ability to transfer unused portions to dependents contribute significantly to both the retention and morale of our force and have the potential to strengthen our country's educational base and technological leadership.

Question. How important do you believe tuition assistance benefits are to young sailors, and what trends do you see in the Navy's ability to pay for such programs at current levels over the FYDP?

Answer. I share CNO Greenert's commitment to tuition assistance. Sailor demand for tuition assistance remains strong and our plan is to maintain funding at the current level. Such assistance continues to be a key component of the Navy's Learning Strategy and supports overall readiness by providing academic, technical, intellectual, and professional development for our sailors.

Question. What changes, if any, would you recommend to current eligibility criteria for tuition assistance?

Answer. I do not recommend any changes to the program at this time. Current law and policy provide the Services sufficient flexibility to tailor the Tuition Assistance Program to meet the requirements for our sailor's personal and professional development while meeting the Navy's warfighting requirements.

Question. Do you believe that tuition assistance should be used to enhance a sailor's career while he or she is in the Navy?

Answer. Yes. Navy-funded education through tuition assistance or other means is a strategic investment in our people. Sailors develop critical thinking skills, broadening their intellectual base, and acquire the ability operate effectively in complex environments—regardless of the specific course of study.

Question. Do you agree with the Military Compensation and Retirement Modernization Commission that tuition assistance should be limited to courses and education that contribute to a sailor's professional growth?

Answer. As long as we do not become too restrictive regarding our definition of what "contributes to a sailor's professional growth," I believe that Navy-funded education should both enhance the professional growth of our people and the effectiveness of our Navy. As with other personnel programs this will have to be closely studied and thoroughly communicated in order to achieve the desired positive effect.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. As you know, 2 years ago, the Department rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services have opened a large number of positions to service by women and continue to work to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development of these standards?

Answer. If confirmed, I will ensure we follow Department guidance and meet our reporting obligations under the law. The Navy will provide a written report to the Secretary of Defense in September 2015 with validation of standards as gender neutral in accordance with Public Laws stating that occupational standards "accurately predict performance of actual, regular, and recurring duties of a military occupation; and are applied equitably to measure individual capabilities." We are on track to certify that these validated standards are in use or will be in use by 30 Sep 2015 at schools and in training.

Question. Will you ensure that the standards will be realistic and will preserve, or enhance, military readiness and mission capability?

Answer. Yes, if confirmed I will ensure that all standards will be operationally relevant and accurately reflect the tasks required to accomplish the mission.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements?

Answer. Over 95 percent of Navy jobs are already open to both men and women. The Navy will continue to open positions to obtain the talent necessary to best meet military requirements.

Question. If so, what steps will you take, if confirmed, to ensure that such decisions are made on this basis?

Answer. If confirmed I will continue our present course. Warren Buffet has been quoted as saying that as he grew up, he had the privilege of only having to compete against 50 percent of the population. The Navy's goal is to ensure that we do not afford that advantage to any potential adversary. Our missions will be executed by the best qualified and most capable people, regardless of gender. In order to preserve unit readiness, cohesion, and morale, and to limit attrition, lessons learned from the surface, aviation, and submarine integration will be used to ensure future and continued success.

Question. In 2011, the Navy opened service on submarines to women.

What is the implementation status of this decision?

Answer. I am pleased with progress being made; we are moving forward smoothly and deliberately. Women can now serve on all three types of submarines; SSBNs, SSGNs, and SSNs. To date, 56 women are currently serving onboard submarines, including 40 nuclear-trained officers and 16 supply officers. Sixteen submarine crews in *Ohio*- and *Virginia*-class submarines are integrated. In June 2015, the Navy announced the names of the first enlisted female submariners. These sailors will be assigned to the first two of eighteen submarine crews and will report to USS *Michigan* in 2016. The women and the men are performing superbly.

Question. What challenges still exist and what proactive measures are submarine force leaders taking?

Answer. The integration of women into the submarine community is progressing smoothly and deliberately. As the force moves toward integrating enlisted females in 2016, the Navy will continue to adhere to the principles and will benefit from the lessons learned that have led to success to date. The crews that will receive these females will have appropriate levels of training and certification to ensure they are prepared for these sailors. Additionally, the enlisted sailors are being assigned to crews that are already integrated with female officers.

FAMILY READINESS AND SUPPORT

Question. Sailors and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families?

Answer. Each Navy family has unique needs driven by their own personal circumstances and geographic location. From pay and compensation, to deployment predictability, to healthcare, our families have unique concerns that unit leadership must address in a timely and compassionate manner. Our sailors tell us that predictability, combined with tailored communication before, during, and after deployments helps bring families together, building bonds that improve unit readiness and cohesion.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and potential future reductions in end strength?

Answer. I believe that most family issues are best addressed and cared for at the local level by commanders and senior enlisted leaders whom sailors and their families know and trust. If confirmed, it would be my responsibility to ensure that commanders have access to the information and resources they need to respond to local concerns in a timely and compassionate manner. Additionally, it would be my responsibility to set a climate and environment that encourages candid and unsolicited family feedback, good or bad. This direct information, whether shared through our Ombudsmen network or electronically is an important look into command climate and readiness.

MILITARY QUALITY OF LIFE

Question. The Committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare and recreation services, especially as DOD faces budget challenges.

If confirmed, what further enhancements, if any, to military quality of life programs would you consider a priority in an era of intense downward pressure on budgets?

Answer. If confirmed, I will continue to give the current family support programs high priority and to remain fully engaged in this area; monitoring it closely to ensure it remains responsive to families' needs and receives the appropriate level of

support. In this endeavor, I hope to learn from our people and outside industry what additional initiatives we might introduce to better retain needed support while driving costs down.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the Services continues to concern the Committee.

What is your assessment of the Navy's suicide prevention program?

Answer. There is no single proven solution to prevent suicide. Every suicide is a tragedy, and even one is too many. Our goal to eliminate suicides will be realized through continued efforts in communications, skills training, policy, and research. Progress may fluctuate from year to year, but our Navy's commitment will be rock steady—we will spare no effort to reach those sailors who are suffering in this way. This is an area where we need to continue to improve, and if confirmed I am committed to leading that effort.

Question. In your view, what role should the Chief of Naval Operations play in shaping policies to help prevent suicides both at home and in theater and to increase the resiliency of all servicemembers and their families?

Answer. The CNO's role is to ensure that our sailors first and foremost understand that suicide prevention is a priority mission. The CNO must also ensure that unit leaders have the information, training, tools, practices, and policies to be healthy, resilient, and mission ready day in and day out. I believe that suicide prevention extends beyond simple policy guidance and oversight, and that it must be a command-led effort to first connect with sailors who may be in distress, and then to guide them to the appropriate means to help them successfully arrive at a "safe harbor" where they will be more at peace.

Question. If confirmed, what actions will you take to ensure that sufficient mental health resources are available to servicemembers in theater, and to the servicemembers and their families upon return to home station.

Answer. If confirmed, I will continue efforts to make resources and direct care more accessible to sailors and their families. We will continue to embed mental health providers directly within operational units. I believe these deckplate resources are a crucial element in helping to detect stress injuries early before they lead to decreased mission capability and mental health problems. We are also embedding mental health providers in primary care settings to ensure these resources are available upon return to the home station. Finally, I will do all that I can to reduce the stigma associated with asking for help so that our sailors take full advantage of the available resources.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. The fiscal year 2014 Department of Defense Annual Report on Sexual Assault in the Military reflects that substantiated reports of sexual assault in the Navy increased by 17 percent from 420 reports in fiscal year 2013 to 491 reports in fiscal year 2014.

What is your assessment of this report?

Answer. The report makes clear that while the Navy is making some progress to eliminate sexual assault, we still have much work to do.

Question. What is your assessment of the problem of sexual assaults in the Navy?

Answer. The Navy's success is predicated on high-performing teams bonded through trust and respect. Sexual assault within our ranks has a poisonous effect on unit performance and cohesion, reflecting a breach of trust. While I believe that we recognize the seriousness of the crime, there is additional work to do both to eliminate this crime, and to provide the strongest possible support to survivors. To be successful, we must do more to break the continuum of harm that starts with harassment or a hostile climate, and far too often ends in sexual violence.

Question. What is your assessment of the Navy sexual assault prevention and response program?

Answer. I firmly support the Navy's sexual assault prevention and response program. Having said that, eliminating sexual assault remains a challenging and complex problem. If confirmed, I will build upon current efforts and deepen my understanding of how to lead efforts to improve Navy responses, enhance accountability, and protect all of our sailors from this crime.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. In my view, having both these reporting options provides survivors a critical range of options., and both supports our goals of getting victims the care they need and holding offenders appropriately accountable.

Question. What is your view about the role of the chain of command in providing necessary support to victims of sexual assault?

Answer. Commanders must lead the way in our efforts to eliminate sexual assault. Commanders support victims through participation in the Sexual Assault Case Management Group (SACMG) meetings held monthly, during which commanders address the needs and desires of survivors to ensure that they are receiving appropriate access to sexual assault response coordinators, sexual assault prevention and response victim advocates, healthcare, and counseling, as well as ensuring all of the proper arrangements for any requested expedited transfers are being made. When sexual assault does occur, commanders must lead decisive response efforts, including the responsibility for appropriate criminal or administrative actions against offenders.

Most importantly, elimination of sexual assault and the behaviors that lead to sexual assault will be manifested by deckplate leadership—the chief petty officers and junior officers in the spaces. These leaders respond to their Commanding Officer (CO). That CO is accountable to remain fully engaged in establishing the proper climate and ensuring that his or her team is following through.

Question. What is your understanding of the adequacy of Navy resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. I believe the Navy has sufficient resources and authorities to address the needs of victims. Needs and requirements are regularly assessed to ensure that sufficient resources are available.

Question. What is your view of the steps the Navy has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. Sexual assault prevention requires multiple, layered efforts at several levels working in concert. Navy sexual assault prevention incorporates cultural improvement through engaged leadership, education and awareness, intervention, accountability, and partnerships across Navy organizations. Policy alone will not stop sexual assault; it requires action at the fleet level and involves all leaders.

Question. What is your view of the adequacy of the training and resources the Navy to investigate and prosecute allegations of sexual assault?

Answer. The Navy has increased the training and resources applied to the investigation and prosecution functions. The Naval Criminal Investigative Service (NCIS) has increased the number of investigators trained to investigate sexual assault offenses and enhanced its protocols to ensure these investigations are conducted or overseen by personnel qualified in this specialized field. The JAG Corps has similarly refined the training provided to judge advocates prosecuting or advising commanders in these cases, most notably requiring every attorney serving as lead trial counsel in a sexual assault case to be special victim qualified. As the law enforcement and legal components have individually improved, they have also endeavored to become more collaborative, both in training and execution. NCIS and the JAG Corps participate in an annual Special Victims Capabilities Course, attended by numerous members of the response community including trial and defense counsel, paralegals, Victims' Legal Counsel, and Victim Advocates. NCIS also created the Adult Sexual Assault Program (ASAP) in the Navy's largest fleet concentration areas to provide a distinct and recognizable group of personnel to investigate sexual assault related offenses. Upon receiving a report, ASAP personnel employ a surge team response. Members of the team collaborate with trial counsel and victim advocate personnel, resulting in the faster delivery of an investigative package to the convening authority. These types of functions are critical to responding to sexual assault, which in turn is essential to the commander's ability to maintain good order and discipline. With the dynamic nature of this area and the fluidity of our force, we cannot afford to reduce the training and resources currently provided—we must continue to seek ways to improve.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. Engagement by the chain of command is essential as we create a culture at all levels that is intolerant of actions and behaviors that lead to sexual assault.

Elimination of sexual assault and the behaviors that lead to sexual assault will be manifested by deckplate leadership—the chief petty officers and junior officers in the spaces. These leaders respond to their Commanding Officer. That CO is accountable to remain fully engaged in establishing the proper climate and ensuring that his or her team is following through.

Question. Surveys report that up to 62 percent of victims who report a sexual assault perceive professional or social retaliation for reporting. If confirmed, what will you do to address the issue of retaliation for reporting a sexual assault?

Answer. Retaliation is unacceptable. If confirmed, I will continue our efforts to address and confront this issue. Everyone needs to be sensitive to the perception of retaliation, recognize its signs, and step in to eliminate it. Training to recognize and eliminate retaliation has been added to the training curriculum for first line supervisors, prospective command leadership and in the future sailor training for fiscal year 2016. In addition, each installation-based Sexual Assault Case Management Group (SACMG) specifically asks for any experiences of retaliation against any reporters of crime, or against first responders or witnesses during its monthly review of open cases of sexual assault.

Question. Sexual assault is a significantly underreported crime in our society and in the military. If confirmed, what will you do to increase reporting of sexual assaults by military victims?

Answer. If confirmed, I will continue the progress being made by Navy leaders around the fleet. Increases in sexual assault reporting provide some hope that the Navy is making progress to elevate sailors' trust and confidence in command leadership and in the SAPR process. Better understanding of the precursors, indicators and behaviors associated with this crime, awareness of the multiple avenues to report, trust that the command will take all reports seriously, and confidence that the command will support survivors throughout the process, have all contributed to the increase in reporting. We must keep sailors' trust in the response process by ensuring the chain of command is central to this response.

One area of concern is that the RAND report of 2014 indicated that male reporting rate is very low. We are incorporating male victim scenarios into our training and awareness, better understanding and removing barriers to male reporting, and continuing evaluation of support services to ensure they are gender-responsive.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command, instead of a military commander in the grade of O–6 or above as is currently the Department's policy, to determine whether allegations of sexual assault should be prosecuted?

Answer. I support the Department's current policy. The Uniform Code of Military Justice operates as both a criminal justice system and a critical component of a commander's authority to maintain good order and discipline. I believe our military members and national security will best be served by retaining the military commander's key role in the military justice decision process. While the Navy cannot do without the legal analyses and recommendations provided by our highly proficient judge advocates, and I demand that all leaders in the Services to take advantage of this expertise, I firmly believe the military commander's role is indispensable in the prosecutorial process.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Navy?

Answer. If confirmed, I will continue to enhance our prevention efforts through responsive fleet-wide training based on what we've learned, addressing the spectrum of destructive and inappropriate behaviors to improve our ability to recognize and interrupt the continuum of harm as early as possible. I intend to continue command and leadership engagement and involvement at all levels.

We have enhanced our response efforts by full implementation of Deployed Resiliency Counselors on large deck ships, enhanced NCIS investigative capability using specially trained Master-at-Arms, and continued legal assistance to victims through our Victims' Legal Counsel program. I will continue to assess the extent to which these resources are effective and sufficient. We will incorporate male victim scenarios into our training and awareness, better understanding and removing barriers to male reporting, and continuing evaluation of support services to ensure they are gender-responsive.

Question. What is your assessment of the effect, if any, of recent legislation concerning sexual assault on the capability of Navy commanders to prosecute sexual assault cases, including cases where prosecution is declined by civilian prosecutors?

Answer. It is still too early to fully understand the impact of recent legislative changes. Initial surveys indicate that the changes, particularly those related to victims' rights, have increased trust in the system. That trust has led to increased victim reporting and participation, which we believe is enhancing commanders' ability to prosecute sexual assault cases, including those in which prosecution is declined by civilian authorities.

RELIGIOUS GUIDELINES

Question. American military personnel routinely deploy to locations around the world where they must engage and work effectively with allies and with host-country nationals whose faiths and beliefs may be different than their own. For many

other cultures, religious faith is not a purely personal and private matter; it is the foundation of their culture and society.

Learning to respect the different faiths and beliefs of others, and to understand how accommodating different views can contribute to a diverse force is, some would argue, an essential skill to operational effectiveness.

In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. Yes.

Question. In your view, does a military climate that welcomes and respects open and candid discussions about personal religious faith and beliefs in a home-port environment contribute in a positive way to preparing U.S. forces to be effective in overseas assignments?

Answer. In my view, a military climate that welcomes and respects open and candid discussion about personal religious faith in garrison can positively prepare U.S. forces to be effective in overseas assignments. However, there must be clear guidance about the importance of mutual respect and trust.

Question. Would a policy that discourages open discussions about personal faith and beliefs be more or less effective at preparing servicemembers to work and operate in a pluralistic environment?

Answer. I believe that a military climate that welcomes and respects open and candid discussion about personal religious faith in garrison can positively prepare U.S. forces to be effective in overseas assignments. In a world that appears to be increasingly committed to expressing religious belief, possessing this skill is necessary to not only understand our adversaries, but also understand our partner nations (consistent with the National Strategy on Integrating Religious Leader and Faith Community Engagement into U.S. Foreign Policy). Any policy that discourages open discussion diminishes our ability to develop these skills. However, there must be clear guidance about the importance of mutual respect and trust.

Question. In your view, when performing official military duties outside a worship service, should military chaplains be encouraged to express their personal religious beliefs and tenets of their faith freely, or must they avoid making statements based on their religious beliefs?

Answer. I believe that current Navy instructions and Chief of Chaplains training notices provide adequate guidance to Chaplains regarding how to serve as a Chaplain in a pluralistic environment while maintaining the tenets of their faith.

Question. Do you believe chaplains should be tasked with conducting non-religious training in front of mandatory formations, even if they may be uniquely qualified to speak on the particular topic, such as suicide prevention or substance abuse? If so, do you believe guidance provided to those chaplains on what they should and should not say with respect to their faith is adequate?

Answer. Yes. Chaplains, like all naval officers should be prepared to provide training in subject matter areas they may have an expertise in or have specialized training that would be of benefit to members of the command. I believe that current Navy instructions and Chief of Chaplains training notices provide adequate guidance to Chaplains regarding how to serve as a Chaplain in a pluralistic environment while maintaining the tenets of their faith.

ACTIVE DUTY END STRENGTH

Question. The Navy's Active Duty end strength is projected to grow from 323,000 in 2013 to 327,000 this year to 330,000 personnel in 2020. The Navy has made great strides in improving the "fit" and "fill" of sea-going billets in recent years.

What are your greatest personnel management concerns?

Answer. If confirmed, I want to ensure that the Navy has the necessary policies and statutes in place to adequately recruit and retain the next generation of sailors with the talent and skills to man our fleet. My efforts will be focused on obtaining sufficient and persistent insight into the needs and desires of current and prospective sailors and Navy civilians, with the goal of enhancing our ability to tailor our programs to continue to attract and retain the best talent. These trends can change quickly—if we wait too long, we may find ourselves unprepared and unable to effectively respond.

Question. What additional force management tools does the Navy need, and which of these require Congressional authorization?

Answer. The current force management authorities and tools are very complex. If confirmed, I would be an active participant in Secretary of Defense Carter's Force of the Future effort to pursue a broad range of initiatives aimed at attracting and retaining talent. I would seek to engage in a thorough review of existing tools and authorities, and would look forward to working with Defense Department leadership and the Congress to pursue necessary adjustments.

JOINT OFFICER MANAGEMENT

Question. What is your assessment of the effectiveness of the Goldwater-Nichols-required Joint Qualification System?

Answer. Goldwater-Nichols was revolutionary in its time and has helped to transform the Department of Defense. However, much has changed in the past 30 years in both the Joint Force and the security environment. As such, while I do not see any urgent need for specific changes, I believe a review would be useful. If confirmed, I would work closely with the Secretary of Defense and the Secretary of the Navy if such a review were undertaken.

Question. Do you think additional changes in law or regulation are needed to respond to the unique career-progression needs of Navy officers?

Answer. While I do not currently see any urgent need for change, I do believe that this is an area appropriate for renewed evaluation. If confirmed, I would welcome the chance to work closely with the Secretary of Defense and the Secretary of the Navy if such a review were undertaken.

Question. In your view, are the requirements associated with becoming a Joint Qualified Officer, including links to promotion to general and flag officer rank, consistent with the operational and professional demands of Navy line officers?

Answer. I do not see any urgent need for immediate change. Having said that, I believe that a review would be useful and if confirmed, I look forward to exploring this issue in cooperation with the other members of the Joint Chiefs.

Question. If not, what modifications, if any, to the requirements for joint officer qualifications are necessary to ensure that military officers are able to attain meaningful joint and Service-specific leadership experience and professional development?

Answer. If confirmed, I look forward to working on this issue with Defense Department leadership and the Congress.

Question. In your view, what is the impact of joint qualification requirements on the ability of the services to select the best qualified officers for promotion and to enable officer assignments that will satisfy Service-specific officer professional development requirements?

Answer. We operate and fight as a Joint team. While meeting all of the many demands for advancement is a challenge, I firmly believe that developing appropriate joint understanding is a critical element of higher-level leadership. If confirmed, I look forward to exploring whether there are more effective ways to achieve this objective, and if so, discussing them in greater depth with Defense Department leadership and the Congress.

Question. Do you think a tour with a combatant command staff should count toward the Joint tour requirement?

Answer. Yes.

DEPARTMENT OF THE NAVY TALENT MANAGEMENT INITIATIVES

Question. On May 13, 2015, the Secretary of the Navy announced several talent management initiatives, including: changes to Navy fitness tests, a transition to the same uniform for males and females, increasing female enlisted accessions, opening all operational billets to women, tripling the length of maternity leave from 6 to 18 weeks, expanding the Career Intermission Program, altering the promotion selection board process, revising year group management, ending General Military Training as it currently exists, and increasing graduate education opportunities.

Do you support these changes?

Answer. Yes.

Question. Which of these changes, if any, do you believe should be modified, delayed, or eliminated?

Answer. I support each of these new initiatives and if confirmed, look forward to implementing them in a thoughtful and responsible way.

NAVY RESERVE

Question. What is your vision for the roles and missions of the Navy Reserve, and, if confirmed, what objectives would you seek to achieve with respect to the Navy Reserve's organization, end strength, and force structure?

Answer. The Navy Reserve, over 58,000 strong, fully accomplishes its mission of delivering strategic depth and operational capability to the Navy, Marine Corps, and Joint Force. As part of the Navy's Total Force of Active and Reserve sailors supported by Government civilians, Navy Reserve sailors bring value through scalable utilization options to meet Navy requirements. Approximately 25 percent of the Navy Reserve delivers operational support on any given day, increasing Total Force operational capacity. The manner in which the Navy employs its Reserve component provides responsive and flexible options to meet Navy mission requirements. If confirmed, I will support efforts to leverage our Navy Reserve capacity in new areas where our Reserve component could increase Total Force efficiency and effectiveness in executing the mission.

Question. What is your understanding and assessment of the Navy Reserve as an operational Reserve, as opposed to its long standing traditional role as a strategic Reserve?

Answer. The Navy Reserve is both operational and strategic. The Navy's integrated approach to Total Force employment enables Reserve sailors and Reserve units to train for strategic requirements, while also supporting Navy's day-to-day operations. Operationally, the Navy Reserve's capability is routinely utilized to support mission requirements through scalable employment options. Strategically, the Navy Reserve's capacity provides a surge force for the Navy. We should retain a Navy Reserve that is both operational and strategic, thereby providing maximum flexibility to meet unknown future requirements. Commanders have assured access to their Reserve component sailors, so we can confidently assign missions to the Navy Reserve where it makes operational and fiscal sense.

Question. In your view, what are the major challenges to maintaining and enhancing the Navy Reserve as a relevant and capable operational Reserve?

Answer. Our Navy Reserve is as relevant and capable today as it has been at any time in our history. We have invested in our people and our equipment, we have an integrated Total Force approach to filling operational and support missions, and we honor the service of our Reserve sailor's families and employers. In the future, we need to continue investing in our Navy Reserve with an appropriate level of discretionary funding and equipment recapitalization to meet mission requirements. Moreover, as we continue to support the Secretary of the Navy's Task Force Innovation and sailor 2025 initiatives, we will maintain a robust ability to recruit and retain the highest caliber sailors by delivering flexible career paths and opportunities that enable a lifetime of service.

Question. What are your views about the optimal role for the Reserve component forces in meeting combat missions?

Answer. The optimal role for the Reserve component is as a partner in the Navy Total Force, where we view missions in terms of capabilities first, and then decide where the capability should reside. The value of the Navy Reserve is in both their strategic capacity to provide sailors and units for mobilizations in support of Global Force Management requirements, as well as their operational capacity to provide daily support to the fleet through flexible access options.

Question. In your view, should the Department of Defense assign homeland defense or any other global or domestic civil support missions exclusively to the Reserves?

Answer. The Navy's approach to utilizing the Reserve component is to examine each mission from a Total Force perspective and decide what capabilities are needed, how often we need them, and what component is best suited to carry them out. In my opinion, this approach has worked well and could usefully be applied more broadly across the defense enterprise.

NUCLEAR NAVAL PROPULSION PROGRAM

Question. Executive Order 12344 "Nuclear Naval Propulsion Program" of February 1, 1982, which was codified in section 2511 of title 50 United States Code, states "The director [of the Naval Nuclear Propulsion Program] shall be appointed to a serve a term of 8 years, except the Secretary of Energy and the Secretary of the Navy may, with mutual concurrence, terminate or extend the term of the respective appointments."

Is it your understanding that both the Secretary of Energy and Secretary of the Navy have concurred on releasing you from your term as Director?

Answer. Yes.

Question. In your view, is 8 years the appropriate length of tenure for the position of Director of the Naval Nuclear Propulsion Program? Please explain.

Answer. The Naval Nuclear Propulsion Program currently has a superb record of safety and effectiveness that is founded on a culture defined by deep expertise, honest and detailed self-assessment, an unwavering focus on facing the facts, and doing the technically right thing. This approach serves as a model for the Navy and the Nation to discipline very complex technology operating in harsh environments. The Director must set the tone in each of these areas. Based on my 3 years as Director, I strongly support an 8 year tenure for the Director as the best way to keep this model intact.

Question. What is your view of the role of the Director of the Naval Nuclear Propulsion Program in the preservation of the Program's unique fail-safe culture of zero defects engineering, personnel excellence, and training?

Answer. Since the beginning of the Program under Admiral Rickover, the Director has played a critical role, both inside and outside the Program, to preserve and sustain the culture. It is true to this day.

Question. What is your view of the role of the Chief of Naval Operations in the preservation of the Naval Nuclear Propulsion Program's unique fail-safe culture of zero defects engineering, personnel excellence, and training?

Answer. The CNO plays a key role, working with the Director of Naval Reactors and Fleet Commanders, to ensure that the Program gets the resources needed to preserve the culture of excellence. If confirmed, I look forward to continuing to support the NNPP as CNO.

Question. How would you characterize the professional relationship between the Director of the Naval Nuclear Propulsion Program and the Chief of Naval Operations, including the responsibility to organize, train, and equip nuclear-powered vessels?

Answer. In my experience both as Director and as a career nuclear operator, there is a strong professional relationship between the Director of Naval Reactors and the CNO. This relationship is founded on a common understanding of the importance of nuclear powered warships in our Nation's defense, the importance of the Program's record of safety and effectiveness in ensuring access around the world, and in the importance of the Naval Reactors organization as a model for achieving sustained excellence. If confirmed, I will continue to enhance this professional relationship.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as Chief of Naval Operations?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

SIZE OF THE NAVY

1. Senator MCCAIN. Admiral Richardson, from 2006 to 2012, the Navy's requirement was around 313 ships. In Navy's latest assessment earlier this year, the number was revised to 306 ships. Since 2012 and the 313-ship Navy, our national security challenges and the demands on our Navy have only grown, yet the size of the fleet the Navy says we need has decreased. How can you explain the decline in the fleet requirement in view of Russian aggression, the Chinese military buildup, the Islamic State conquests, and expanding Iranian state-sponsored terrorism and support to anti-American regimes?

Admiral RICHARDSON. The current security environment is dynamic with an increasing array of diverse threats. The Navy has identified that sourcing all Global Combatant Commander requests would require about 450 combatant ships with requisite supporting structure and readiness. However, with an equally dynamic fiscal environment, our strategy must also consider the fiscal limitations and accept risk against known threats and reduced capacity to respond to unforeseen developments in order to meet the highest priority security missions.

The Navy's Force Structure Assessment produces the minimum requirement to meet the future steady state and warfighting requirements determined by the Navy's analytical process, with an acceptable degree of risk (i.e., does not jeopardize joint force campaign success). The Navy's 2014 update to the 2012 Force Structure Assessment calls for a force of 308 ships. This assessment is informed by operating concepts, including employment cycles, crewing constructs, and operating tempo limits. To meet the dynamic security environment, the Navy utilizes cost-effective approaches to increase our presence, such as forward basing, forward operating, and forward stationing ships. By increasing the number of ships forward stationed and forward based and improving our deployment preparation process through the Optimized Fleet Response Plan (O–FRP), the Navy can deliver the same amount of presence with fewer ships. Provided sufficient readiness is restored and maintained across the Fleet, a fleet size of 308 ships should support the highest priority requirements for both presence and "surge" in the event of increased tensions or outright conflict.

2. Senator MCCAIN. Admiral Richardson, from 2006 to 2012, the Navy's requirement was around 313 ships. In Navy's latest assessment earlier this year, the number was revised to 306 ships. Since 2012 and the 313-ship Navy, our national security challenges and the demands on our Navy have only grown, yet the size of the fleet the Navy says we need has decreased. If confirmed, will you realistically revalidate the fleet requirement in light of the most diverse and complex array of global crises since the end of World War II?

Admiral RICHARDSON. Yes. The reality of a dynamic security and fiscal environment demands that both our strategy and structure be continually assessed and adapted, including our fleet requirements. The Navy conducts a Force Structure Assessment when there is a significant change in the global security environment. I will provide my best assessment of the requirements in light of the security environment, the fiscal constraints, and the resultant risk.

GLENN DEFENSE MARINE ASIA

3. Senator MCCAIN. Admiral Richardson, you were the consolidated disposition authority for cases in which Navy personnel were reviewed for their involvement with a Navy contractor, the owner and CEO of Glenn Defense Marine Asia, Leonard Francis. Last January, he pled guilty to conspiracy to commit bribery, bribery, and conspiracy to commit fraud charges in Federal district court, admitting to what the Department of Justice described as a decade-long conspiracy involving "scores" of Navy officials, tens of millions of dollars in fraud, and millions of dollars in bribes and gifts, including: over $500,000 in cash; hundreds of thousands of dollars in prostitution services; travel expenses, including first class airfare, luxurious hotel stays and spa treatments; lavish meals, including Kobe beef, Spanish suckling pigs, top-shelf alcohol and wine; and luxury gifts, including Cuban cigars, designer handbags, watches, fountain pens, designer furniture, electronics, ornamental swords and hand-made ship models. In exchange, Mr. Francis solicited and received classified and confidential U.S. Navy information, including ship schedules. Francis also sought and received preferential treatment for his company in the contracting process. Based on your experience as the consolidated disposition authority, why do you believe so many senior career officers and Navy civilians became involved with this criminal enterprise?

Admiral RICHARDSON. The events remain the subject of an ongoing federal investigation led by the Department of Justice. It would be inappropriate for me to discuss details of the cases or my personal opinions while the investigation is still in progress. Across our Navy the vast majority of our officers, enlisted and civilians conduct themselves with honor and integrity. As CNO, I intend to make character and integrity a hallmark of my tenure.

4. Senator MCCAIN. Admiral Richardson, you were the consolidated disposition authority for cases in which Navy personnel were reviewed for their involvement with a Navy contractor, the owner and CEO of Glenn Defense Marine Asia, Leonard Francis. Last January, he pled guilty to conspiracy to commit bribery, bribery, and conspiracy to commit fraud charges in Federal district court, admitting to what the Department of Justice described as a decade-long conspiracy involving "scores" of Navy officials, tens of millions of dollars in fraud, and millions of dollars in bribes and gifts, including: over $500,000 in cash; hundreds of thousands of dollars in prostitution services; travel expenses, including first class airfare, luxurious hotel stays and spa treatments; lavish meals, including Kobe beef, Spanish suckling pigs, top-shelf alcohol and wine; and luxury gifts, including Cuban cigars, designer handbags, watches, fountain pens, designer furniture, electronics, ornamental swords and hand-made ship models. In exchange, Mr. Francis solicited and received classified and confidential U.S. Navy information, including ship schedules. Francis also sought and received preferential treatment for his company in the contracting process. Do you believe senior Navy officials were aware of this problem? If so, why was nothing done to stop it?

Admiral RICHARDSON. The events remain the subject of an on-going federal investigation led by the Department of Justice. It would be inappropriate for me to discuss the case while the investigation is still in progress. As CNO, I intend to make character and integrity a hallmark of my tenure.

5. Senator MCCAIN. Admiral Richardson, you were the consolidated disposition authority for cases in which Navy personnel were reviewed for their involvement with a Navy contractor, the owner and CEO of Glenn Defense Marine Asia, Leonard Francis. Last January, he pled guilty to conspiracy to commit bribery, bribery, and conspiracy to commit fraud charges in Federal district court, admitting to what the Department of Justice described as a decade-long conspiracy involving "scores" of Navy officials, tens of millions of dollars in fraud, and millions of dollars in bribes and gifts, including: over $500,000 in cash; hundreds of thousands of dollars in prostitution services; travel expenses, including first class airfare, luxurious hotel stays and spa treatments; lavish meals, including Kobe beef, Spanish suckling pigs, top-shelf alcohol and wine; and luxury gifts, including Cuban cigars, designer handbags, watches, fountain pens, designer furniture, electronics, ornamental swords and hand-made ship models. In exchange, Mr. Francis solicited and received classified and confidential U.S. Navy information, including ship schedules. Francis also sought and received preferential treatment for his company in the contracting process. If you are confirmed, what will you do to ensure this type of criminal corruption will not happen again?

Admiral RICHARDSON. I will continue the efforts to educate Navy personnel on the standards of ethical conduct required of all servicemembers and continue to evaluate the state of ethics culture and demand the highest commitment of integrity. Finally, I will review any assessments of the contracting and husbanding processes conducted in light of these events, and work with the Secretary of the Navy to ensure proper oversight measures are in place and enforced and efforts are taken to increase the transparency of the process. When necessary, I will ensure that individuals are held accountable when they fail to live up to their ethical responsibilities.

UNSUBSTANTIATED LOBBYING ALLEGATIONS

6. Senator MCCAIN. Admiral Richardson, Congress established specific prohibitions to limit indirect lobbying, including the Anti-Lobbying Act, which prohibits the use of taxpayer funds by federal agencies to conduct grassroots lobbying to pressure Congress to support "any legislation or appropriation by Congress". There are also prohibitions against using appropriated funds to support or defeat legislation pending before Congress. The DOD Inspector General recently completed a review of remarks you made to attendees of the 2014 Annual Symposium Naval Submarine League in which you suggested, in part, that attendees should contact their Members of Congress to support the *Ohio*-class replacement submarine and the National Sea-Based Deterrence Fund, as part of your "Commander's Guidance." The DOD Inspector General concluded that you did not spend taxpayer funds on publicity to en-

gage in grass-roots lobbying and did not violate applicable standards. If you are confirmed, do you commit to working with the Secretary of the Navy, the General Counsel of the Navy, and the Judge Advocate General of the Navy to provide clear guidance to ensure that Navy officials understand the permissible role and the limitations under the law, in communications intended to influence Congress?

Admiral RICHARDSON. Yes. I have already begun this effort from my present position, and will continue to work to ensure Navy officials understand the limitations under the law in this important area.

NUCLEAR NAVAL PROPULSION PROGRAM

7. Senator MCCAIN. Admiral Richardson, in February 1982, Executive Order 12344 entitled "Nuclear Naval Propulsion Program" was signed and later codified in title 50 United States Code. Among other direction, it states "The director [of the Naval Nuclear Propulsion Program] shall be appointed to a serve a term of 8 years, except the Secretary of Energy and the Secretary of the Navy may, with mutual concurrence, terminate or extend the term of the respective appointments." In your view, is 8 years the appropriate length of tenure for the position of Director of the Naval Nuclear Propulsion Program? Please explain.

Admiral RICHARDSON. Based on my 3 years as Director, I strongly support an 8 year tenure for the Director as the appropriate model to ensure program continuity, technical expertise and rigorous self-assessment.

8. Senator MCCAIN. Admiral Richardson, in February 1982, Executive Order 12344 entitled "Nuclear Naval Propulsion Program" was signed and later codified in title 50 United States Code. Among other direction, it states "The director [of the Naval Nuclear Propulsion Program] shall be appointed to a serve a term of 8 years, except the Secretary of Energy and the Secretary of the Navy may, with mutual concurrence, terminate or extend the term of the respective appointments."If confirmed, are you confident the Naval Nuclear Propulsion Program's unique fail-safe culture of zero defects engineering, personnel excellence, and training will remain intact and your early transition will not adversely impact the program?

Admiral RICHARDSON. The Naval Nuclear Propulsion Program's unique culture of rigorous engineering, personal excellence, training and honest self-assessment is not based on a single individual but on an overall culture of knowledge and accountability throughout the Program. Although I am transitioning earlier than anticipated, the culture that is in place, including the systems, procedures, and other leadership, will ensure that the NNPP will retain its standards. Having said that, I strongly support the 8-year tenure for future Directors.

LITTORAL COMBAT SHIP (LCS)

9. Senator MCCAIN. Admiral Richardson, in December 2014, the Secretary of Defense announced his decision to upgrade the Littoral Combat Ships, designated LCS–33 through LCS–52, to provide a more capable and lethal small surface combatant, generally consistent with the capabilities of a frigate. Do you support the Secretary of Defense's decision to continue production of LCS, including the upgrade to a so-called Frigate?

Admiral RICHARDSON. I support the Secretary of Defense's decision to continue Littoral Combat Ship (LCS) production, and procure a Frigate (FF) based on the LCS Flight 0+ design. The 20 Frigates and 32 LCSs will fulfill the 52-ship Small Surface Combatant requirement in the Navy's latest Force Structure Assessment.

The Frigate modifications to the LCS design will add lethality and survivability features as well as organic SUW and ASW multi-mission capability.

10. Senator MCCAIN. Admiral Richardson, in December 2014, the Secretary of Defense announced his decision to upgrade the Littoral Combat Ships, designated LCS–33 through LCS–52, to provide a more capable and lethal small surface combatant, generally consistent with the capabilities of a frigate. In your view, what problem is the Frigate upgrade necessary to solve? In other words, why is the current LCS with its mission modules insufficient?

Admiral RICHARDSON. Littoral Combat Ship (LCS) Flight 0+ and its associated mission packages are sufficient and meet JROC-validated requirements in surface warfare (SUW), anti-submarine warfare (ASW), and mine countermeasures (MCM).

Following SECDEF direction in February 2014 to provide alternative proposals for a small surface combatant that is even more lethal, survivable, and mission capable than the LCS Flight 0+, Navy established the Small Surface Combatant Task Force (SSCTF). The SSCTF analyzed 600 modified-LCS designs, 50,000 new ship designs, and 18 existing designs and ultimately recommended a modified design of LCS

Flight 0+ to SECDEF. This recommendation incorporated the most cost-effective improvements to the lethality and survivability of the LCS.

In December 2014, following a review by CAPE, DOT&E, and AT&L, SECDEF approved Navy's recommendation to procure 20 modified-LCS. These ships, along with the 32 focused-mission LCS Flight 0/0+ will fulfill the 2014 re-validated Force Structure Assessment requirement for 52 small surface combatants. In January 2015, SECNAV designated this multi-mission SUW/ASW ship as a Frigate.

Frigates will execute the same SUW/ASW missions as LCS but will incorporate additional lethality and survivability upgrades, accepting less risk, thus increasing its utility to the combatant commander.

GOLDWATER NICHOLS

11. Senator MCCAIN. Admiral Richardson, in your response to our advance questions, you stated the Goldwater-Nichols Department of Defense Reorganization Act of 1986 "was revolutionary in its time and has helped to transform the Department of Defense. However, much has changed in the past 30 years in both the Joint Force and the security environment. As such, I believe a review would be useful." In your view, what types of reforms should a review of Goldwater-Nichols address?

Admiral RICHARDSON. At this point, I am not sufficiently informed to identify specific areas where I think Goldwater-Nichols should be modified. However, the Act was written over 30 years ago, in an environment that is significantly different than the one we face today. Given that reality, I believe that a comprehensive review should be done that examines each part of the Act, with the goal of determining what revisions can be made to advance the intent of the original Act.

OTHER DEFENSE ACQUISITION REFORM

12. Senator MCCAIN. Admiral Richardson, I am deeply concerned that the United States is beginning to lose its technological dominance. In this year's defense bill the Senate has proposed giving the Department a number of new authorities and acquisition waivers to access non-traditional sources of technology in Silicon Valley and in other innovative places around the globe. I fear, however, that the Pentagon will not use these authorities—preferring to stick with business as usual. How can the Navy better access and integrate commercial and military technology to remain ahead of its potential adversaries?

Admiral RICHARDSON. I appreciate Congress' proposals to give the Department some new authorities and acquisition waivers to access non-traditional sources of technology in Silicon Valley and other innovative areas. In my view, doing this effectively would include redefining the relationships and connections between our Navy Research and Development (R&D) centers and those centers in private industry and academia with the goal of lowering barriers between the Navy and non-Navy centers of innovation. As well, I will focus on making adjustments within the Navy to better streamline processes to take advantage of what we learn; to convert new ideas into effective programs. In this way I hope to mainstream innovation within the Navy.

13. Senator MCCAIN. Admiral Richardson, the naval nuclear propulsion program has had a longstanding tradition of innovation and the ability to attract top-notch talent going back to the 1950s. The development of the USS *Nautilus* launched in 1954, the development of much of our strategic deterrent in the 1950s, and the launch of the first reconnaissance satellites from that era mark a time when the U.S. could successfully deploy operational capability rapidly and maintain its technological dominance. Are there any acquisition reform lessons that can be learned from the 1950s and early 1960s, such as with the development of the *Nautilus* program, as well as from the subsequent experience of the naval nuclear propulsion program?

Admiral RICHARDSON. Cornerstones of the Naval Reactors Program's acquisition success have been based on the following:

a. Not resting on past successes. NR continues to put in the hard work necessary to technically understand the actions to be accomplished, to garner support, and to pull together the best manufacturers and engineers to work the challenge. NR strives daily to hold the appropriately high standard, both from a technical and acquisition perspective. Per ADM Rickover, "another principle for managing a successful program is to resist the natural human inclination to hope things will work out, despite evidence or doubt to the contrary." Fighting this tendency requires a government staff that is technically competent to be able to effectively oversee the industry contractors hired to deliver the needed products. First and foremost, identifying the key risks and challenges that we

confront and putting in place effective risk mitigation plans is critical. This requires involved, technically competent government managers. Finally, we continue to be self-critical, learning from past challenges and evaluating ways to improve the way we and our contractors do business.

b. Recognizing the uncertain budget going-forward. From the very beginning, NR understood the challenge of balancing the need for robust technical plans with cost consciousness. During tight budget environments, this balance can be challenging to maintain and technical needs frequently, are at risk of becoming secondary to cost pressures. NR continually fights this pressure, requiring an in-depth understanding of the technical risks and challenges inherent in each of its undertakings and ensures that Program budget requests align with technical plans. Additionally, NR personnel are trained to make the hard technical decisions required to ensure programs are delivered within budget and schedule.

c. Ensuring personal responsibility. NR emphasizes the need for every engineer in the organization to feel personally responsible for their decisions, since mistakes can result in technical failures, inability to meet warfighting needs, and drive costs up. ADM Rickover was known to say, "Unless one person . . . can be identified when something goes wrong, then no one has really been responsible." This mindset informs how we go about our daily business, designing and manufacturing propulsion plants for the long term and living with the consequences of our decisions.

d. Continuity—NR insists that managers and engineers be experts in their areas and act though they will have their job forever. Otherwise, there would be inadequate knowledge, experience, and corporate memory and people can rotate out of jobs without having to face the consequences of their decisions.

e. Bringing in the best talent. NR demands the sharpest talent, and today more than ever the competition is keen. Making decision that properly balance risk, effectiveness, and cost. that requires well-trained technical personnel that are empowered to make tough technical decisions. We work extremely hard to identify, recruit, and retain the cream of the crop. Today's competitive environment more than ever is making retaining this top talent at NR exceptionally challenging.

Overall, Naval Reactors success is not based on any revolutionary or magic acquisition strategies. Its foundation is based on talented individuals being vested in their decisions, continual self-assessment and improvement, and hard work.

QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

OHIO-CLASS REPLACEMENT PROGRAM (ORP)

14. Senator WICKER. Admiral, senior Navy leaders—including the current Chief of Naval Operations—have said that the *Ohio*-class replacement submarine program (ORP) is the Navy's top priority program. Do you agree that the *Ohio* Replacement Program is the Navy's top priority program?

Admiral RICHARDSON. Yes, it is an absolutely critical, even existential, program for the Nation and our number one modernization priority.

POTENTIAL CONSEQUENCES OF ORP COST OVERRUNS

15. Senator WICKER. As you've said in your responses to the Committee's advance questions: "It is absolutely critical for the Nation to replace the *Ohio*-class submarines. The Navy is doing everything it can to limit requirements and control costs for this ship. Without increased shipbuilding funding in fiscal year 2021 and beyond, the *Ohio* Replacement Program will consume the majority of the Navy's annual shipbuilding budget, costing the equivalent of 2–3 ships per year." I am deeply concerned by the second part of your response that insufficient shipbuilding funds could cost the Navy the equivalent of two to three ships per year.Can you elaborate for us your personal assessment of:

- The need for additional shipbuilding funding;
- The potential impact of ORP on other shipbuilding programs; and
- How much worse this impact could be if ORP experiences schedule delays or cost overruns?

Admiral RICHARDSON. The *Ohio* replacement is an absolutely critical program for the country, and we are doing everything we can in the Navy to ensure that we deliver a submarine that meets the Nation's security requirements at the most judicious cost possible. To this end, we are:

- ensuring that the performance requirements of the platform are adequate and stable before beginning design
- ensuring that design is stable and mature before beginning construction
- will build these platforms in a way that leverages all lessons from the successful *Virginia*-class program
- meets all cost targets; in fact the Navy is considering cost targets as equivalent to every other performance parameter for the program.

We are on a good track to achieve all these goals.

Even when all of the above goals are met the *Ohio* Replacement Program represents a significant investment for the Nation, an investment that I believe is absolutely imperative.

If the Navy is forced to "absorb" the entire cost of ORP within Navy accounts, it will of necessity come at the expense of other capabilities, to include construction of additional ships and/or aircraft. If funded at projected levels, the *Ohio* Replacement Program would equal about half of the shipbuilding funding each year starting in fiscal year 2026.

I look forward to working with Defense Department leaders and Congress to formulate the necessary authorities and appropriations to fund ORP in a way that does not devastate the Navy budget, including the shipbuilding program.

SEQUESTRATION

16. Senator WICKER. In fiscal year 2013, the Navy implemented numerous cuts in response to sequestration. This included cancellation of five ship deployments and the delayed deployment of a carrier strike group to the Middle East. Since 2013 we've witnessed the rise of ISIS, Russia's aggression in Eastern Europe, and a belligerent North Korea. Given sequestration's impending return a little more than two months from now, we must acknowledge that the world is more dangerous today than it was in 2013. What is your view on how sequestration would threaten DOD's ability to decisively project power abroad?

Admiral RICHARDSON. If we return to sequestration in fiscal year 2016, the Navy would be unable to execute the defense strategy as currently written. The required cuts would force us to further delay critical warfighting capabilities for the future, and reduce readiness of today's forces needed for contingency response, including further reduction in our stocks of weapons and munitions. As a last resort, we would cancel or stretch procurement of needed force structure. If funded at sequestration levels, the Navy would be unable to satisfy currently-expressed direction to provide power projection capacity, specifically in the areas of strike fighters, command and control platforms, and electronic warfare assets, advanced radar and missiles, and munitions.

17. Senator WICKER. In fiscal year 2013, the Navy implemented numerous cuts in response to sequestration. This included cancellation of five ship deployments and the delayed deployment of a carrier strike group to the Middle East.Since 2013 we've witnessed the rise of ISIS, Russia's aggression in Eastern Europe, and a belligerent North Korea. Given sequestration's impending return a little more than two months from now, we must acknowledge that the world is more dangerous today than it was in 2013. What is your assessment of the impact sequestration would have on our expeditionary forces?

Admiral RICHARDSON. If we return to sequestration in fiscal year 2016, the Navy would be unable to execute the defense strategy as currently written. The required cuts would force us to further delay critical warfighting capabilities for the future, and reduce readiness of today's forces needed for contingency response, including further reduction in our stocks of weapons and munitions. As a last resort, we would cancel or stretch procurement of needed force structure. If funded at sequestration levels, the Navy would only be able to provide a contingency response force of one Carrier Strike Group (CSG) and one Amphibious Ready Group (ARG), significantly less surge capacity than our operational plans (OPLANs) require.

18. Senator WICKER. In fiscal year 2013, the Navy implemented numerous cuts in response to sequestration. This included cancellation of five ship deployments and the delayed deployment of a carrier strike group to the Middle East. Since 2013 we've witnessed the rise of ISIS, Russia's aggression in Eastern Europe, and a belligerent North Korea. Given sequestration's impending return a little more than 2 months from now, we must acknowledge that the world is more dangerous today than it was in 2013. Certain sectors of the defense industry—such as shipbuilding—are extremely capital intensive. Our fiscally constrained environment threatens to close production lines that would take years to restart. Given your prior experience

as the Director of Naval Nuclear Propulsions Program, what is your assessment of the risks to DOD industrial base given our current budget environment?

Admiral RICHARDSON. The shipbuilding industrial base is a national strategic jewel—we must preserve it. To best sustain this base, and also get the best value for the Nation, program stability and predictability are critical. This is especially true in shipbuilding, where construction can span years. Disruptions in naval ship design and construction plans are significant because of the long lead time, specialized skills, and extent of integration required. Instability, unpredictability, and cancellations caused by sequestration will likely cause some suppliers and vendors to close their businesses, and experience shows that it would take years to recover from the loss of the skilled, experienced and innovative workforce—if it were even possible. To the maximum extent possible, the Navy is committed to protecting shipbuilding and the industrial base under funding.

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

JOINT REQUIREMENT FOR ELECTRONIC ATTACK

19. Senator MCCASKILL. Admiral Richardson, in testimony this year before the Senate Armed Services Committee, the current Chief of Naval Operations, Admiral Greenert, stated that an additional 15 Growlers are needed to fulfill the Navy's requirement for airborne electronic attack. While other platforms have electronic attack capability, it is my understanding that the Navy's analysis showed that no platform could replace the full-spectrum capability of the Growler. Admiral Greenert then noted that an ongoing study is looking at the joint requirement for airborne electronic attack. Will this study inform the Navy's decision on airborne electronic attack for fiscal year 2017 and across the FYDP?

Admiral RICHARDSON. The current study will provide insight that will allow the Navy to optimize our EA–18G procurement plan and force structure to meet all joint EA–18 G requirements.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

CYBER

20. Senator GILLIBRAND. Admiral Richardson, I appreciate your interest in cyber. I believe this is a critical issue for our military. We need to start growing cyber warriors. How do you envision the career path for sailors who specialize in cyber?

Admiral RICHARDSON. I am committed to growing cyber warriors in the Navy. We have created the Cyber Warfare Engineer (CWE/1840) designator to attract and manage the best technical talent in this field. Our CWEs are officers that specialize in cyber operations for up to 10 years. After this period, they can transition to our Information Professional (IP/1820) or Information Warfare (IW/1810) communities or separate from the Navy and return to public or private sector careers. In addition to CWEs, we are establishing 44 teams of Sailors to support the Cyber Mission Force (CMF). The Navy teams include officers (designators: CWE/1840, IP/1820, and IW/1810) and enlisted personnel (ratings: cryptology (CT), information technology (IT), intelligence specialist (IS)). The Navy does not have a separate career path for CMF Sailors beyond that specified by their designator or rating.

COMBAT INTEGRATION

21. Senator GILLIBRAND. Admiral Richardson, you said that the determination about whether to open remaining Navy positions to women would be dependent on ensuring mission effectiveness. Can you please describe the potential ways in which allowing women to compete for these positions might harm mission effectiveness?

Admiral RICHARDSON. I never meant to imply that allowing women to compete for any position might harm mission effectiveness. My comment was only to point out that, as with the introduction of any new capability to the force, the ultimate test is whether the effectiveness of the team is enhanced by that new addition. As I testified, over 96 percent of all Navy jobs are already open to women. Our experience to date in integrating women into previously closed occupations has been extremely successful, and women continue to serve with distinction and perform in a manner that enhances our mission effectiveness.

QUESTIONS SUBMITTED BY SENATOR TIM KAINE

WORKLOAD AT PUBLIC AND PRIVATE SHIPYARDS

22. Senator KAINE. Admiral Richardson, some of our public shipyards are experiencing a need for additional employees, while at the same time our private shipyards and repair facilities are preparing for a temporary decrease in workload. Is the Navy aware of this situation and what plans have been developed to mitigate disruptions in the workforce of our ship construction and repair industries?

Admiral RICHARDSON. I am very aware of these concerns. For new ship construction, the Navy has focused on stabilizing workload through the use of multi-year and block-buy procurements.

For repair work, the Regional Maintenance Centers (RMC) work with both public and private shipyards to reach a shared understanding of projected workload. To execute this workload, the Naval Shipyards are focused on increasing workforce productivity by improving throughput and overall efficiency and performance. Where capacity exceeds that of the public yards, efforts are made to bring in the private shipyards to share the burden. The nature of ship repair work often results in a fluctuating workload, but by taking a shared approach to address the total challenge, the best balanced and stable workload is derived and allocated in a way that will keep both public and private shipyards optimally employed.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

ASIA PACIFIC REBALANCE

23. Senator HIRONO. In regards to the Rebalance to the Asia-Pacific I know we are on a path to base 60 percent of our ships in the Pacific. What do you envision in terms continuing or advancing our mil-to-mil engagements which could help enhance security and prosperity in the region?

Admiral RICHARDSON. The Navy's military-to-military engagement will continue to support the broader Department of Defense strategy in the region. The Navy is adapting our posture to be more geographically distributed, operationally resilient, and politically sustainable in the Pacific. At the same time, we are working with regional partners to improve their maritime security and maritime domain awareness in order to increase regional capability and deter further conflict.

PACIFIC MISSILE RANGE FACILITY

24. Senator HIRONO. The Pacific Missile Range Facility continues to be an outstanding facility—it is the only range in the world capable of tracking objects in the surface, subsurface, air, and space realms simultaneously. My hope is that the Navy continues to treat this national asset as a priority. There appears to be a need to update underwater test range capabilities, which I believe the Navy is beginning to address. How valuable is PMRF to the Navy and organizations such as the Missile Defense Agency for testing, evaluation, and readiness?

Admiral RICHARDSON. The Pacific Missile Range Facility (PMRF) is a valuable and integral part of the Navy's training range capability and hosts important Test and Evaluation (T&E) capabilities as well. PMRF's unique and strategic mid-Pacific location, combined with range space, instrumentation, and logistics support, provides important capabilities to Ballistic Missile Defense testing and helps sustain Navy readiness. The PMRF underwater range capability is under consideration for improvements, along with other key readiness upgrades that compete for limited resources.

25. Senator HIRONO. If confirmed, can I have your commitment that you will do what you can to ensure that PMRF maintains its status as a premier facility?

Admiral RICHARDSON. Yes. PMRF's contribution to Navy readiness, as well as its role in test and evaluation of important future weapon systems, is widely recognized and understood.

RED HILL

26. Senator HIRONO. I continue to be concerned about the fuel storage tanks at Red Hill on Oahu. I understand that the fuel held in these tanks is essential to many military operations in the Pacific. At the same time, the aquifer that residents depend on for their water supplies must be protected from contamination. If confirmed will you monitor this situation and step in where required?

Admiral RICHARDSON. The Navy is fully committed to operating and maintaining Red Hill to the highest standards of safety to ensure the protection of Hawaii's drinking water. The Navy routinely evaluates and tests the water beneath and around the Red Hill complex, and I will continue the oversight of that process to monitor this strategic asset and ensure the safety of the drinking water. To ensure complete transparency with the local community, the Navy routinely works with local regulators in carrying out monitoring and testing in accordance with required standards.

For example, the Navy has strict procedures in place to identify and quickly respond to any release of fuel. Additionally, the Navy has nine groundwater monitoring wells and an additional sampling point to routinely test ground water in and around the Red Hill Bulk Fuel Storage Facility. This monitoring system is part of a 2008 State of Hawaii's Department of Health approved groundwater protection plan. The Navy routinely submits its analytical test results and summary evaluations to the State of Hawaii's Department of Health and the U.S. Environmental Protection Agency for review, assessment and approval.

Currently, under Administrative Order of Consent (AOC) collaboration, the Navy, Defense Logistics Agency, U.S. Environmental Protection Agency and State of Hawaii Department of Health are identifying best available, practicable technologies to upgrade the Red Hill tanks to further protect Hawaii's drinking water, and retain the facility's ability to support current military operations and maintain Pacific Command's strategic fuel reserve.

Since 2006, the Navy and Defense Logistics Agency invested $145 million to modernize Red Hill facilities and environmental testing capabilities. We plan to invest an additional $70 million in Red Hill over the next five years to further enhance the structural integrity of all tanks and the facility's operational efficiency. These numbers do not include additional work that would be required through the AOC.

27. Senator HIRONO. How would the Administrative Order on Consent (AOC) between EPA, Hawaii Department of Health, and the Navy affect naval operations in the PACOM AOR?

Admiral RICHARDSON. The mission requirements for naval operations in the PACOM AOR will continue to be met by the Red Hill fuel facility on Oahu if the AOC is finalized in its current form. The current draft AOC, as approved by the Navy, includes timelines for facility modifications that allow anticipated Naval operations in the Pacific AOR to be executed as scheduled.

NAVY ENERGY PROGRAM

28. Senator HIRONO. Secretary Mabus has set out a very forward-thinking approach to the Navy's energy needs and has strongly made the case that focusing on diversifying fuel sources and improving energy efficiency will save money and improve the effectiveness of our forces. Are you committed to implementing Secretary Mabus' strategy and, if so, what will your priorities be in this area?

Admiral RICHARDSON. Yes, I am committed to implementing Secretary's Mabus' strategy for diversifying fuel sources and increasing the energy efficiency of our forces to enhance combat capability. In this way, the United States enhances its strategic position by becoming less dependent on imported fossil fuels.

To achieve this end, I am committed to diversifying the Navy's fuel supply and stressing the importance of the Navy's testing and certification of advanced alternative fuels. Additionally, I will continue the emphasis on innovative technology in operational energy that improves the energy efficiency of the Fleet.

29. Senator HIRONO. Also, is the Navy on track to sail its "Great Green Fleet" by 2016?

Admiral RICHARDSON. Yes, Navy is on track to meet the Secretary of the Navy's goal of sailing the Great Green Fleet in 2016.

[The nomination reference of Admiral John M. Richardson, USN follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 4, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as Chief of Naval Operations and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5033:

To Be Admiral

Admiral John M. Richardson, 1324.

[The biographical sketch of Admiral John M. Richardson, USN, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ADMIRAL JOHN M. RICHARDSON, USN

★★★★

TRANSCRIPT OF NAVAL SERVICE FOR
ADMIRAL JOHN MICHAEL RICHARDSON
U.S. NAVY

26 MAY 1982	Ensign
26 MAY 1984	Lieutenant (junior grade)
01 JUN 1986	Lieutenant
01 SEP 1991	Lieutenant Commander
01 SEP 1996	Commander
01 DEC 2002	Captain
27 SEP 2007	Designated Rear Admiral (lower half) while serving in billets commensurate with that grade
01 JUN 2008	Rear Admiral (lower half)
01 SEP 2010	Designated Rear Admiral while serving in billets commensurate with that grade
01 NOV 2011	Rear Admiral
05 NOV 2010	Vice Admiral
02 NOV 2012	Admiral, Service continuous to date

ASSIGNMENTS AND DUTIES	FROM	TO
Naval Recruiting District, Seattle, WA (Officer Recruiter)	MAY 1982	NOV 1982
Naval Nuclear Power School, Naval Training Center, Orlando, FL (DUINS)	NOV 1982	JUN 1983
Naval Nuclear Power Training Unit, Ballston Spa, NY (DUINS)	JUN 1983	DEC 1983
Naval Submarine School, Groton, CT (DUINS)	DEC 1983	MAR 1984
USS PARCHE (SSN 683) (Combat Systems Officer)	MAR 1984	MAY 1987
Massachusetts Institute of Technology (Student)	MAY 1987	AUG 1989
Naval Submarine School, Groton, CT (DUINS)	AUG 1989	MAR 1990
USS GEORGE C MARSHALL (SSBN 654) (Engineer Officer)	MAR 1990	DEC 1991
Office of the CNO (Requirements Officer for SSN Acquisition) (N872)	DEC 1991	DEC 1993
Naval Submarine School, Groton, CT (DUINS)	DEC 1993	FEB 1994
XO, USS SALT LAKE CITY (SSN 716)	FEB 1994	AUG 1995
White House (Naval Aide to the President)	AUG 1995	AUG 1997
National War College (Student)	AUG 1997	JUN 1998
Naval Reactors, Department of Energy, Washington, DC (Prospective Commanding Officer Refresher Course)	JUN 1998	OCT 1998
CO, USS HONOLULU (SSN 718)	OCT 1998	NOV 2001

ASSIGNMENTS AND DUTIES (CONT'D)	FROM	TO
Commander, Submarine Squadron ONE (Deputy Commander for Operations and Combat Readiness)	NOV 2001	DEC 2002
Commander, Submarine Force, U.S. Pacific Fleet (Prospective Commanding Officer Instructor)	DEC 2002	MAR 2005
Commander, Submarine Development Squadron TWELVE	MAR 2005	OCT 2006
Joint Staff (Assistant Deputy Director, Regional Operations) (J3)	OCT 2006	NOV 2007
Commander, U.S. Joint Forces Command (Director, Strategy and Analysis) (J5)	NOV 2007	JUL 2009
Director, Plans and Operations U.S. Naval Forces Europe-SIXTHFLT/Deputy Commander, SIXTH Fleet/Commander, Submarines, Allied Naval Forces South/Commander, Submarine Group EIGHT	JUL 2009	OCT 2010
Commander, Submarine Force, U.S. Atlantic Fleet and Commander, Allied Submarine Command	NOV 2010	OCT 2012
Director, Naval Nuclear Propulsion Program, Department of the Navy/Department of Energy	NOV 2012	TO DATE

MEDALS AND AWARDS

Defense Superior Service Medal
Legion of Merit with two Gold Stars
Meritorious Service Medal with two Gold Stars
Navy and Marine Corps Commendation Medal with three Gold Stars
Navy and Marine Corps Achievement Medal with one Gold Star
Presidential Unit Citation
Joint Meritorious Unit Award
Navy Unit Commendation with one Bronze Star
Meritorious Unit Commendation
Navy "E" Ribbon with "E" device
Navy Expeditionary Medal
National Defense Service Medal with one Bronze Star
Global War on Terrorism Service Medal
Sea Service Deployment Ribbon with four Bronze Stars

SPECIAL QUALIFICATIONS

BS (Physics) U.S. Naval Academy, 1982
MS (Electrical Engineering) Massachusetts Institute of Technology, 1989
MS (National Security Strategy) National War College, 1998
Designated Submarine Officer, 1985
Designated Joint Qualified Officer, 1999
Capstone 2009-2
Designated Level IV Joint Qualified Officer, 2009

FOREIGN LANGUAGE

French
Spanish-Castilian

SUMMARY OF JOINT DUTY ASSIGNMENTS

Assignment	Dates	Rank
White House (Naval Aide to the President)	AUG 95 – AUG 97	CDR
Joint Staff (Assistant Deputy Director, Regional Operations) (J3)	OCT 06 – NOV 07	CAPT
Commander, U.S. Joint Forces Command (Director, Strategy and Analysis) (J5)	NOV 07 – JUL 09	RDML
Commander, Submarines, Allied Naval Forces South	JUL 09 – OCT 10	RDML
Commander, Allied Submarine Command	NOV 10 – OCT 12	VADM

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Admiral John M. Richardson, USN in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
John M. Richardson.

2. **Position to which nominated:**
Chief of Naval Operations.

3. **Date of nomination:**
June 4, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
April 8, 1960; Petersburg, VA.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Dana Richardson (formerly Dana Silva).

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.
None.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?
Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

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

JOHN M. RICHARDSON

This 22nd day of May, 2015

[The nomination of Admiral John M. Richardson, USN was reported to the Senate by Chairman McCain on August 4, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 5, 2015.]

NOMINATIONS OF MR. JOHN CONGER TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, COMPTROLLER; MR. STEPHEN P. WELBY TO BE ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING; MS. ALISSA M. STARZAK TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY; AND MR. FRANKLIN R. PARKER TO BE ASSISTANT SECRETARY OF THE NAVY FOR MANPOWER AND RESERVE AFFAIRS

Thursday, November 19, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:33 a.m. in Room SD-G50, Dirksen Senate Office Building, Senator John McCain, (chairman) presiding.

Committee members present: Senators McCain, Inhofe, Ayotte, Fischer, Cotton, Rounds, Ernst, Tillis, Sullivan, Reed, Gillibrand, Donnelly, Kaine, King, and Heinrich.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. Good morning. The Senate Armed Services Committee meets this morning to consider the nominations of Ms. Alissa M. Starzak to be General Counsel of the Department of Army; Mr. Franklin R. Parker to be Assistant Secretary of the Navy for Manpower and Reserve Affairs; Mr. John Conger to be the Principal Deputy Under Secretary of Defense, Comptroller; and Mr. Stephen P. Welby to be Assistant Secretary of Defense for Research and Engineering.

We welcome all of you here this morning, as well as members of your families. As is our tradition, at the beginning of your testimony, we welcome you to introduce those members of your family joining you this morning.

Ms. Starzak is currently the Deputy General Counsel at the Department of Defense. She has also served as counsel and a professional staff member on the Senate Select

Committee on Intelligence and as Assistant General Counsel at the Central Intelligence Agency. I look forward to your testimony

on a number of pressing issues inside Army and the Department of Defense.

Mr. Parker is currently Chief Counsel of the Maritime Administration in the Department of the Transportation. The Navy office of Manpower and Reserve Affairs has the great responsibility of taking care of our sailors, marines, and their families and the Navy's civilian employees. I look forward to your testimony on how you plan to support the most important part of the Navy, its people.

Mr. Conger is currently the Assistant Deputy Under Secretary for Installations and Environment. The Comptroller's office, where he has been nominated to serve has a critical role to play at this time of budgetary challenges. The Department of Defense spends more than half a trillion dollars a year, but after years and years of effort, it still cannot pass an audit. The Department is alone among Federal agencies in being unable to provide the Congress or the American taxpayer assurances that their dollars are spent as appropriated. It is hardly surprising that according to the Government Accountability Office, the Department of Defense is at high risk for waste, fraud, and abuse due to decades of financial mismanagement.

After 2 decades of empty promises, many of us are extremely skeptical that the Department will be able to audit its financial statements in 2017 as the law requires. While the organization of the Comptroller is also dual-hatted to serve as the Chief Financial Officer, those financial management duties are often dominated by the annual work of creating and defending the budget. Mr. Conger, this committee is interested in hearing what steps could be taken now to begin reversing this trend.

Finally, Mr. Welby is currently the Deputy Assistant Secretary for Systems Engineering at the Department of Defense. The position of Assistant Secretary of Defense for Research and Engineering has long been vacant. So we are eager to have the position filled on a permanent basis. As you know, defense research and innovation is essential to maintaining the cutting-edge technologies that provide superior capabilities and protection for our warfighters.

I have concerns regarding the ability of the Defense Department to transition technologies from the laboratory to the warfighter in an effective, efficient, and timely manner. At the same time, the Department is chasing innovative companies in places like Silicon Valley, but it does not appear to be making the necessary changes to its research, contracting, and acquisition policies that would allow us to take advantage of commercial innovation. The challenges faced by the Defense Innovation Unit Experimental, which Secretary Carter launched to better connect the Department with Silicon Valley, is one embodiment of these concerns. I look forward to your testimony on how you plan to lead the defense research enterprise and how you will accelerate defense innovation and technology transition.

I thank the witnesses for their willingness to serve and I look forward to their testimony.

Senator Reed?

STATEMENT OF SENATOR JACK REED

Senator REED. Thank you very much, Mr. Chairman.

Thank you, witnesses, for your willingness to serve and your service to date. Thank you very much. I join the chairman in welcoming you here to this hearing to fill these important vacancies in the Department of Defense. As we heard during the hearing we held earlier this week, managing an organization as large as the Department of Defense can be very challenging and requires strong leadership. If confirmed, I am confident that the nominees before us will have that strong leadership profile.

Mr. Conger, who has been nominated to be the Principal Deputy Under Secretary of Defense for Comptroller, has extensive experience working on national security issues. As a congressional staff, Mr. Conger worked on budget and appropriations matters and has a deep appreciation for how the annual budget process works. In addition, Mr. Conger has overseen the Energy, Installations, and Environmental portfolio at the Department, providing oversight management of the Department's $850 billion real property portfolio. Mr. Conger's knowledge and experience will be critical in an era of constrained budget resources, as well as ensuring the Department finally achieves a clean audit of its financial statements, as the chairman has indicated.

Mr. Welby, who has been nominated to be the Assistant Secretary of Defense for Research and Engineering, serves as the Deputy for that position. Mr. Welby is well positioned for this job, given his strong technical background and experience both in government and industry. If confirmed, he will be responsible for ensuring that our research programs and institutions that perform cutting-edge R&D [Research and Development], like the defense labs and DARPA [Defense Advanced Research Projects Agency], are as innovative and effective as possible. I want to hear his plans to advocate for and champion those labs, their people, and the important advanced technology products that they produce for our warfighters.

Ms. Starzak, who has been nominated for the position of the Army General Counsel, has extensive legal experience in positions that have prepared her well for this position. After her private sector experience, Ms. Starzak has worked in the Office of the CIA [Central Intelligence Agency] General Counsel, she served as counsel on the Senate Select Committee on Intelligence and currently serves as the Deputy General Counsel in the DOD's [Department of Defense's] General Counsel's Office. Ms. Starzak will be joining a new command team with a new Army Secretary and Chief of Staff where they will work together to address the many challenges that the Army faces.

Mr. Parker, who has been nominated for the position of Assistant Secretary of the Navy for Manpower and Reserve Affairs, appears well suited to lead Navy personnel programs. His experience in the Navy General Counsel's Office and as Chief Counsel for the Maritime Administration, as well as his private sector experience, will give him a unique perspective to apply to the many important challenges he will face.

Again, I thank you, Mr. Chairman, for holding this hearing and I look forward to hearing from the witnesses.

Chairman MCCAIN. There are standard questions that are asked of all nominations, and I will go through these questions and you can respond by simply saying "I do" or responding in the negative.

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information. Have you adhered to the applicable laws and regulations governing conflicts of interest?

Mr. CONGER. Yes.

Mr. WELBY. Yes.

Ms. STARZAK. Yes.

Mr. PARKER. Yes.

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Mr. CONGER. No.

Mr. WELBY. No.

Ms. STARZAK. No.

Mr. PARKER. No.

Chairman MCCAIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Mr. CONGER. Yes.

Mr. WELBY. Yes.

Ms. STARZAK. Yes.

Mr. PARKER. Yes.

Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

Mr. CONGER. Yes.

Mr. WELBY. Yes.

Ms. STARZAK. Yes.

Mr. PARKER. Yes.

Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?

Mr. CONGER. Yes.

Mr. WELBY. Yes.

Ms. STARZAK. Yes.

Mr. PARKER. Yes.

Chairman MCCAIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

Mr. CONGER. Yes.

Mr. WELBY. Yes.

Ms. STARZAK. Yes.

Mr. PARKER. Yes.

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Mr. CONGER. Yes.

Mr. WELBY. Yes.

Ms. STARZAK. Yes.

Mr. PARKER. Yes.

Chairman MCCAIN. Mr. Conger, we will begin with you. Welcome.

STATEMENT OF MR. JOHN CONGER TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, COMPTROLLER

Mr. CONGER. Thank you, Mr. Chairman, Senator Reed, members of the committee. It is a privilege to be here to answer your questions regarding my nomination to the position of Principal Deputy Under Secretary of Defense for Comptroller. I am humbled and honored by the support I have received from President Obama——

Chairman MCCAIN. Would you like to mention a family member who is here?

Mr. CONGER. Absolutely. I would like to introduce and offer my deepest appreciation for my wife, Kristine Minami. I could not set out on this demanding path without her love and strong support.

Chairman MCCAIN. Welcome.

Mr. CONGER. I would also like to recognize my son, Conner Minami, who is only 4 and not here today.

Chairman MCCAIN. He will miss it.

[Laughter.]

Mr. CONGER. Yes.

I appreciate the support that I have received from the President, from Secretary Carter, who originally hired me into the Pentagon in 2009 when he was the Under Secretary for Acquisition, Technology and Logistics, the support I received from Deputy Secretary Work and Under Secretary McCord.

I would also like to recognize my dad who, along with my grandfather and my uncle, served in the U.S. Navy and set a strong example of public service.

For more than 20 years, I have worked national security issues, both as a congressional staffer, most of that working appropriations and budget issue, and in senior Pentagon positions overseeing the Department's Installations, Environment and Energy portfolio. Each has taught me important lessons that, if confirmed, I would bring to this new and challenging role.

Mr. Chairman, the defense budget details a carefully balanced set of priorities and risk with clearly more risk than any of us desire. The Department has worked to balance readiness to meet today's complex security challenges with the need to ensure that we are investing in future capabilities. As you have articulated well, the risk would be unacceptable if we were forced to adhere to the caps in the Budget Control Act. I am glad to see that we have achieved a reprieve from those limits for 2016 and 2017.

The DOD [Department of Defense] Comptroller has a critical role in providing the justification to Congress why the funds we have requested are critical to meeting to our strategy. This office has the unique capability and responsibility to associate resource decisions with their real world impacts to better inform Congress as it deliberates.

As you know, this case is made more difficult by the fact that the DOD has not passed a financial audit. Without a clean audit, it is harder to make the case that we are efficiently using all of the funds Congress has provided us, even as we request more. In this environment, I believe it is absolutely critical that we dedicate our-

selves to passing this audit, both for the improvement to financial management that it promises and for the credibility that it will provide to our requests for more funding.

If confirmed, I will work tirelessly to assist Under Secretary McCord and the Department's leadership in meeting these challenges. I am grateful for your consideration, and I look forward to your questions.

[The prepared statement of Mr. Conger follows:]

PREPARED STATEMENT BY MR. JOHN CONGER

Thank you, Mr. Chairman, Senator Reed, Members of the Committee. It is a privilege to be here to answer your questions regarding my nomination to the position of Principal Deputy Under Secretary of Defense for Comptroller. I am humbled and honored by the support I have received from President Obama, from Secretary Carter (who originally hired me into the Pentagon in 2009 when he was the Under Secretary of Defense for Acquisition, Technology and Logistics), from Deputy Secretary Work and from Under Secretary McCord.

Before continuing, I would like to introduce and offer my deepest appreciation to my wife and partner, Kristine Minami. I could not set out on this demanding path without her love and strong support. I'd also like to recognize the joy of my life, my son Conner Minami, who is only 4 and is not here today.

I would also like to thank my Dad who, along with my grandfather and my uncle, served in the U.S. Navy and set a strong example of public service.

For more than 20 years, I've worked national security issues, both as a congressional staffer—most of that working appropriations and budget issues—and in senior Pentagon positions overseeing the Department's Installations, Environment and Energy portfolio. Each has taught me important lessons that, if confirmed, I would bring to this new and challenging role.

Mr. Chairman, the defense budget details a carefully balanced set of priorities and risk, with clearly more risk than any of us desire. The Department has worked to balance readiness to meet today's complex security challenges with the need to ensure that we are investing in future capabilities. As you have articulated well, the risk would be unacceptable if we were forced to adhere to the caps in the Budget Control Act, and I am glad to see we have achieved some reprieve from those limits for FY 2016 and FY 2017.

The Under Secretary of Defense (Comptroller) has a key role in providing the justification to Congress why the funds we have requested are critical to meeting our strategy. This office has the unique capability and responsibility to associate resource decisions with their real world impacts to better inform Congress as it deliberates.

As you know, that case is made more difficult by the fact that the DOD has not passed a financial audit. Without a clean audit, it is harder to make the case that we are efficiently using all of the funds Congress has provided us, even as we request more. In this environment, I believe it is absolutely critical that we dedicate ourselves to passing this audit—both for the improvement to financial management that it promises and for the credibility it will provide to our requests for more funding.

If confirmed, I will work tirelessly to assist Under Secretary McCord and the Department's leadership in meeting these challenges. I am grateful for your consideration, and I look forward to your questions.

Chairman MCCAIN. Thank you.

Mr. Welby?

STATEMENT OF MR. STEPHEN P. WELBY TO BE ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING

Mr. WELBY. Mr. Chairman, Senator Reed, members of the committee, it is an honor to appear before you this morning as the nominee to serve as the Assistant Secretary of Defense for Research and Engineering. I wish to thank the President and Secretary Carter for their support of my nomination.

Chairman, I would like to also take a moment to thank my wife Kimberly, my son Bradan, and my daughter Claire, who are here today.

Chairman MCCAIN. Welcome.

Mr. WELBY. I would also like to particularly acknowledge my father, Patrick Welby, who is behind me whose service in the Army and whose service as a New York City fire officer, until he was injured in the line of duty, really taught me the true meaning of public service.

Chairman MCCAIN. Welcome, sir.

Mr. WELBY. Our military technology advantage is essential to supporting our Nation's ability to deter aggression and to succeed in conflict. Today our technology edge is challenged by the globalization of technology the globalization of technical talent and the emergence of foreign military capabilities particularly intended to directly counter our own military strengths. This increasingly competitive global technology environment demands more agile approaches to technology delivery and development and faster adoption of new, innovative solutions that can offset the growing technical capabilities of potential threats. The Department needs to commit to continuously refreshing the core technologies that sustain our defense and that mitigate technological surprise and that support our modernization efforts. The Department also needs to focus on the effectiveness and efficiency of our research and engineering establishment to ensure that the delivery of advanced capabilities can be conducted in a fiscally constrained environment.

If confirmed, I am committed to ensuring that our defense research and engineering enterprise remains focused on sustaining the technological superiority of U.S. forces, both addressing the demands of our current conflicts and addressing the needs of the evolving security environment, by accelerating the delivery of advanced capabilities that can make a critical difference from laboratory to battlefield.

I thank you, Mr. Chairman and members of the committee, for your time and attention, and I look forward to answering your questions this morning.

[The prepared statement of Mr. Welby follows:]

PREPARED STATEMENT BY MR. STEPHEN P. WELBY

Mr. Chairman, Senator Reed, members of the committee, it is an honor to appear before you this morning as the nominee to serve as Assistant Secretary of Defense for Research and Engineering. I wish to thank the President and Secretary Carter for their support of my nomination. I would also like to thank my wife Kimberly, my son Bradan, and my daughter Claire, who are here today, for their support and encouragement and I'd like to particularly acknowledge my Father, Patrick Welby—whose service as a New York City Fire Officer, until he was injured in the line of duty, taught me the true meaning of a career in public service.

Our military technology advantage is essential to our nation's ability to deter aggression and prevail in conflict. Today, our technical edge is challenged by the globalization of technology and the emergence of foreign military capabilities intended to directly counter our own technical strengths. This increasingly competitive global environment demands more agile approaches to technology development and faster adoption of new, innovative solutions that can offset the growing technical capability of potential threats. The Department must continuously refresh the core technologies that sustain our defense advantage, that mitigate technological surprise, and that support our modernization efforts. The Department must also focus on the effectiveness and efficiency of the research and engineering enterprise, to

allow the delivery of advanced capabilities faster in a fiscally constrained environment.

If confirmed, I am committed to focusing the defense research and engineering enterprise with a focus on sustaining the technological superiority of U.S. forces—addressing both the demands of our current conflict and the needs of the evolving strategic environment—by accelerating the delivery of the advanced capabilities that can make a critical difference, from laboratory to battlefield.

I thank you Mr. Chairman and members of this committee for your time and attention, and I look forward to answering your questions.

Chairman MCCAIN. Ms. Starzak?

STATEMENT OF MS. ALISSA M. STARZAK TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY

Ms. STARZAK. Good morning, Mr. Chairman, Ranking Member Reed, and members of the committee. I am honored to appear before you today. I would like to begin by expressing my gratitude to President Obama for my nomination, as well as to Secretary Carter for his support.

I would not be here today if it were not for the family, friends, and coworkers who have supported me over the years. I especially want to thank my wonderful family, including my husband, Andrew Ferguson, who is here with me today, and my sister, Jocelyn Starzak, who is also here.

Chairman MCCAIN. Welcome.

Ms. STARZAK. I also want to thank my parents and my two amazing children who are 3 and 6 and therefore not here today. Throughout my life, my family has taught me the value——

Chairman MCCAIN. Next time it will be required attendance for all children.

[Laughter.]

Ms. STARZAK. Throughout my life, my family has taught me the value of serving others. My goal has always been to live up to the expectations that they have set.

I also want to thank those, both civilian and military, that I have had the privilege of working with during the 4 and a half years I have spent serving in the Department of Defense Office of General Counsel. Their commitment to protecting America and improving the lives of the dedicated men and women who serve all of us by putting themselves in harm's way for our country inspires me every day.

The role of the Army General Counsel is, first and foremost, to provide solid and timely legal advice to Army senior leadership. If confirmed, that would be my first priority. I believe my background and experience in the executive branch, the Congress, and the private sector have well prepared me to serve this function.

If confirmed as the Army General Counsel, I am committed to working closely with the Army Judge Advocate leadership to address the legal challenges facing the Army. I strongly believe in the value of having civilian and military lawyers work together to offer the best possible legal advice to our clients.

If confirmed, I will make every effort to live up to the confidence that has been placed in me.

I am grateful for your consideration, and I look forward to your questions.

[The prepared statement of Ms. Starzak follows:]

PREPARED STATEMENT BY MS. ALISSA M. STARZAK

Good morning Mr. Chairman, Ranking Member Reed, and members of the Committee. I am honored to appear before you today. I would like to begin by expressing my gratitude to President Obama for my nomination, as well as to Secretary Carter and Acting Secretary Fanning for their support.

I would not be here if were not for the family, friends and co-workers who have helped me over the years. I especially want to thank my wonderful family, including my husband Andrew Ferguson and my two amazing children. It is unfortunate they could not be here with me today.

I also want to thank those—both civilian and military—that I've had the privilege of working with during the four and a half years I have spent serving in the Department of Defense Office of General Counsel. Their commitment to protecting America and improving the lives of the dedicated men and women who serve all of us by putting themselves in harm's way for our country inspires me every day.

The General Counsel of the Army advises Army leadership on the legal implications of the many challenges facing the Army. I believe my background and experience in the Department, the Congress and the private sector have well prepared me to serve in this role.

I am committed to working closely with the Army Judge Advocate leadership, and strongly believe in the value of having

civilian and military lawyers work together to offer the best possible legal advice to our clients.

If confirmed, I will make every effort to live up to the confidence that has been placed in me.

I am grateful for your consideration, and I look forward to your questions.

Chairman MCCAIN. Thank you.

Mr. Parker? Welcome.

STATEMENT OF MR. FRANKLIN R. PARKER TO BE ASSISTANT SECRETARY OF THE NAVY FOR MANPOWER AND RESERVE AFFAIRS

Mr. PARKER. Thank you, Mr. Chairman, Senator Reed, and members of the committee. It is an honor and a privilege to be here before you today.

Joining me today, I am honored to have a wide swath of my family, my wife Ann, my son Franklin. His little sister Diana was not able to be here today, and it is probably a good thing for everyone. My mother Janice, my father Franklin, my sister Lisa, my uncle Glynn, my cousin Frank, my sister-in-law Luong, and my good friend, Steve Raden.

Chairman MCCAIN. Is there anyone who could not make it?

[Laughter.]

Mr. PARKER. There were a couple.

Chairman MCCAIN. Welcome to all of you. I know this is a proud moment for you.

Mr. PARKER. I am honored and privileged to be here today regarding my nomination for the position of Assistant Secretary of the Navy for Manpower and Reserve Affairs.

Before we begin, I would like to thank President Obama, Secretary Carter, and Secretary Mabus for their support of my nomination. I would also wish to express my sincere appreciation to my colleagues, both past and present, specifically those at the Departments of the Navy and Transportation and at the Maritime Administration, for whom I hold the greatest respect.

I thanked my family previously, but in particular, I would like to recognize my father, Franklin Parker; my uncle, Glynn Parker; and my cousin, Frank Harris, whose service in the Air Force and Army and whose experiences as Vietnam veterans instilled in me

the deepest appreciation for our servicemembers and the sacrifices and contributions that they routinely make for our Nation. It is on the shoulders of these men and women that we all truly stand.

Lastly, I wish to acknowledge with deepest gratitude my grandfather, Fred Curls, who passed away earlier this year at the age of 96. I thanked him not only for his service in the National Guard but also for serving as my inspiration to enter public service and for teaching me that anything is possible in our great Nation.

Mr. Chairman and members of the committee, it is a privilege to be considered for this opportunity to serve our men and women in uniform, as well as our civilian personnel who share their mission and complement their efforts to uphold our defense. Their commitment to our Nation deserves not only our respect but a corresponding obligation to them and their families that we make every possible effort to honor and support their service.

Over the course of my career, I have worked in the private sector, as well as in both defense and civilian agencies. I have performed legal and nonlegal roles. I have served as an action officer, a manager, a senior executive, and as a member of agency leadership. In every context, however, the one constant has been the primacy of people. Our people conceive, create, enable, and execute everything we do. People are our greatest and most powerful asset, and this is no truer than for those who serve in our Nation's defense.

In this realm, it is critical that our decisions always support readiness, that we bolster the morale of our force, that we seek to create an environment that is free from harassment and abuse, and that we ensure that our personnel have the tools they need to be successful in the field and healthy at home. These needs are even more pronounced as we continue to manage multiple conflicts and threats in a highly constrained fiscal environment.

If confirmed, my highest priority will be to ensure that our manpower and Reserve policies and practices meet the standards that the men and women of our Navy and Marine Corps deserve. I view this not only as an honor but as an obligation.

If confirmed, I look forward to working with this committee and the Congress to provide the best for our servicemembers and civilian personnel. In so doing, I will make every effort to reward the faith you have placed in me and that our men and women who serve have placed in us. I am truly grateful for your consideration of our my nomination, and I look forward to your questions. Thank you.

[The prepared statement of Mr. Parker follows:]

PREPARED STATEMENT BY MR. FRANKLIN R. PARKER

Thank you, Mr. Chairman, Senator Reed, members of the committee. I am honored to appear before you today regarding my nomination for the position of Assistant Secretary of the Navy for Manpower and Reserve Affairs. Before we begin, I would like to thank President Obama, Secretary Carter, and Secretary Mabus for their support of my nomination. I also wish to express my sincere appreciation to my colleagues past and present—specifically those at the Departments of the Navy and Transportation, and the Maritime Administration—for whom I hold the utmost admiration and respect. In addition, I wish to thank my family—my wife, my children, my parents and my sister—whose steadfast support enables everything I do. In particular, I would like to recognize my father Franklin Parker, my uncle Glynn Parker, and my cousin Frank Harris, whose service in the Air Force and Army in-

stilled in me the deepest appreciation for our servicemembers, and the sacrifices and contributions they routinely make on behalf of our Nation. It is on the shoulders of these women and men that we all truly stand. Lastly, I wish to acknowledge, with deepest gratitude, my grandfather Fred Curls who passed away earlier this year at the age of 96. I thank him not only for his service in the National Guard, but also for serving as my inspiration to enter public service and for teaching me that anything is possible in our great Nation. Mr. Chairman and members of the committee, it is a privilege to be considered for this opportunity to serve our men and women in uniform as well as our civilian personnel who share their mission and complement their efforts to uphold our defense. Their commitment to our Nation deserves not only our respect, but a corresponding obligation to them and to their families that we will make every possible effort to honor and support their service. Over the course of my career, I have worked in the private sector as well as in both defense and civilian agencies. I have performed legal and non-legal roles, and have served as an action officer, a manager, a Senior Executive, and a member of Agency leadership. In every context, however, the one constant has been the primacy of people. Our people conceive, create, enable and execute everything we do. People are our greatest and most powerful asset, and this is no truer than for those who serve in our Nation's defense. In this realm it is critical that our decisions always support readiness, that we bolster the morale of our force, that we seek to create an environment that is free from harassment and abuse, and that that we ensure that our personnel have the tools they need both to be successful in the field and healthy at home. These needs are even more pronounced as we continue to manage multiple conflicts and threats in a highly constrained fiscal environment. If confirmed, my highest priority will be to ensure that our manpower and Reserve policies and practices meet the standards that the men and women of our Navy and Marine Corps deserve. I view this not only as an honor but as an obligation. If confirmed, I look forward to working with this committee and the Congress to provide the best for our servicemembers and civilian personnel. In so doing, I will make every effort to reward the faith you have placed in me, and that our women and men who serve have placed in us. I am truly grateful for your consideration of my nomination, and I look forward to your questions.

Chairman MCCAIN. Thank you.

Mr. Conger, we talked about an audit. For 15 years, we have been talking about an audit. For 15 years, we have legislated the requirement for an audit. For 15 years, we have not gotten one. What do you think the chances are of getting one this time around?

Mr. CONGER. So the progress that the Department has made and the new thing that has happened even this year is that the service budgets are under audit right now. They are not necessarily going to pass an audit this year, but they are under audit for the first time. The Marine Corps has been under audit for several years. So there has been a considerable amount of progress.

Chairman MCCAIN. There was a recognition of failure of the Marine Corps audit as well.

Mr. CONGER. Yes. So the Marine Corps audit that had originally received a clean audit but then later that was retracted was because of an anomaly that was discovered and appropriately retracted. But that actually helps the rest of the audit——

Chairman MCCAIN. So the answer to my question is do you think we will have an audit this year.

Mr. CONGER. I think that the budgets of the services are under audit, but they are not necessarily going to pass. Experience shows that——

Chairman MCCAIN. When do you think we will have an audit, a complete audit just like every other branch of government has undergone?

Mr. CONGER. It is hard to predict when we will pass an audit.

Chairman MCCAIN. It certainly is. You really put your finger on it. It is hard to predict especially after 15 years of failure.

Mr. CONGER. But the difference now is that we are being audited, and that process will point out what needs to be fixed. Those corrective actions will improve our chances each year, each subsequent year——

Chairman MCCAIN. Each year?

Mr. CONGER. Yes. Yes, sir.

Chairman MCCAIN. I can tell you that is not exhilarating to me saying "each year," after 15 years of failure, Mr. Conger. I am sorry that I sound so pessimistic. The taxpayers of America, after all these years, still cannot get an audit, and you are telling me that each year we will get better.

Mr. CONGER. Yes, sir.

Chairman MCCAIN. I want you to do better. Okay? That is what I want. That is what the Congress and the American people want. We want an audit that the American people and this committee and the Members of Congress can look at and then make the right decisions. Without us knowing those fundamental facts, it is very hard for us to legislate on behalf of the American people.

Mr. CONGER. I agree, Mr. Chairman.

Chairman MCCAIN. Ms. Starzak, Congress, as you know, for years now and in the latest authorization bill, which we are told the President will be signing today or tomorrow or very soon, specifically prohibited the transfer of Guantanamo detainees to the United States in both the authorization bill and the defense appropriations bill.

Does the Constitution in your view authorize the President to act contrary to the law, including laws he signed as President? I am specifically referring to the recurring rumor that is banging around out there that the President will act by executive order to close Guantanamo. Now, in your view, does the President have that constitutional authority?

Ms. STARZAK. Senator, I do not believe that issue would come before me as Army General Counsel, but I have no reason to question the constitutionality of those restrictions.

Chairman MCCAIN. I am not asking whether you question it. I am asking whether you believe that the President has the constitutional authority to act by executive order to close Guantanamo Bay. I just read you a list of the requirements when you come before this committee.

Ms. STARZAK. Senator, as I think the Attorney General testified earlier this week, I believe the statutory restrictions would prohibit transferring detainees to the United States.

Chairman MCCAIN. Mr. Parker, same question.

Mr. PARKER. Senator McCain, this is not an issue that I have worked on.

Chairman MCCAIN. I understand that, Mr. Parker. It is the right of this committee to ask questions that we feel are important.

Mr. PARKER. Absolutely, Senator McCain. I just am not in a position to provide an answer on this particular question. It is not one that I have looked into and really have——

Chairman MCCAIN. Then we will await your written answer while you look into it.

[The information referred to follows:]

This seems to be an issue beyond the scope of the position for which I am being considered. I would defer it to the appropriate offices with authority on this issue.

Chairman MCCAIN. Mr. Welby?

Mr. WELBY. Chairman, I am neither a lawyer nor have any particular experience in this matter. So I would have to go with the advice of others on this topic.

Chairman MCCAIN. I understand.

[The information referred to follows:]

I am not a lawyer and I lack the personal background and training to provide an appropriate response to this question. It is my understanding that this issue would not fall under the purview of ASD(R&E).

Mr. Conger?

Mr. CONGER. Sir, I am not a lawyer, nor have I looked into this particular issue. I would have to get back to you, sir.

[The information referred to follows:]

Mr. Chairman, I agree that this is an important issue. However, I am not an attorney and know that such complex legal issues are best assessed by the appropriate legal experts. I would refer such a question to them to ensure you got an accurate and informed answer to your question.

Chairman MCCAIN. Mr. Parker, the Marines recently released the results of their major research study on combat integration. Before reviewing the report, Secretary Mabus indicated he will not support any exceptions to policy to close any ground combat elements to women, and he also said that he would not even review the conclusions of the Marines study.

Are you familiar with the Department of the Marine Corps? Ground Combat Element Integrated Task Force report?

Mr. PARKER. I am aware of the report, Senator.

Chairman MCCAIN. Would you have made the same decision as Secretary Mabus before conducting a review of the report?

Mr. PARKER. Senator McCain, I am aware of the report, but I have not had an opportunity to review the report and I have not spoken with Secretary Mabus. Without having reviewed the report and its analysis and its findings, without having spoken with the Secretary about his thought process, I cannot offer an opinion on whether or not I would have made the same decision as Secretary Mabus.

Chairman MCCAIN. Would you agree that this will be in your area of responsibility?

Mr. PARKER. Absolutely, Senator McCain. Once a decision is made by the Department of the Secretary of Defense—by the Office of the Secretary of Defense, I will be closely involved in implementation of whatever decision is made.

Chairman MCCAIN. Well, we would want to know your view on this issue, Mr. Parker. So I would hope that you would take a look at this task force report and get back to us as to your views on it.

[The information referred to follows:]

If I were developing the Department of the Navy's position, I would avail myself of all information and facts related to the issue, as I understand Secretary Mabus did. Now that Secretary Carter has announced his decision to open all operational specialties to women, the only remaining issue is implementation. All qualified servicemembers will be able to serve in all occupational specialties based on their ability to meet operationally relevant, occupation-specific, individual standards, and it is my view that this policy will maximize the combat effectiveness of the Navy and Marine Corps.

Chairman MCCAIN. Finally, Mr. Conger, would you agree that we have a lot of work to do in accounting for both the number of personnel, as well as the expenses associated with our responsibilities? For example, we do not know how many civilian employees we have. We do not know how many contract employees we have. We are thinking about a mandate on end strength for both civilian personnel such as we have for uniformed personnel. What do you think about that?

Mr. CONGER. I think that it is critically important to know how many people we have in the Department and that the personnel office should have that information in order for us to be able to budget appropriately.

Chairman MCCAIN. I thank you. I thank the witnesses.

Senator REED. Thank you very much, Mr. Chairman.

Mr. Conger, we have had a series of very thoughtful hearings at the direction of the chairman about revisions at the Department of Defense, Goldwater-Nichols. This week we had former GAO [Government Accountability Office] Director David Walker. We had General Punaro and others.

I will quickly reveal my lack of accounting knowledge by asking—I got the impression that one way might be to get our arms around the audit is to not do it individually by service by service but start at the Department of Defense level because their materiality issues are much different than in the particular services. Again, this is a real question.

Is there a different approach to the audit process that we could take that would be more effective than what we have been doing the last several years in terms of trying to get the services to do audits to then build on them to do a DOD audit?

Mr. CONGER. So I appreciate the approach that you are suggesting or contemplating, and I understand the differences in materiality that evolve from looking at the larger enterprise. The Department has a strategy that has been moving the ball forward. We have been giving regular updates to this committee on the progress on that. I do not believe that the Department is planning on changing its strategy.

Senator REED. Again, I am reflecting what the chairman has said and what we have all known. This is a strategy that is being pursued for 15 years resulting in the inability to produce the audit. I think it would be useful if at least you could sort of, as you push this along, think there might be an alternate way to do this. Again, these are really talented individuals who made the suggestions.

Mr. CONGER. Yes. If confirmed, I would be happy to look at alternative strategies and try and figure out more effective ways to accomplish this.

Senator REED. Thank you.

Mr. Welby, thank you for your service and thank you for your father's service. Thank you, sir.

One of the aspects of your responsibilities are the government laboratories. They play a key role. At times, we get complaints or comments that they are antiquated in terms of equipment, management, in terms of their ability to function as they have in the past as real incubators for change and innovation. Can you give us

some thoughts about your particular approach to the laboratories and how we can engage them better?

Mr. WELBY. Senator, thank you.

I began my career as an intern in an Army research laboratory here in Maryland and spent a decade kind of working on cutting-edge problems that really made a difference, early GPS [Global Positioning System] activities, early work on unmanned air vehicles, some of the roots of some of the artificial intelligence briefings that are going on today. I think the energy and excitement that I see in the workforce in our laboratories is critical to ensuring that we are on the cutting edge of getting capabilities that matter to our warfighters. The laboratories have served as an incubator of technology and as a coupler to take advanced technology and drive it towards military needs.

If confirmed, I do intend to very closely look at the state of our laboratories, the state of their capital equipment, but most importantly, I am concerned with the state of our people to ensure that we have the right mix of talent, the right mix of skills in our laboratories. I am particularly concerned with the graying of our laboratory workforce, and I want to make sure that we refresh the talent that will serve us in the future in the laboratories.

Senator REED. Thank you, Mr. Welby.

Ms. Starzak, one of the roles you will have to play is to work very closely with the Judge Advocate General of the Army, the uniformed individual that is your counterpart. You have had extensive experience at the CIA, Department of Defense, et cetera. Can you give us sort of a notion of how you intend to work and share responsibilities and emphasis?

Ms. STARZAK. Senator, my understanding is that the Army TJAG General Darpino has a number of separate responsibilities, as well as our joint responsibilities. I think it is very important that she be able to provide independent advice to the Secretary on the issues that are in her jurisdiction. I think we would work together very well. I know General Darpino. She is terrific.

Senator REED. She has been very helpful to this committee on a host of issues. Again, I think the combination of the two, you will be very effective for the Secretary of the Army.

Just a final question, Mr. Parker, and that is, again, in the hearings that the chairman has, I think, very thoughtfully put together, the Goldwater-Nichols issues have come up again and again. One aspect—and he has alluded to it—is civilian personnel. Your responsibilities will include sort of the incentives for, the number of, looking at how they are integrated with Active Duty military personnel. Can you give us any ideas, as you begin, of what insights or what approaches you might take to deal more effectively with civilian personnel?

Mr. PARKER. Senator Reed, that is an extremely important issue, and that is one that will be one of the top priorities, if confirmed, for me, really taking a look at the existing authorities and how best we can make sure that we modernize them in order to attract, recruit, and retain the highest quality workforce that we possibly can. I know there are a number of efforts ongoing as we speak, both in terms of looking at existing authorities, also in terms of talent management, and I would continue to work, if confirmed, in

those areas, and I would be open to and I would work with the committee as well in seeking the input of the committee and the Congress for ways to best implement solutions to some of these issues.

I think one last aspect that is extremely important, however, is that whatever reforms are made, that we do not compromise readiness in the process. Maintaining that important balance is something else that I would make sure to prioritize, if confirmed.

Senator REED. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Cotton?

Senator COTTON. Ms. Starzak, you were a lead investigator for the Senate Intelligence Committee majority staff study into the CIA's rendition, detention, and interrogation practices. In your time as a lead investigator, did you access and review a set of documents known as the Panetta Review?

Ms. STARZAK. Senator, I had access to materials at the CIA facility that they provided. That includes what I believe to be the Panetta Review, although it was not called that when I was on the committee. I left for the Department in 2011.

Senator COTTON. Did you access and review the Panetta Review more than once?

Ms. STARZAK. Senator, I believe I had access to it. I do not remember at this point, 4 and a half years later, how often I accessed it.

Senator COTTON. Do you believe that computer forensic analysis would indicate how many times it was accessed?

Ms. STARZAK. Senator, I am sorry. I am not a computer expert. I do not know.

Senator COTTON. Do you recall recording, making use of, or taking notes about the content of the Panetta Review?

Ms. STARZAK. Senator, I do not recall doing that.

Senator COTTON. As you know, the CIA believes the Intelligence Committee staff should never have had access to the Panetta Review. Are you aware of how or why the CIA computer system set up for committee staff to review CIA documents included the Panetta Review?

Ms. STARZAK. Senator, I have no idea. My understanding is that the computer system was set up for the committee's access, and the committee staff accessed all documents through the system that was set up.

Senator COTTON. Did you ever speak to any current or former CIA official's staff or contractors about making the Panetta Review accessible on this computer system?

Ms. STARZAK. Senator, I had no discussions about that particular document.

Senator COTTON. None whatsoever.

Ms. STARZAK. None with the CIA staff, no.

Senator COTTON. Are you aware of other Intelligence Committee staffers who spoke to any current or former CIA official's staff or contractors about making the Panetta Review accessible on that computer system?

Ms. STARZAK. Senator, I just do not know.

Senator COTTON. A committee staff member or members printed out a hard copy of the Panetta Review and removed it from the secure CIA document review facility and transported it to committee offices. Under the procedures agreed to by the committee and the CIA at the time, were committee investigators free to remove hard copies of any document they wished from the secure facility without consultation and authorization by the CIA?

Ms. STARZAK. Senator, as I mentioned, I left the committee in 2011. I believe, based on media reports, that that incident happened long after I had left the committee. I am not familiar with the circumstances of that arrangement.

Senator COTTON. So you do not recall the agreement that the committee had with the CIA about all access to any document, not just the Panetta Review?

Ms. STARZAK. Senator, my understanding is that issues were supposed to be worked out with the CIA, but again, I do not know the specifics of that particular document.

Senator COTTON. Was there an agreed upon process by which the CIA could authorize the removal of certain hard copies of documents from that facility?

Ms. STARZAK. Senator, the CIA did clear documents to be brought back to the committee SCIF [Sensitive Compartmental Information Facility]. That was certainly something that had happened. That was how the review was brought back. It was brought back through the CIA.

Senator COTTON. Are you aware if the committee gained such authorization from the CIA to remove the hard copy of the Panetta Review?

Ms. STARZAK. Senator, as I mentioned, I was not at the committee at the time that it was reviewed, or at least media reports suggest it was reviewed. So I just do not know.

Senator COTTON. Media reports suggest that it was reviewed for the first time in 2010 when you were at the committee and a lead investigator there.

Ms. STARZAK. Senator, you asked when it was removed. Maybe I misspoke. I meant when it was removed from the CIA facility.

Senator COTTON. When is it your understanding that it was removed from the CIA facility?

Ms. STARZAK. Senator, I do not know. I know it was not removed at the time I was at the committee.

Senator COTTON. Are you aware of the identity of the committee staff members who took part in printing and removing the Panetta Review?

Senator COTTON. Senator, as I mentioned, I was not at the committee at the time. All I have seen are the same media reports that everyone has seen.

Senator COTTON. Okay. I want to call your attention to a poster.

[The information referred to follows:]

This classified document was prepared by the CIA Director's Review Group for Rendition, Detention, and Interrogation (DRGRDI) for DRG-RDI's internal discussion purposes and should not be used for any other purpose, nor may it be distributed without express permission from DRG-RDI or CIA's Office of General Counsel. This document contains [certain classified information]. This document also contains material protected by the attorney-client and attorney work-product privileges. Furthermore, this document constitutes deliberative work product, protected by the deliberative-process privilege, and is not a final, conclusive, complete, or comprehensive analysis of DRG-RDI or CIA. Rather, it was created to suit the needs of DRG-RDI, in support of informing senior Agency officials about broad policy issues. While every effort was made to ensure this document's accuracy, it may contain inadvertent errors. For this reason, and because this document selectively summarizes, draws inferences from, or omits information from the sources it cites, it should not be relied upon by persons outside DRG-RDI.

Senator COTTON. The first page of each document in the Panetta Review contains a lengthy step as shown there. In relevant part, it reads, this classified document should not be distributed without express permission from DRG-RDI [Director's Review Grasp for Rention, Detention, and Interrogation] or CIA's Office of General Counsel. This document also contains material protected by the attorney-client and attorney-work product privileges. Furthermore, this document constitutes deliberative work product protected by the deliberative process privilege. It should not be relied upon by persons outside of DRG-RDI.

Do you recall seeing this stamp on the Panetta Review?

Ms. STARZAK. Senator, it is probably more than 5 years since I would have seen it. I do not remember it at this time.

Senator COTTON. Do you recall speaking with anyone in the CIA or on the Intelligence Committee staff about seeing a stamp such as this on the Panetta Review?

Ms. STARZAK. Senator, I do not remember discussing it.

Senator COTTON. You are a member of the DC Bar and the California Bar during the relevant times?

Ms. STARZAK. Senator, I am inactive in California, but I am a member of the DC Bar and inactive in California.

Senator COTTON. At the time in 2010 and 2011?

Ms. STARZAK. Yes, Senator.

Senator COTTON. Were you aware that the DC and California professional responsibility rules regarding proper handling of privileged documents that may have been inadvertently disclosed by the CIA to committee staff?

Ms. STARZAK. Senator, I believe that the inadvertent disclosure applies to litigation issues. I think congressional oversight is significantly different. In fact, with respect to that statement, I would note that Congress actually does not recognize deliberative process privilege as being something that protects disclosure from Congress. So, for example, this committee has requested a number of

documents that are protected—that could arguably be protected by deliberative work product. The Department of Defense provides them—has provided documents as recently as this week that would be potentially subject to that privilege from outside disclosure.

Senator COTTON. It will be your position, if confirmed as General Counsel of Army, that this committee is entitled to review any material that you or anyone in the Army inadvertently or unintentionally discloses to Congress?

Ms. STARZAK. Senator, I think the executive branch and the Congress do not always agree on the scope of privileges. I think that is actually an important thing. I think it is part of the separation of powers. We always expect tension between the executive branch and Congress on exactly what material can be disclosed.

I think that the important part is comity between the two. So my understanding with respect to disclosure is often that the executive branch tries to accommodate Congress to the maximum extent possible.

Certainly in the context of the review, the CIA review, the committee was provided access to more than 6 million pages. Many of them were deliberative in nature. Many of them were prepared by attorneys. There was no indication at the time that that was inadvertent.

Senator COTTON. Thank you, Ms. Starzak.

Chairman MCCAIN. Senator Kaine?

Senator KAINE. Thank you, Mr. Chair.

Thanks to the witnesses for your service.

All of you have come up within the kind of Federal family, DOD certainly but also intel agencies or DARPA or the DOT [Department of Transportation].

We have just gotten a 2-year budget deal and an NDAA [National Defense Authorization Act]. The 2-year budget deal also lifts for the second 2-year budget deal in a row to a significant extent the BCA [Budget Control Act] caps imposed in August of 2011.

In your current positions, talk about what difference it makes to getting the missions done that we have gotten a 2-year budget deal that lifts the pressure of the BCA caps. I will start with Mr. Conger.

Mr. CONGER. So in my current responsibility set, with oversight over installations, energy, and environment issues, I think it is most starkly presented in the context of facility maintenance at our installations. When we are constrained by the budget and we have choices to make as far as where to take risk, we take that risk in facility maintenance over readiness of operational forces. That is the prudent thing to do. Facilities degrade slower than readiness does.

However, when there is more flexibility provided, more budget available, we are able to perform that maintenance. Frankly, it is better in the long run to do the maintenance upfront. So I think that is probably the starkest place where the dynamics change.

Senator KAINE. Thank you, Mr. Conger.

Mr. Welby?

Mr. WELBY. Senator, quickly just the ability for stability to allow us to plan I think is critical, and I appreciate the efforts here to ensure that we have the stability required to allow us to plan.

Science and technology advancements are made over time. It requires a continuity of effort and focus. I believe that the stability that the budget agreement offers allows us to have that focus at least over the next 2 years.

Senator KAINE. Ms. Starzak?

Ms. STARZAK. Senator, I agree with those comments. I am not an expert in that particular area but I agree.

Senator KAINE. Mr. Parker?

Mr. PARKER. Senator, I agree with those comments as well. In my current position with the Maritime Administration at the Department of Transportation, it does help provide stability especially for our defense sealift programs like our maritime security program. Being able to have that certainty for the next couple years definitely helps to ensure that those programs can continue to operate.

Senator KAINE. The chair and ranking on this committee have really pushed the notion that we need to provide the certainty. I would just like to say to all my colleagues I think what the budget deal does is it starts to normalize two things: first, 2-year budgets instead of a 1-year budget, which gives all of you a better planning horizon and enables more stability for the reasons you have described; and second, the notion that the BCA caps are a discipline, a starting point, a default but not a straightjacket. For the second 2-year budget deal in a row, we have treated BCA caps in that way, and I think that is very, very positive. I am interested in your testimony.

Ms. Starzak, one of the issues that I am kind of interested in is when we do the NDAA, we put a lot of policy into it and a lot of it is legal policy. You have been in the General Counsel's Office in the DOD and now going in the position with the Army, the largest of the service branches. Maybe the issue that we have talked about, just to use it as an example, the biggest in terms of policy is the set of reforms that we have made with respect to military sexual assault. Talk a little bit about the challenge of taking those reforms and then implementing them throughout the DOD or just within the Army. In the particular case of the legal reforms with respect to the way we are trying to treat the sexual assault problem, what is your assessment of the progress we are making in having those reforms percolate down through the entire organization?

Ms. STARZAK. Senator, there have been significant reforms in recent years, particularly on the military justice side. I believe the Department is currently implementing more than 50 pieces of legislation addressing military justice and sexual assault. They have been challenges, honestly. I think the major reforms, the article 32, for example, major reforms to article 60, which relates to the back end of prosecutions have been significant. The Department has—they are doing their best to make changes to the manual for courts martial, for example, to ensure that there is common understanding of how those will be applied. But it is incremental. I think there has been a lot of change in a very short period of time. So the Department is struggling in some ways to keep up.

Senator KAINE. Mr. Conger, I was interested in your answer to Senator McCain's questions about the audit because I hear more

recently—you know, coming in and there is not an audit, it seems like are you kidding me. But I do not have the background or the history of we are going to have an audit for year after year after year. Go into this issue of who is now under audit. Talk about the four branches, which branches are under audit, and how long have they been under audit. So did the Marines start before the others?

Mr. CONGER. Yes. The first year that the Marine Corps budget was audited was in fiscal year 2012.

Senator KAINE. Then tell me about the other service branches.

Mr. CONGER. The other service branches will be under audit for their fiscal year 2015 budget, and that will be the first time.

Senator KAINE. For the first time.

So the Marines have been under audit since 2012 but have not yet gotten a clean audit.

Mr. CONGER. That is right.

Senator KAINE. You would expect, I guess, that if the other service branches go under for the first time in 2015, it is not likely that they are going to get a clean audit the first time around?

Mr. CONGER. Absolutely.

Senator KAINE. But the fact was before 2012, nobody was even under audit. I guess the process is you put them under audit and then you work with the service branches to get them to not only be under audit but to start to pass audits.

Mr. CONGER. Yes, sir. It is not a trivial thing to be under audit. The auditors expect a certain responsiveness. When they ask for documentation for a particular transaction, you are supposed to be able to provide that in a reasonable amount of time. We just did not have the systems in place to be responsive at all.

Senator KAINE. Is there also then a need for an audit not just of the service branches but kind of overall? Again, I am not an accountant, but the overall OSD [Office of the Secretary of Defense] enterprise. Are there additional audits that really need to be done in addition to the four service branches?

Mr. CONGER. So in addition to the four service branches, the defense agencies will have their budgets under audit. In addition to the budget parts of the audit, there will need to be an audit of inventory, the existence and completeness. Essentially do you know everything that you have got whether it is real property, buildings—and I work on that piece of it right now—but also every piece of equipment, every tank, every aircraft carrier. Do you have that inventory comprehensive? Do you have a value associated with that? Do you know how much that book value is of that particular asset? Then documentation of all the liabilities of the Department.

Senator KAINE. I have gone over time, but this is very, very critical to the committee. If Senator Manchin was here, he would not follow up and just pile on on this. It is so important that this be done, and if you can make a major advance on this audit issue, then we will put a statue of you up out here.

Mr. CONGER. Thank you very much, Senator.

Senator REED [presiding]. Senator Tillis, on behalf of the chairman.

Senator TILLIS. Thank you, Senator Reed.

Ms. Starzak, you said something that made me kind of look back at the family. You were talking about the tension between the

branches, and I think that is what you are saying here. If you cannot follow the discussion, just understand we are kind of doing our fiduciary responsibility for our roles. For the youngsters here, we are not trying to be mean.

But I do have to ask you some questions about Guantanamo Bay, and I am going to try to ask them in the context of the job that you would be moving into. If the President directed the transfer of detainees from Guantanamo Bay to the United States, in your professional judgment would the officers of the Department of Army be at legal risk of violation of the Anti-Deficiency Act?

Ms. STARZAK. Senator, it is unclear what role the Department of the Army would have in that, and so I think it very much depends on that question.

Senator TILLIS. I am not an attorney, but I know attorneys move quickly into hypotheticals when you get a response like that. So hypothetically, if we had Army officers involved in the transfer of Gitmo detainees, do you think that they could potentially be in violation of the Anti-Deficiency Act?

Ms. STARZAK. Senator, my understanding is that there are appropriations restrictions that address the transfer of Guantanamo detainees to the United States. I do not have any reason to think the Army officers would necessarily be involved in that effort.

Senator TILLIS. But it would seem to me in the hypothetical that in a way you could extend your legal judgment should the Army be involved to anyone else because it is going to be one branch of the services. So I think if, in the hypothetical, they were involved, do you believe that they would be in violation or potential violation of the Anti-Deficiency Act?

Ms. STARZAK. Senator, Anti-Deficiency Act prohibitions—if there is a restriction in an appropriations bill, that potentially leads to an Anti-Deficiency Act violation. So if something is done inconsistent with a restriction in an appropriations act, yes, it would be a violation of the Anti-Deficiency Act.

Senator TILLIS. Ms. Starzak, thank you for that answer.

The administration typically invokes article II, section 3 of the Constitution when they are arguing against the Anti-Deficiency Act. What is your legal opinion on whether the Faithful Execution Clause still applies in a situation where there is an affirmative prohibition against the use of funds under the law?

Ms. STARZAK. Senator, I think it is very circumstance-dependent. I think you have to look at exactly what the law is, potentially exactly what the constitutional infirmity might be.

Senator TILLIS. What we will do is I would like maybe we can either get another hypothetical or get to the specific circumstance, and we will submit that for the record for follow-up questions. Thank you.

Mr. Conger, it is amazing to me when you think about the Department of Defense and every single private sector company that they work with has to do an audit every year, and they have done it every year for a long, long time. In fact, it is probably a requirement for them to do business with the Department of Defense.

As somebody who came from an audit firm, it is remarkable to me that we are having difficulty auditing an organization that has a half trillion dollar budget. As somebody—if you were thinking

about a board of directors and you came back to the board every year and said, well, we just cannot get the audit working, you know, what is the likelihood that they are going to make an investment in an enterprise that I would like to make more investments in?

My question for you is if they fail to meet the audit-ready status, if any part of the organization fails to meet the audit-ready status by 2017, who specifically should be held accountable for that failure?

Mr. CONGER. So it depends on which part of the organization is not meeting its responsibilities. People should be held accountable for those things that they are responsible for and have the authority to be able to execute.

Senator TILLIS. We will submit for the record—I want to know the specific person who should lose their job if they fail again to produce an audit-ready status in 2017. But instead of putting you on the spot here, we will put you on the spot in the written questions.

Senator TILLIS. This also relates to Guantanamo Bay. If you are confirmed as the Comptroller, would you support the use of appropriated funds to execute the transfer of detainees from Guantanamo Bay to the United States?

Mr. CONGER. So not having—the simple answer, Senator, is that we should be following the provisions in the law. So I would expect us to do that. I would rely on legal advice to decide exactly how we would apply those funds.

Senator TILLIS. Because I know that we will have the opportunities to submit questions, that is another specific question that I would like to get your answer to.

Senator TILLIS. I am sensitive to time. Mr. Parker, I just have a question for you. I will try and get in under the wire. The Marine Corps recently released the results of their major research study on combat integration. Are you familiar with that report?

Mr. PARKER. I am aware of the report, Senator.

Senator TILLIS. Are you familiar with the Department of the Marine Corps? recommendations? Specifically before I ask that question, given the time, do you support the decision of Secretary Mabus to not allow the Marine Corps? recommendation to go before the Secretary of Defense?

Mr. PARKER. I am aware that the Secretary has provided a recommendation to the Secretary of Defense, but I am not aware——

Senator TILLIS. Do you think it is wise to take the people who are on the ground that completed this extensive research to not have that be instructive to the Secretary's decision-making process?

Mr. PARKER. I am not aware of the Secretary's decision-making process.

Senator TILLIS. So do you or do you not agree with the decision of Secretary Mabus to not allow the Marine Corps? recommendation to go forward to the Secretary of Defense?

Mr. PARKER. I am not aware of what Secretary Mabus forwarded to the Secretary of Defense. I am not aware of what was——

Senator TILLIS. It is my understanding that his recommendation is not to allow the Marine Corps? recommendations to go to the Secretary of Defense. Do you think that is a good or bad idea?

Mr. PARKER. I have not spoken to Secretary Mabus about his thought process and about his review of the report.

Senator TILLIS. We will submit that for the record so you will have the opportunity to speak with the Secretary.

Senator TILLIS. This is just another hypothetical question. If you extend the thought process that I think Secretary Mabus may have, do you believe that women should be required to register for the draft?

Mr. PARKER. You know, that is a complex question that——

Senator TILLIS. It is actually a pretty simple question if you take a look at Secretary Mabus' apparent policy trajectory. So that is another one we are—given that I guess it may be complex, that will be another one we will submit for the record.

Senator TILLIS. Thank you, Mr. Chair.

Senator REED. Thank you, Senator Tillis.

On behalf of Chairman McCain, let me recognize Senator King.

Senator KING. Thank you, Mr. Chair.

Ms. Starzak, I just want to clarify the record on this business of the Panetta Review. When did you leave the Intelligence Committee?

Ms. STARZAK. Senator, I left in May of 2011.

Senator KING. When was the removal of the document and taken to the secure facility here in the Senate?

Ms. STARZAK. Senator, I do not know the exact date. I was not on the committee at the time. It was certainly after I left the committee.

Senator KING. Late 2013. Does that sound correct?

Ms. STARZAK. That is approximately my understanding from media reports.

Senator KING. In other words, you had been gone from the committee for 2 years when this action took place.

Ms. STARZAK. Yes, Senator.

Senator KING. You had nothing to do with it whatsoever.

Ms. STARZAK. No, Senator.

Senator KING. Thank you. I just was confused by the prior line of questioning. I wanted to clarify that.

Mr. Welby, one of the issues that we are continually talking about here is how to develop technology and how to get it into the hands of our military in a timely way. Talk to me about how we can accelerate the adoption of technology and handle the whole issue of R&D in the Defense Department.

Mr. WELBY. Senator, in the commercial sector, time to market is what drives business success. I believe increasingly speed is going to be a critical measure for our research and development enterprise. I believe that we need to exercise the Department's muscles in prototyping and demonstration, the tools that allow us to take capabilities that are developed in the laboratory, in industry, defense and non-defense, and put them into a military context, get operators exposed to those ideas to short circuit the long requirements process that we have today.

Senator KING. Specifically, do you intend some kind of reorganization or restructuring in order to make that happen? Just saying it here in this committee is not going to make it happen. If Senator Inhofe was here, he would tell you that currently it takes 23

years to get a new airframe from conception to the tarmac and into flight. That is unacceptable.

Mr. WELBY. Senator, I entirely agree.

Two things that have happened recently that I have had a hand in that have been working to accelerate that process. We have shifted one of the four offices in ASDR&E [Assistant Secretary of Defense for Research and Engineering] and renamed it to focus it on concept prototyping as a way to rapidly move technology forward, to accelerate that process of moving material from the lab into the field.

But I think most importantly, we have begun structural changes to the way we buy. With this committee's support, the Department has refocused its efforts on modular open system architectures, on ways that we can plug and play technologies, new emerging technologies, into existing systems so we do not have to go through that long lifecycle with a tightly integrated system. Today if you buy a computer, you can plug new cards into it to increase its capability over time. We want our military systems to have that same kind of plug and play upgradeability to allow us to insert technology faster over time.

Senator KING. I would urge you to pursue that aggressively because it seems to me that is one of the serious problems. If we are going to build, for example, the new Ohio class, it is going to have a 40-year life. It has to be designed in such a way as to be upgradeable. Otherwise, it is obsolete the day it hits the water.

Mr. WELBY. I agree entirely.

Senator KING. The other issue with R&D—we had a very interesting hearing here a couple weeks ago about carriers, and it became apparent through the discussion that the overruns on the new carrier are largely attributable to the fact that we are doing R&D while we are building the ship. How do we separate R&D from construction of a new class of weapon system?

Mr. WELBY. Senator, I believe that there is a series of questions that need to be asked at the start of any modernization program, any acquisition program focused on risk and particularly the technological risk, the risk associated with the technologies, with the manufacturing technology we plan to use, with the technology we would use to integrate those systems.

In 2009, this committee established the Deputy Assistant Secretary of Defense for Systems Engineering position, the position I currently hold, to advise the Under Secretary and Secretary on technical risk on programs, and I have been doing my best over that period of time to kind of bring that conversation forward. I think we have done a much better job over the last 5 years in terms of not starting programs without a clear understanding of the maturity of the capabilities that go into them. That discipline is critical to ensuring that we can manage the cost and schedule and reliability of our programs.

Senator KING. Well, you have some challenges with Ohio class coming, the new strike bomber coming. We are talking about some major weapon systems. I hope that you will focus very intensively on time and risk. I think those are the two factors.

Mr. Conger, I am out of time, but I just want to join my colleagues in saying there is no more important mission from the fi-

nancial point of view than getting this audit system in place. I tell people in Maine that we cannot audit the Department of Defense, and their jaws drop. We got to fix that.

Mr. CONGER. I understand, Senator.

Senator KING. Yes, sir. Thank you.

Senator REED. Thank you, Senator King.

On behalf of the chairman, Senator Sullivan, please.

Senator SULLIVAN. Thank you, Mr. Chair.

Ms. Starzak, I just want to kind of follow up and give you a little more context on the—you have been getting a lot of questions on Gitmo [Guantanamo Bay]. I think what it does it reflects, obviously, an area of focus that this committee has been very interested in, the chairman, Senator Ayotte, all of us really. There are provisions in the NDAA. It looks like the President is going to sign that.

But I think you see some of the frustration because it actually represents a broader frustration with an administration and a White House that sometimes seems to blatantly, in a lot of our views, ignore the law and do what they think they can do despite the fact that the law or the Constitution says otherwise. It has been kind of a theme, and it cross well beyond the military issues.

So let me just ask a couple of questions and even a hypothetical or two that relate to this kind of—so the oath of office that the members of the military take, that actually all of you take—to whom or to what are you pledging an oath to?

Ms. STARZAK. Senator, the oath is to the Constitution of the United States.

Senator SULLIVAN. Correct. All the members of the military, when they take their oath—is it to the same entity?

Ms. STARZAK. Yes, Senator.

Senator SULLIVAN. So let us say kind of like what the AG [Attorney General] said recently in her testimony that it seems pretty clear that under the current law and the law that the President is getting ready to sign, the authority to close Gitmo resides with the Congress. I am not going to ask you if you agree with that or not.

But let us say you do agree with that. Let us say you look and you are a smart lawyer, that you see that you think that is correct. It seems like the Attorney General of the United States was leaning that way in testimony. It would be good to know, for written testimony, if you can provide your answer on that, once you look at the NDAA provision. I am not going to ask you here right now.

Senator SULLIVAN. But let us assume that you look at the NDAA provision, you get back to this committee, you say you think that the authority to close Gitmo firmly resides with the Congress of the United States. Then the White House, regardless of that, says they are going to do it anyway. As the chairman said, there are some rumblings along those lines. You are the General Counsel of the Army. What would you do? What would you do? If you came out with a written opinion, maybe it was not public, but maybe it was internal, saying you cannot do this, Mr. President, and then the White House overrules you and says we are doing it anyway, what would you do as the General Counsel of the United States Army?

Ms. STARZAK. Senator, I think, if confirmed as Army General Counsel, my role would be to mitigate against risk of legal implications for the Army. So I would specifically look at the legal implica-

tions for the Army. I think that would be a significant challenge, obviously, if there was a disagreement. Ultimately, though, I would point out——

Senator SULLIVAN. If you thought the President was violating the law or the Constitution and you had in a written statement stated that either publicly or to the White House and they said, hey, forget it, we are doing it anyway, what would you do?

Ms. STARZAK. Senator, like I said, I think that the importance would be from my written legal advice to apply to the Army. There are internal ways to ensure that your legal opinion is heard. Ultimately, though, the lawyer for the executive branch is the Department of Justice. So it is really up to the Attorney General to make a final determination on interpretation of legal provisions or on——

Senator SULLIVAN. So you would not resign if you thought that the White House was undertaking actions that were clearly contrary to the law or the Constitution?

Ms. STARZAK. Senator, I think you would have to look very carefully at the circumstances. It is very hard to talk about that as a hypothetical issue. It is hard to determine what would happen.

Senator SULLIVAN. Okay. So just for the record, in terms of your written comments, if you could get back to us on—take a look at the NDAA provision, take a look at what the Attorney General is saying, and if you can directly answer the question, does the President of the United States, in light of the NDAA, have the authority to unilaterally without any congressional authorization shut down Gitmo. Can you get back to us on that?

Ms. STARZAK. Senator, I will look at that.

Senator SULLIVAN. Can you get back to us?

Ms. STARZAK. Yes. Yes, Senator.

Senator SULLIVAN. Mr. Parker, you know, one of the big issues that I know probably recognize—it is an issue that all of us are concerned about—are the high rates of suicide among military members, among our veterans. I know that you talked about in your testimony that you support efforts to encourage resilience among sailors and marines and their families. I appreciate that. Do you have any specific initiatives or ideas to help prevent suicide among Active Duty members or members of the Reserve?

I am a reservist in the Marines. Like a lot of members in the military, I have seen the devastation that suicide can have with regard to units. Are you familiar with the Clay Hunt Suicide Prevention Act that the Congress passed at the beginning of this year?

Mr. PARKER. Senator, every suicide is a tragedy. I understand that the Department is working very hard to try to do what it can to reduce the numbers of suicides. I know there are a number of programs in place that it is currently administering to really help individuals come forward and seek help, to help others to intervene when they see that there is a situation that might lead down that road. I know it is something that, if confirmed—it is something I will take extremely seriously. I will try to continue to implement and work through the programs that exist and also see if there are other ways to help address this terrible issue. I will be happy to work with the committee as well and seeking the committee's ideas on how best to address it also.

Senator SULLIVAN. Great. Thank you.

Thank you, Mr. Chairman.

Senator REED. Thank you very much, Senator Sullivan.

On behalf of Chairman McCain, Senator Donnelly, please.

Senator DONNELLY. Thank you, Mr. Chairman.

To the entire group, to Mr. Parker and to everybody else, we have been working on this suicide issue for a long time now, for a number of years. Last year we were able to get in the NDAA that every servicemember can get a mental health assessment. This year's NDAA—I worked together with Joni Ernst and Roger Wicker and John Boozman. We were able to get additional mental health assistance through what is called the care package. For private practitioners, mental health professionals, they can get special training to make them servicemember-friendly. Physician assistants we have been talking about as well. So if you will keep this on the front of the burner because we lost over 400 young men and women last year to suicide that were Active Duty, Guard, and Reserve combined. It is critically important for each one of them. That is a brother or a sister, mom or dad, son or daughter who is gone and lives have been turned completely upside down.

So you all work in different areas. You are the Comptroller. You are Manpower and Reserve. But it will touch each and every one of you each and every day. We appreciate your efforts to stay on top of that.

Mr. Welby, I wanted to ask you specifically in regards to your efforts, the importance of DOD's R&D efforts to maintain our military's technological edge. As we work to improve collaboration across government, academic, and private sector enterprises—and this is something that I know is critical to—well, to our whole country but also to Mr. Heinrich because of his home state. How do you view the role and the value of our military labs in the long term? To my State too because of the labs there.

Mr. WELBY. Of course. Senator, I believe the DOD labs are a critical resource for the Department. I believe that they represent the key engine by which we map technology from the larger academic and private sector into those domains that are militarily critical. There are things in our laboratories that no one else will do, the key efforts we have in propulsion, in energetics, the military-specific IT [Information Technology] work that goes on, our biomedical teams. It is an amazing caliber of people and talent in our laboratories. I think it is critical that we preserve those. I think it is critical that we couple them to operational needs. It is critical to connect to them to a much larger community globally and in academia to ensure that we are getting talent and ideas flowing to our laboratories.

Senator DONNELLY. One of the things we have seen recently is the sale of IBM's [International Business Machines] semiconductor manufacturing business to a foreign-held company. It pretty much threw a wrench into our Trusted Foundry Program. What I am wondering is where we are with the strategy to manage supply chain risk for microelectronics going forward.

Mr. WELBY. Senator, the Department reacted to the concern over the sale of the IBM Trusted Foundry to the GlobalFoundries group. We have built a series of mitigations to the loss of that capability, a near-term mitigation that ensures that the trusted facility re-

mains available to the Department for a period of time, that allows us to make lifetime buys of critical parts that come off that line. It preserves the security context in which we ensure trust in that facility at least for the near term.

In the long term, we need to recognize that the globalization of the microelectronics sector, microelectronics being so critical to our defense technology—it is going to require us to adapt the way we do business in microelectronics. We are going to need to be smarter about how we ensure the integrity of the devices we buy.

Senator DONNELLY. One of the other areas we will probably have to continue to increase on is detection of counterfeit and similar things. Is it not?

Mr. WELBY. I agree and that is part of our strategy, to ensure that the parts that we do buy are in fact trustworthy. Our efforts with the Joint Federated Analysis Center, the work going on at places like Crane or at Sandia National Labs that are supporting this nationwide network that allows us to look into electronics and ensure that they do only the things that we want them to do is going to be critical to that long-term strategy.

Senator DONNELLY. Thank you.

I am just about out of time, but I want to ask Mr. Conger. You know the issue of audits is critical to us. You have heard it. You have heard it from other members as well. Do you have an audit game plan, a list of metrics, that we can follow whether we are on target, whether you have the people you need to do the work you need to create this audit culture across the board that by this year, we expect to be at this point, by the following year, we expect to be at this point so we have a road map as opposed to just hoping that we can get somewhere on this?

Mr. CONGER. Yes. The Department does have such a plan. It provided an update on that plan on Monday I believe to this committee, and we can certainly provide that——

Senator DONNELLY. Will you update that if you are in that position?

Mr. CONGER. Absolutely. I would be intimately involved in updating that plan regularly.

Senator DONNELLY. Thank you very much.

Thank you, Mr. Chairman.

Senator REED. Thank you.

Senator Ayotte, on behalf of Chairman McCain.

Senator AYOTTE. I thank the chair.

I want to thank all of you for being here and your family as well.

Mr. Conger, I wanted to ask you. You are currently performing the duties of Assistant Secretary of Defense for Energy, Installations and Environment. In that capacity, you are responsible for oversight of DOD's environmental cleanup programs. As you know, in 2014 chemicals used in Air Force fire fighting foam were discovered in the well water in Portsmouth, New Hampshire. This is a very concerning issue for my constituents in that area. The so-called PFCs [Perfluorinated Compound] have been associated with certain types of cancer. Together with Senator Shaheen, I have worked closely with the Air Force, the EPA [Environmental Protection Agency], the Agency for Toxic Substances and Disease Registry

to ensure the Air Force cleans up the mess it made and the Federal Government provides full support to the local community.

Mr. Conger, do you agree that it is important for the Air Force to clean up the mess that was created in the Portsmouth area in the well water and make every effort to notify personnel who may have been exposed to these PFCs and provide necessary support for the local community?

Mr. CONGER. Senator, I absolutely agree that that is important. I have been in regular contact with Miranda Ballentine, my Air Force counterpart, who has been working very hard on this issue personally and has gone up and, I think, done town halls up in the community as well.

Senator AYOTTE. Well, I appreciate that, and when you are confirmed for this new position, I would appreciate your continued focus and attention on making sure the people of Portsmouth are fully supported, people are notified that may have been exposed to PFCs, including military personnel, and that we do all we can to ensure that obviously the mess is cleaned up and that anyone who needs any assistance on the health end gets it.

Mr. CONGER. Yes, Senator.

Senator AYOTTE. Thank you very much.

So, Ms. Starzak, I wanted to just clarify one thing. You have been Deputy General Counsel for legislation at the Department of Defense since May of 2011. Is that right?

Ms. STARZAK. That is correct, Senator.

Senator AYOTTE. In that capacity since you have been in that position, the law has really been the same with regard to transfers from Guantanamo. The defense authorization, at least since I have been on this committee and since you have been Deputy General Counsel, has said that it does prohibit transfers from Guantanamo to the United States of America. Would you agree with that?

Ms. STARZAK. Senator, yes. With respect to domestic transfers, the law has not significantly changed.

Senator AYOTTE. Right. Obviously, there has been changes on the international transfers. Also on the military construction appropriation, the provision has essentially been the same, which is prohibiting resources going toward modification or construction in the United States of America?

Ms. STARZAK. That is correct, Senator.

Senator AYOTTE. So I know that Senator Sullivan had asked you—we are going to give you some time to review the provisions, but you have already been Deputy General Counsel. The provisions are what the provisions have been. So I want to make sure I understand. Do you believe those provisions are constitutional?

Ms. STARZAK. Senator, as I said to Senator McCain, I have no reason to doubt the constitutionality of those provisions. As you mentioned, the restrictions have been in place for some time. We have abided by them to date.

Senator AYOTTE. I think that is what we all really want to be assured of. I know as the General Counsel for the Army—the reality is I was just in Guantanamo and most of the guards there are in the Army. So this is going to be a direct issue for you to face as Army General Counsel if the President makes the decision that he

is not going to follow this law. Would you recommend that the President follow the law?

Ms. STARZAK. Senator, my understanding is that the Department is—certainly the Department but the administration at large is looking to work with Congress on those provisions. I think as the Attorney General stated, it is very important to follow the law.

Senator AYOTTE. Well, I appreciate that.

I do have a question. So on May 31st of 2014, there was the so-called Taliban Five transfer that occurred. You were Deputy General Counsel at that point for legislation. The law at that time provided—in clear violation of the law, Congress was not given 30 days notification of the transfers of those five very dangerous individuals in exchange for one of the prisoners of war, Bowe Bergdahl. So I wanted to ask you were you aware of that transfer in advance, and did you advise both the Secretary of Defense and anyone in the White House of what the law was and what the law they were supposed to follow at the time in notifying us?

Ms. STARZAK. Senator, I was not involved in the legal determination about whether the 30-day notice would apply at that time.

Senator AYOTTE. In any way?

Ms. STARZAK. I was not involved in the legal analysis on that point.

Senator AYOTTE. Were you aware of the transfer in advance?

Ms. STARZAK. Very shortly in advance, not at the time—the day before basically.

Senator AYOTTE. So you did not raise the issue of the law?

Ms. STARZAK. Senator, I think at that point, the Department of Justice had issued or had concluded that the 30-day notice did not apply in the very specific circumstances of that case because it was an attempt to save the life of Sergeant Bergdahl.

Senator AYOTTE. Well, it is not how I read the provision. But I do appreciate your answer on it. Thank you.

Senator REED. Thank you very much, Senator Ayotte.

Senator Heinrich, please.

Senator HEINRICH. Thank you.

Mr. Welby, welcome. I have a couple of questions for you. First, I wanted to get your thoughts on the direction of directed energy in the coming years. I started my career in directed energy at Air Force Research Labs, then Philips Labs a couple of decades ago let us say. But a lot has changed and in some very positive ways in recent years. I think this is an area where we are once again really seeing a great focus and some real opportunities. So I just wanted to get your thoughts on where you see those opportunities and what specific programs within directed energy that you would be advocating for in this position.

Mr. WELBY. Senator, I have also had a long engagement and very effective engagement with the folks out at Kirtland on directed energy of course. It has always been one of these technologies that is just another 10 years away, but I think it is here. I think we now are realizing the opportunities of those years of investment in this capability.

I point to the Navy's deployment on the Ponce of a directed energy system as a prototype for close-in defense. The Navy has been talking about that demonstration publicly. I think it is an example

of the near-term viability of directed energy as a real game changer for future military operations.

I am very excited about the ability of solid state lasers today to scale in interesting ways, the ability for fiber laser technology to really now begin to see its fruition, and quite frankly also the technology of solid state bar lasers and what is happening in those areas. I think that we are only limited by imagination and how it might apply in these technologies. I think many of the power challenges, diode brightness challenges are now being resolved. So I am very excited about it. I think that we have teams that are thinking not only about the technology now but thinking about their application, and I think that is a very exciting time for directed energy.

Senator HEINRICH. I could not agree more, and I look forward to working with you through this transition because, as you said, historically it has always been something that is a few years away, and now we are seeing real opportunities for application. I think it is important that we make that transition and start fielding these technologies in ways that can really support our warfighters.

The MILCON [Military Construction] process has done, I think, an incredible job of making sure that we adequately modernize our bases around the country even at times when resources have been relatively limited. I want to ask you about the prioritization of the MILCON towards our DOD labs. Are we doing enough there to make sure that our labs are actually modernizing at the pace to support their missions?

Mr. WELBY. Senator, I recognize the many competing demands for the pool of military construction dollars. Often, of course, operational requirements challenge the long-term investment in our research facilities. I do believe that the provisions that allow us to reallocate a certain fraction of RDT&E investment into near-term modernization and maintenance provides an excellent mechanism to allow laboratory directors to cover those most critical needs. But I expect that as we start to think about the future of our laboratories, we will be identifying opportunities where we will see challenges in terms of our facilities and the need to think about the new capabilities, new test facilities, new experimental facilities. We need to be thinking about how we balance that in the overall request.

Senator HEINRICH. Thank you very much.

I will yield back, Chairman.

Senator REED. Well, thank you very much, Senator Heinrich.

The situation is that Senator McCain will not be returning. I have to go to the floor for the beginning of the debate on the flood bill. So I am proposing unanimous consent that at the conclusion of Senator Gillibrand's testimony—Senator King has already an opportunity—excuse me—her questioning that the hearing be adjourned. Is there any opposition?

[No response.]

Senator REED. Hearing no opposition, Senator Gillibrand.

Senator KING. Is there not something mischievous we could do while McCain is not here?

[Laughter.]

Senator REED. I am trying to keep my title as the most

boring person in the United States Senate. There is no mischief allowed.

[Laughter.]

Senator GILLIBRAND. Yes, sir.

Ms. Starzak, there was a report issued yesterday, I do not know if you saw it. It was published by the Associated Press, and it was criticizing the military justice system for concealing cases of child sexual abuse. This report found that just over half of sex offenders in military prisons were child sex offenders, and many of them are serving lesser prison terms as a result of lenient plea deals. More needs to be done to protect children from sexual predators.

Additionally, this report highlights the lack of transparency in court martial proceedings. For example, transcripts and pretrial agreements are only available through FOIA [Freedom of Information Act] requests, which is obviously not the case for civilian courts.

What can be done to improve our military justice system in trying to punish child sex offenders, and how can we increase transparency in the military justice system such as moving it to PACER [Public Access to Court Electronic Records] or a PACER-like system that we have in the civilian world? Why does a military judge have no knowledge of or no ability to impact plea deals? Would you support changing that?

Ms. STARZAK. Senator, I am aware of the article. I did read it. Obviously, any incidents of child sexual abuse is absolutely horrific. I think the Department needs to do all it can to ensure that we do not have that problem, that we prevent it in the first instance. I think the Department is certainly interested in pursuing changes, if necessary, to ensure that.

With respect to your question on transparency, that is something the Department has been looking at very closely over the past few months. I anticipate that the Department is likely to have a recommendation on that front that will come to Congress hopefully in the near future.

Senator GILLIBRAND. How do you think we can increase our confidence in the military justice system? In the context of military sexual assault, you have a 62 percent retaliation rate for people who do actually have the courage to come forward and report that they have been sexually assaulted. What do you think the best approach is to stop retaliation and change the climate?

Ms. STARZAK. Senator, I think, unfortunately, retaliation is a very difficult problem to tackle. I do not think it is entirely military justice-oriented. I think it is very important to change climate with respect to retaliation. I think one of the main issues that the Department has been looking at are ways to get at that problem, and I think 62 percent is, obviously, completely unacceptable. Victims have to have a voice in the process. They have to feel like they can come forward. That is critical just for the integrity of the military.

So I certainly share your concerns with respect to that. I think the Department has been looking at the retaliation problem very closely and hopefully we will come up with some recommendations on that issue.

Senator GILLIBRAND. Some have used the argument that there are insufficient numbers of military lawyers to implement the Mili-

tary Justice Improvement Act. You appear to agree that more lawyers are needed in your advance policy questions where you said to address emerging requirements, including special victim capabilities and special victims counsel, the Army JAG [Judge Advocates General] Corps is planning to grow.

How do you reconcile this plan to grow the JAG Corps to address what we all agree is a top concern for the military with claims that there are insufficient numbers of judge advocates to implement MJIA [Military Justice Improvement Act]?

Ms. STARZAK. Senator, my understanding is that the Military Justice Improvement Act requires attorneys at the 2006 level, which is very high in the military justice world. So I think that there are not the numbers of 2006's necessary. So I do not think those two are necessarily inconsistent. I think the growth that we are seeing is at the prosecutor level, the people who are actually in court level, not at the 2006 level.

Senator GILLIBRAND. I think that the bill only says the decision-maker has to be 06 or above, which is not dissimilar to the current decision-making for non-lawyers who are commanders, but the people involved in these cases can be more junior.

But there seems to be a need to professionalize the lawyers within the military so that they actually get some specialized training. In the civilian world, for example, only very rare DAs' [District Attorney] offices have successful records for prosecuting rape cases such as the Manhattan DA's office where they have had a victims crime unit since the 1970s. Because they have specialized, because they have allowed seniority to develop amongst their prosecutors, they actually can take some of the hardest cases and actually get convictions.

Have you considered a way to professionalize the prosecutor's office within the military so that we can get better conviction rates and get better prosecution of these very tough cases?

Ms. STARZAK. Senator, one of the changes that we have seen in recent years is the implementation of a special victims prosecutor program in the Army. So I understand that there is now a set of prosecutors in the Army who are more experienced who oversee the prosecution of sexual assault cases. They tend to be people with significantly more experience in military justice, and they also, during the course of their training, do a 2-week detail to a DA's office to learn specifically how special victims units work. So I think that that is an important thing to look at. I think they certainly have been developing in that area.

Senator GILLIBRAND. So I would like you, for the record, to give me some recommendations for how we can professionalize all of the services' prosecution units so that we can really make the military the state of the art in terms of being able to prosecute effectively violent crimes in the military. Thank you.

[The information referred to follows:]

I agree that it is critical to have a well-trained, professional Judge Advocate General (JAG) Corps. I believe that the Army JAG Corps has made great strides in recent years in providing specialized training to prosecutors, particularly to special victim prosecutors, who handle sexual assault and domestic violence cases. Those prosecutors conduct training with major civilian special victims units and attend an array of courses and symposia annually at both the Army JAG Corps' School and at various civilian locations, all focused on improving their prosecutorial skills. If

confirmed, I will work closely with The Judge Advocate General and the Provost Marshal General to identify areas where further improvement is possible in the areas of investigating and prosecuting crime.

Chairman MCCAIN [presiding]. Senator King, did you have any additional——

Senator KING. No. Thank you.

Chairman MCCAIN. Good.

Ms. Starzak, I just had to leave to go to a hearing on a Permanent Subcommittee on Investigations, of which I am a member, and the issue is child abuse and sexual exploitation. Thanks to technology, it has become a much more serious issue. So it is not part of the military, but it is an issue that, because we are an All-Volunteer Force, spills over into the military. So I hope you will have a look at that issue and ways that it may apply to the United States Army. It is a very unpleasant subject to discuss, and some of us shy away from it. But it is a growing problem in America and the world rather than one that is getting smaller. So I hope you will take the time to look at that and how it relates to the men and women who are in the military.

By the way, on the issue of sexual assaults, I hope you will look at a number of the measures that we have already put in this year's defense authorization bill, a number of measures over the last 2 years. If you think those measures are inadequate, we would be more than happy to listen to any recommendations that you have to improve. I am very happy with the work of particularly Senator Lindsey Graham, who was a JAG lawyer for some 33 years, who I think struck the right balance in the legislation that we passed. Senator Gillibrand has been heavily involved in this issue as well. So we look forward to working with you.

We thank all the witnesses. There may be some follow-up questions that hopefully we can get in before the end of the week when Congress takes a well deserved rest for a week. We will try to—our incompetent and insubordinate staff seems to be amused by that comment.

[Laughter.]

Chairman MCCAIN. We will try to get—when we get back, reporting—your nominations reported out of the committee and to the floor of the Senate as soon as we get back. Hopefully we can get that done and let you get to work.

I thank the witnesses. I especially thank all the family members who have come here today. I know that it is a moment of great pride for them as you were nominated by the President of the United States to assume great positions of responsibility and authority, so I thank you for your willingness to serve and do not think you are going to enjoy coming before this committee. Thank you.

This hearing is adjourned.

[Whereupon, at 11:03 a.m., the hearing was adjourned.]

[Prepared questions submitted to Mr. John Conger by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

RELATIONSHIPS

Question. What is your understanding of the relationship between the Principal Deputy Under Secretary of Defense (Comptroller) and each of the following?

The Secretary of Defense.

Answer. The Under Secretary of Defense (Comptroller) is the principal assistant and advisor to the Secretary on fiscal and budgetary matters. If confirmed, as the Comptroller's principal assistant, I will support the Secretary in the entire range of responsibilities of the Comptroller that the Secretary may require.

Question. The Deputy Secretary of Defense.

Answer. My relationship with the Deputy Secretary of Defense will be based on the same role as described above. I have worked closely with the Deputy Secretary on installations and environmental issues and I would expect to have a similar relationship as Principal Deputy Under Secretary of Defense (Comptroller). If confirmed, I would support the Deputy Secretary in any matter within the purview of the Comptroller that the Deputy Secretary may prescribe.

Question. The Under Secretary of Defense (Comptroller).

Answer. The Principal Deputy Under Secretary of Defense (Comptroller) is the primary assistant and advisor to the Comptroller. If confirmed, I will do everything I can to help manage the Comptroller organization and represent the Comptroller when called upon to do so.

Question. The other Under Secretaries of Defense.

Answer. If confirmed, I will continue to work closely with the Under Secretaries, to carry out the policies and guidance of the Secretary and Deputy Secretary.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the National Security Council, and the Secretary of Defense. If confirmed, I will work closely with the Chairman and Vice Chairman of the Joint Chiefs of Staff, both directly and more frequently through their Director for Force Structure, Resources, and Assessment on any matter pertaining to resourcing our forces and military operations and financial management.

Question. The Secretaries of the Military Departments.

Answer. If confirmed, I will work closely with the Secretaries of the Military Departments on the entire range of resource allocation, budget execution, and other financial management issues. More frequently, I will work through the Military Department Assistant Secretaries for Financial Management. I will ensure that they are aware of the President's and the Secretary of Defense's policies and priorities and assist them in implementing Departmental policies and programs as they may relate to their specific Services.

Question. The heads of the defense agencies.

Answer. If confirmed, I will continue to work closely with the heads of the defense agencies in any matter pertaining to resources and financial management. I will ensure that they are aware of the President's and the Secretary of Defense's policies and priorities and assist them in implementing Departmental policies and programs as they may relate to the specific agency.

Question. The Assistant Secretaries for Financial Management of the Military Departments.

Answer. The Department's Comptroller and I will work very closely with the Assistant Secretaries for Financial Management of the military departments in the development and execution of budgetary matters, fiscal policy, and initiatives of the President and the Secretary of Defense. If confirmed, I will work closely with the Assistant Secretaries in contributing to the successful development and implementation of effective DOD policies and programs and management of the defense budget.

Question. The General Counsel of the Department of Defense.

Answer. The Office of the Under Secretary of Defense (Comptroller) works closely with the Department's Office of the General Counsel on a daily basis. I will, if confirmed, consult and coordinate with the General Counsel on all legal matters, and specifically, matters related to fiscal and budgetary issues that may have legal implications.

Question. The Director, Office of Cost Assessment and Program Evaluation.

Answer. The Comptroller and Director of the Office of Cost Assessment and Program Evaluations are partners in managing the annual Program/Budget Review process and developing the budget and accompanying Future Year Defense Program that supports the National Security Strategy. If confirmed, I will coordinate and work closely with the Director in meeting his or her duties and in providing advice, assessments, and options to the Secretary or Deputy Secretary.

Question. The Deputy Chief Management Officer.

Answer. If confirmed, I will continue to work to improve the management of the Department's complex operations and organization. In particular, I will work with the Deputy Chief Management Officer on developing and implementing the Secretary's reform agenda as well as improving the systems that provide management information, particularly financial management information, and the development of appropriate metrics in those areas.

Question. The Director for Force Structure, Resources, and Assessment on the Joint Staff.

Answer. If confirmed, I will work with the Director for Force Structure, Resources, and Assessment on the Joint Staff in the management of the Program Budget Review process and all other matters relating to resourcing our forces and military operations.

Question. The Director, Office of Management and Budget.

Answer. If confirmed, I will assist the Comptroller in managing the near near-daily interaction with the Office of Management and Budget on the preparation and execution of the Department's budgets, and the advancement of both the Administration's and the Department's management priorities.

Question. The Comptroller General.

Answer. If confirmed, I will continue to review the recommendations of the Comptroller General and the Government Accountability Office regarding DOD financial matters and, as required, support actions to improve the Department's processes.

DUTIES OF THE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE (COMPTROLLER).

Question. The Principal Deputy Under Secretary of Defense (Comptroller) assists the Under Secretary of Defense (Comptroller) in the performance of his or her duties and acts for him when the Under Secretary is absent. The duties of the Comptroller of the Department of Defense are set forth in section 135 of title 10, United States Code, and in DOD Directive 5118.3. Among the duties prescribed in statute are advising and assisting the Secretary of Defense in supervising and directing the preparation of budget estimates of the Department of Defense, establishing and supervising Department of Defense accounting policies, and supervising the expenditure of Department of Defense funds.

What background and experience do you possess that qualifies you to perform the duties of the Principal Deputy Under Secretary of Defense (Comptroller)?

Answer. I have more than 20 years of experience working on national security issues, both as a congressional staffer and in senior Pentagon positions. In each of these roles, I have worked to shape the defense budget, and each has provided valuable experience that I will leverage, if confirmed, to assist the USD (Comptroller) in developing and managing that budget.

I spent most of my time as a congressional staffer working for a senior member of the House Appropriations and Budget Committees, where I not only developed a deep understanding of the congressional processes used to construct the annual budget and appropriations bills, but the underlying defense policies we were trying to affect, from military construction to quality of life to acquisition programs.

As a senior leader in the Pentagon for most of the last 6 years, I have overseen the DOD's $850 billion real property portfolio of more than 500 installations (encompassing 500,000 buildings and structures) and the roughly $40 billion annual budget for military construction, family housing, facilities sustainment, base operations, environment, and energy programs. In this role I have directly managed an organization of about 200 civilian, military and contractor employees, and an annual program budget of approximately $400 million.

Moreover, in my role as Senior Real Property Official for DOD, I oversee the audit readiness efforts the Services and Agencies undertake to assert existence and completeness for real property and our work to achieve proper valuation of our real property assets and environmental liabilities. I participate in the DOD's Financial Improvement and Audit Readiness (FIAR) meetings chaired by the USD (Comptroller) and the Deputy Chief Management Officer, and I chair my own Functional Business Governance Board that I use to drive the use of standards and monitor progress toward auditability.

Question. Describe how the Office of the Secretary of Defense for Comptroller should prioritize both its comptroller and financial management duties.

Answer. The comptroller and the financial management duties are complementary priorities—two parts of a whole. I will assist the Comptroller in advising and assisting the Secretary in the preparation of the budget and will also assist the Comptroller in executing his fiduciary responsibility to supervise the execution of the funds enacted by Congress.

Question. Describe your knowledge of accounting and financial management principles and how you have applied this knowledge in previous positions.

Answer. I am not an accountant by education and training but in my current capacity, I have worked closely with Comptroller personnel and have acquired a working knowledge in the practical application of accounting and auditing standards as they apply to my functional responsibilities for installations and environment. I am a firm believer that our financial stewardship responsibilities involve all of the functional business areas. If confirmed, I intend to continue my practical education and encourage my peers to do the same.

In addition, in my experience as a congressional staffer and as a senior manager in the DOD, I have become intimately familiar with the account structure, processes, and rules associated with the DOD budget, its associated appropriations and individual line items.

In my Pentagon role, I have been a resource manager for approximately $400 million in annual spending and provided oversight for $40 billion in accounts covering military construction, family housing, facilities sustainment, base operations, environment, and energy programs.

In each of these roles, I had the responsibility to review investment priorities, identify offsets for higher priority actions, and make recommendations to my leadership based on financial and accounting information as well as other factors.

Question. Do the indirect relationships between the DOD CFO and the service CFOs hinder the ability to effectively direct and coordinate efforts to improve financial management in the Department of Defense?

Answer. I do not believe so. There are indirect relationships across multiple DOD portfolios between OSD principals and their Service counterparts—not just financial management. Ultimately, the authority vested in the Secretary of Defense and the Deputy Secretary of Defense gives the Department the appropriate ability to provide direction and policy guidance to the Services. This principle applies as much to improving financial management as to other aspects of managing the Department.

Question. Do you believe the structure of the dual hatted Comptroller/CFO position allows for the appropriate level of attention to both functions?

Answer. I do. Moreover, budget and execution are closely related, especially when resources—whether slated for the future or current—are limited. Knowledge of one supports the other, both prospectively and retrospectively. The synergistic relationship between the two enhances management and oversight by the Under Secretary over each of these two functions.

DEFENSE BUDGET

Question. Given the growing strategic threats the United States faces with respect to a resurgent Russia, North Korean cyberattacks, and the rise of the Islamic State, how does the current level of defense spending adequately confront these challenges?

Answer. The FY 2016 budget request provides for the necessary resources to execute the nation's defense strategy with manageable risk and was developed with the identified challenges in mind, though as Secretary Carter testified earlier this year, it requires us to accept elevated risk in some areas. I have seen that in the installations portfolio as we accept lower funding in facilities sustainment, ultimately pushing larger repair bills into the future.

Ultimately, this budget balances the need to maintain a ready force to confront today's challenges with the need to ensure we can continue to meet challenges into the future. While readiness must take top priority, we must ensure the Department's investment accounts are funded to sustain, recapitalize, and improve our capabilities, so we can meet future challenges.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the Principal Deputy Under Secretary of Defense (Comptroller)/Chief Financial Officer?

Answer. The USD (Comptroller)'s ongoing challenge—and therefore the PDUSD's as well—is to develop credible, defensible defense budgets that balance multiple priorities and requirements, ensuring our ability to meet the challenges posed by current threats while investing in our future capabilities so we can continue to meet the Nation's security needs into the future. These resource decisions directly impact the ability of our Armed Forces to continue to fulfill their missions.

At the same time, the USD (Comptroller) has a critical role in providing the justification to Congress why these funds are critical to meeting our strategy, and why the Budget Control Act spending levels are insufficient. This office has the unique

capability and responsibility to associate resource decisions with their real world impacts to better inform Congress as it deliberates.

The next 2 years will also be pivotal as the Department strives to achieve audit readiness by 2017. The Comptroller and his Principal Deputy have indispensable leadership roles in both helping the Department to meet this goal and driving them to prioritize it. I recognize the importance of this effort in achieving the credibility necessary to secure the increased resource levels referenced above.

Lastly, we need to build the financial management workforce of the future. I am familiar with the substantial amount of effort that has gone into building a training program for the financial workforce, and I recognize continued momentum will take effort. This is particularly important as the Department strives toward auditability, recognizing that will need to be a sustained effort, not simply a dash toward 2017.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. This is a team effort. If confirmed, I will work closely with other senior officials in DOD, our Comptroller staff, the Military Departments and Defense agencies, the Office of Management and Budget, and Congress to develop policies to meet these challenges.

I will also provide my commitment, leadership, and support to our staff in the immediate office of the Comptroller, the Defense Finance and Accounting Service, and the Defense Contract Audit Agency in meeting these priorities.

I will ensure that we maintain our progress on the centerpiece of our financial management improvement efforts, which is achieving auditable financial statements.

In building the workforce of the future, we need to maintain and enhance the quality of our financial management workforce. It is important to continue the commitment made in implementing the course-based certification program for Defense financial managers that was authorized by Congress in the National Defense Authorization Act for FY 2012.

FINANCIAL MANAGEMENT

Question. What is your understanding and assessment of the efforts and progress that have been made in DOD since 1999 toward the goal of being able to produce a clean audit?

Answer. DOD has made significant progress in the last 6 years towards achieving auditable financial statements. Since 2009, the Department has established a clear set of priorities that have translated this important initiative into an enterprise-wide effort, involving all functional communities with strong senior leader support. However, the size, scope, and complexity of the Defense Enterprise continue to pose challenges. Now, there is an increased understanding of what is required and a commitment to succeed.

I understand there is a substantial amount of work ongoing, including efforts to address some of the most challenging problems. Under the leadership of Mike McCord, the current Comptroller, the Department is already executing an updated strategy to achieve auditable statements on its Statement of Budgetary Resources through audits of successive Schedules of Budgetary Activity.

As you know, audit requirements involve far more than budget information, and I have been watching efforts on real property more closely than others. Existence and completeness of our real property inventory is a requirement for audit, for example. In this area, inventories and controls are significantly stronger than they once were, but there is schedule risk. The Navy, for example, will only assert for existence and completeness in 2016, which leaves little margin for any schedule slips that may happen due to unforeseen circumstances.

Question. In your view, what are the main impediments within the Department that prevent it from achieving the 2010 National Defense Authorization Act goal of ensuring the financial statements of the Department of Defense are validated as ready for audit by not later than September 30, 2017?

Answer. In my view, the main impediments involve change management. We are trying to review and transform where necessary, long standing business processes that have been supporting our missions for many years, but are NOT always sufficient to meet financial audit requirements. In some cases, we have also implemented modern, more compliant systems to facilitate the necessary changes while also helping to sustain them. Changing a huge, global enterprise in a resource constrained, dynamic national security environment is a truly daunting task. But the Department is committed to making these changes and becoming ready for audit. If confirmed, I'm prepared to continue to be a part of leading this change.

Question. What is your understanding and assessment of the recent withdrawal of the Marine Corps' fiscal year 2012 clean audit opinion for its Statement of Budg-

etary Resources? In your view, what are the implications of this withdrawal of the opinion for the Department of Defense?

Answer. My understanding of the withdrawal of the Marine Corps 2012 Opinion is that it occurred because of an audit finding that occurred while the Marine Corps' auditors were completing their work. Because they were working under contractual and time constraints and didn't have time to determine the actual impact on their opinion, there was no practical way for them to investigate the issue before they had to close out their work. The OIG—who issued the opinion for FY 2012 and who administers the Marine Corps audit contract—were also concerned that the uncertainty that this situation created required them to withdraw their opinion. Until there is a more thorough review, we will not know the full implications.

While I recognize this is discouraging for a Marine Corps team that has been such a leader in the Department on audit readiness, it represents great value for the Department if we apply the lessons we learn here to the larger audits in advance.

Question. What role do you expect to play, if confirmed, in the Department's efforts to achieve a clean audit opinion?

Answer. If confirmed, I will work with Under Secretary Mike McCord and other senior leaders in the Department to champion DOD's efforts at becoming audit ready and eventually achieving a clean audit opinion. "Championing" can take many forms, including change management, attaining resources, and—most certainly—promoting and sustaining this as a high priority for the Department.

Question. How will your efforts differ, if any, from previous initiatives that have been unsuccessful?

Answer. My efforts will be in support of our current game plan that, as I mentioned before, is producing positive results. Previous efforts were not successful because they lacked senior leadership support and were limited to a narrow functional group. That has changed. If confirmed, I will be joining the Comptroller team at a good time as we are turning our attention to the balance sheet—assets and liabilities. My work on existence and completeness of real property and environmental liabilities should allow me to immediately contribute to this initiative.

Question. What is your assessment of the resources and time that will be required by the Department of Defense to achieve independent audit readiness, to obtain a modified adverse or qualified opinion, and to obtain an unmodified "clean" opinion?

Answer. My assessment is that achieving audit readiness by the currently required statutory date is a very ambitious goal that will likely require some amount of additional resources. The experience of non-defense, cabinet level agencies that have successfully followed this path indicates that it requires an incremental investment to get ready for, and actually support this new kind of audit. Despite the cost, this investment represents a necessary, positive change.

Once we begin, this audit regimen will continue each year, and based on other agencies (e.g., Homeland Security), it will take a number of years to actually begin to achieve positive audit opinions. Getting into audit is critical though and we are just beginning that process in the largest parts of DOD. The budgetary, manpower, and systemic resources DOD commits toward audit must be appropriate and, most importantly, sustained, in order to sustain the positive progress needed to achieve and then maintain a clean opinion.

Question. What incentives or authorities do you think would help the Services and Defense Agencies to prioritize activities that would accelerate the process of achieving a "clean" opinion?

Answer. I believe the Military Departments and Defense Agencies currently have the needed incentives and authorities to achieve a clean audit opinion. However, managing audit preparations alongside other competing mission requirements has and always will be a challenge, given scarce resources. I also do not know that accelerating preparations or audits will yield better results. The Services already have audits underway and I understand that the Fourth Estate is accelerating its preparatory timelines. I think that providing budget stability and sustained, constructive oversight will help us maintain focus on this important goal.

GAO HIGH RISK LIST

Question. What is your understanding and assessment of the Government Accountability Office's (GAO) placement of Defense Financial Management on its "High Risk List" since 1995?

Answer. Given the Department's size, complexity, and lack of auditable financial statements, the GAO's consistent placement of DOD Financial Management on its High Risk List is fair. Without passing an audit, one cannot know for certain that Defense decisions are made based on timely and accurate data, and that appropriate controls are in place to prevent fraud, waste and abuse of resources.

The GAO's most recent report indicates that while leadership commitment, capacity, and our action plan objectives are partially met, the DOD has yet to show demonstrated progress and an ability to monitor that progress. These things, among others, prevent the Department from getting off the High Risk List. These kinds of constructive criticism from the GAO have proven useful in setting FIAR strategy, seeking resources, and implementing audit enablers, such as enterprise resource planning systems.

Question. If confirmed, how will you work to have DOD Financial Management removed from the High Risk List?

Answer. The GAO has a prescribed process for removing a subject from the High Risk List that involves satisfying them on five criteria. Given GAO's assessment on the Department's Leadership Commitment, Capacity, and Action Plan, the way to convince GAO to remove DOD Financial Management from the High Risk List appears to be to Demonstrate Progress and an ability to Monitor that progress. We are certainly on the verge of demonstrating progress as part of our audit readiness efforts, and it would seem that removal from the High Risk List will happen naturally as the audit readiness effort proceeds.

Question. In addition to Defense Financial Management, the GAO identifies Defense Contract Management, Supply Chain Management, and other areas where the obligation and tracking of taxpayer dollars is also "High Risk". Why do you believe the GAO consistently finds problems with DOD in these areas involving the spending of taxpayer dollars?

Answer. In my judgment, each of these functional areas reflects a culture that is mission oriented and often focuses on results without adequately linking those results to costs and process controls. Our size, our de-centralized organizational construct and functionally stove-piped, non-standard way of doing business result in weaknesses in processes that result in problems that are often highlighted in audits. Frequent turnover of personnel only perpetuates these problems. I can point to changes in systems and processes, as well as initiatives such as FIAR that are beginning to address the root cause of some of these problems. I'm encouraged that GAO's last report highlighted some of these changes and provided us credit for them, while also pointing out that we have much more work to do.

CHIEF MANAGEMENT OFFICER

Question. What is your understanding and assessment of the Chief Management Officer and Deputy Chief Management Officer's past efforts to improve the business operations of the Department of Defense?

Answer. The Department formally established the DCMO on October 17, 2008 with the responsibility to better synchronize, integrate, and coordinate the business operations of DOD. Additionally, the Department gave the DCMO specific duties in strategic planning, performance management, process improvement, and defense business systems oversight. Since that time, the DCMO's responsibilities have continued to grow.

Most recently, on December 4, 2013, former Secretary of Defense Chuck Hagel announced an organizational review that directed the strengthening of the DCMO to better coordinate and integrate DOD's business affairs by creating a leadership focused on management concerns and creating a single management, business oversight, and administrative organization within OSD and across DOD. This was done by realigning the Director of Administration and Management (DA&M) and its components under the DCMO, and realigning the oversight of business systems from DCMO to the DOD CIO. The new DCMO is focused on four activities: management, policy, and analysis; administration; planning, performance, and integration; and compliance and open government. The DCMO reorganization, with its refocused mission, was completed on October 1, 2014.

I believe the current DCMO is properly organized, with the right authorities, to continue to improve the management and business operations of the DOD.

Question. Are there responsibilities performed by the Comptroller that you believe should be reassigned to the Chief Management Officer or the Deputy Chief Management Officer of the Department of Defense?

Answer. To the best of my knowledge, I am not aware of any responsibilities that should be realigned from Comptroller to the Chief Management Officer or the Deputy Chief Management Officer. If confirmed, I will reassess the duties and responsibilities assigned to both offices and will offer my advice to the Comptroller.

Question. Are there responsibilities performed by the Chief Management Officer that you believe should be performed by the Comptroller?

Answer. To the best of my knowledge, I am not aware of any responsibilities that should be realigned from the Chief Management Officer to the Comptroller. If con-

firmed, I will reassess the duties and responsibilities assigned to both offices and will offer my advice to the Comptroller.

AUTHORIZATION FOR NATIONAL DEFENSE PROGRAMS

Question. Do you believe that an authorization pursuant to section 114 of title 10, U.S. Code, is necessary before funds for operation and maintenance, procurement, research and development, and military construction may be made available for obligation by the Department of Defense?

Answer. I believe the Department has an obligation to follow the law, to include fiscal law that governs authority to spend funds.

FUNDING FOR MILITARY OPERATIONS

Question. As long ago as 1995, the Department of Defense has paid for the cost of ongoing military operations through supplemental appropriations. Current law requires that DOD include in its annual budget submission a request for those incremental increased costs associated with ongoing military operations, now called Overseas Contingency Operations (OCO).

What is your understanding and assessment of the history, current, and future use of OCO appropriations to fund the cost of ongoing military operations?

Answer. The key is providing sufficient resources to support our deployed troops. The use of the Overseas Contingency Operations (OCO) budget has successfully funded operations since FY 2010. The amount requested in the OCO budget has decreased significantly. Given the uncertainty of the current world situation, it is important that we retain some budget flexibility to deal with emergent needs and that we be cautious about prematurely eliminating OCO funding. If confirmed, I would look forward to working with the oversight committees to review the use of a separate OCO budget or whether other funding mechanisms could be utilized. If confirmed, I will ensure that the leadership is aware of all statutory requirements to include the OCO funding levels for FY 2016 and FY 2017 included in the Bipartisan Budget Act of 2015

Question. Uniformed leaders in DOD have testified to Congress that constraints and limitations on the execution of OCO appropriations make it difficult to exercise necessary flexibility when needed to meet a wider than operations range of military requirements.

What is your understanding and assessment of the statutory and regulatory constraints or limitations on the execution of OCO appropriations?

Answer. I am not aware of any unreasonable statutory or regulatory limitations on the use of OCO funds. If confirmed, I will make a point to work with the unformed leadership to identify major impediments and challenges in executing OCO funds and ensure that we have adequate funding tools to continue supporting our warfighters.

Question. If confirmed, what changes, if any, would you propose to law, policy, or regulation that govern the execution of OCO?

Answer. I am not in an informed position to recommend changes. If confirmed, I will review the current body of law, policy and regulations governing the execution of OCO funds and seek improvement as necessary.

TRACKING AND TIMELINESS OF DOD REPORTS

Question. The responsibility for tracking Congressionally-required reports largely is the responsibility of the Under Secretary of Defense (Comptroller).

Based on your experience in both the legislative and executive branches, how do you evaluate DOD's current system for tracking and evaluating the sufficiency of reports required by Congress, and delivering required reports in a timely fashion?

Answer. During my time in the Pentagon, I have worked closely with the Office of the Assistant Secretary of Defense for Legislative Affairs to identify and track reporting requirements. The established system works well and in my experience, the requirements are accurately captured, assigned and tracked. Coordination on sufficiency always includes a review by the Office of General Counsel to ensure we are meeting the requirements in law.

I believe the Department makes every effort to prepare congressional reports in a timely manner. Often reports request data that require unique data gathering processes that make it difficult to meet the established deadline. There is always room for improvement and if confirmed, I will work to ensure the reports assigned to the Comptroller's office are timely and responsive.

Question. If confirmed, would you support efforts on behalf of the Department to review current reporting requirements and, where appropriate, recommend elimination of reporting requirements?

Answer. Yes

Question. If so, how would you intend to implement such a plan in order to achieve efficiencies?

Answer. Secretary Carter has already challenged the Department to seek reform proposals and efficiencies in all our business processes. A review of current congressional reporting requirements falls within that direction. If confirmed, I would work with my colleagues across the Department, particularly the Assistant Secretary of Defense for Legislative Affairs, to identify reports that may no longer be needed and work with the oversight committees to eliminate those reports that no longer serve any purpose.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Principal Deputy Under Secretary of Defense (Comptroller)?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis of any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

DEPARTMENT OF DEFENSE AUDIT

1. Senator AYOTTE. Mr. Conger, do you believe that the Department of Defense is on track to achieve full audit readiness by September 30, 2017?

Mr. CONGER. I believe that we have established a credible plan that will position us to achieve full audit readiness by September 30, 2017. It is also an ambitious plan and will require significant leadership focus over the next 2 years. It will require change management and execution throughout all business areas—not just financial management. If confirmed, I will actively support our CFO and DCMO in monitoring execution of this plan.

2. Senator AYOTTE. Mr. Conger, what major tasks remain before reaching full audit readiness, and what is the primary obstacle to the September 30, 2017 deadline?

Mr. CONGER. Three areas present particularly challenging obstacles. Feedback from our recent budgetary audits indicates ability to provide auditors complete transaction universes with adequate supporting documentation is one. The second and related area involves business systems controls and the sheer number of systems that need to be reconciled. Finally, the processes used to acquire assets will need to be changed to capture the information necessary to properly value these assets. Our current risk-based plans address each of these. If confirmed, I will actively participate in risk mitigation relating to these challenges.

3. Senator AYOTTE. Mr. Conger, do you agree that full audit readiness is not just a state to be achieved, but one that we must maintain perpetually?

Mr. CONGER. I do agree that full audit readiness, along with ongoing annual audits will establish an improved state of business discipline that must be obtained. The only thing more important in earning positive audit opinions is keeping them so sustainment of our audit ready state is always an important consideration.

4. Senator AYOTTE. Mr. Conger, what key metrics will you monitor as audits are carried out?

Mr. CONGER. We will measure progress using a three-pronged approach:

1) We have established interim milestones for each critical capability required for full financial statements auditability, such as policy decisions and process changes needed to value assets. I will closely monitor progress against each of these milestones on the critical path.

2) We have established key metrics that focus on our critical capabilities relating to our audit plan. For example, we will track the number of successful system reconciliations and the reduction in unsupported journal vouchers as a way of monitoring our remediation efforts.

3) We will also prioritize our SBA audit findings and begin to track status of remediation.

5. Senator AYOTTE. Mr. Conger, do you commit to making audit readiness a top priority if you are confirmed?

Mr. CONGER. I do. It is clearly already a DOD-wide priority. If confirmed, I am committed to continuing to support it in this new role.

6. Senator AYOTTE. Mr. Conger, once confirmed, will you proactively keep my office informed regarding the Department of Defense audit?

Mr. CONGER. I will definitely keep your office informed of our progress on the audit. With so many competing priorities, we particularly value the interest and support from members of our oversight committees. The Comptroller staff routinely provides updates to your staff, either as requested or pursuant to release of our semi-annual reports. If confirmed, I will ensure that you will continue to be kept informed of our progress on this initiative.

QUESTIONS SUBMITTED BY SENATOR THOM TILLIS

QUALIFICATIONS

7. Senator TILLIS. Mr. Conger, What are your qualifications to serve as the Deputy Chief Financial Officer of the world's largest and most expensive bureaucracy at a time when it cannot account for how it spends hundreds of billions of taxpayer dollars?

Mr. CONGER. I have more than twenty years of experience working on national security issues, both as a Congressional staffer and in senior Pentagon positions. In each of these roles I have worked to shape the defense budget, and each has provided valuable experience that I will leverage, if confirmed, to assist the USD (Comptroller) in developing and managing that budget.

I spent most of my time as a Congressional staffer working for a senior member of the House Appropriations and Budget Committees, where I not only developed a deep understanding of the Congressional processes used to construct the annual budget and appropriations bills, but the underlying defense policies we were trying to affect, from military construction to quality of life to acquisition programs.

As a senior leader in the Pentagon for most of the last 6 years, I have overseen the DOD's $850 billion real property portfolio of more than 500 installations (encompassing 500,000 buildings and structures) and the roughly $40 billion annual budget for military construction, family housing, facilities sustainment, base operations, environment, and energy programs. In this role I have directly managed an organization of about 200 civilian, military and contractor employees, and an annual program budget of approximately $400 million.

Moreover, in my role as Senior Real Property Official for DOD, I oversee the audit readiness efforts the Services and Agencies undertake to assert existence and completeness for real property and our work to achieve proper valuation of our real property assets and environmental liabilities. I participate in the DOD's Financial Improvement and Audit Readiness (FIAR) meetings chaired by the USD (Comptroller) and the Deputy Chief Management Officer, and I chair my own Functional Business Governance Board that I use to drive the use of standards and monitor progress toward auditability.

If confirmed to be Principal Deputy Under Secretary of Defense (Comptroller), I am committed to work with the USD (Comptroller) to ensure the Department meets its goal to be audit ready by 2017.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

WORKING TO ACHIEVE DOD AUDITABILITY

8. Senator HIRONO. Mr. Conger, DOD's financial management has been on GAO's High Risk List since 1995 because of pervasive deficiencies in its financial and related business management systems, processes, and controls. GAO has stated that, "DOD's risk management policies associated with preparing auditable financial statements are not in accordance with widely recognized guiding principles for effective risk management. And, DOD continues to experience impediments to deploying its planned modern business systems on schedule and with the intended capabilities." If confirmed, what steps do you intend to take in order to ensure that each service effectively manages its risk, deploys capable business systems in a timely manner, and meets its auditability deadline?

Mr. CONGER. I firmly believe we are on the right track and while we still have work ahead, we are making progress. The most recent GAO High Risk update acknowledges our progress and notes that the Department needs additional emphasis on monitoring progress in measurable way. In the Department's most recent audit readiness status report, a risk-based approach is being employed to address deficiencies identified in ongoing budgetary audits, as well as in the new areas that relate to the full financial statements that will be audited beginning in FY 2018. If confirmed, I plan to actively participate in the governance and oversight process, ensuring that we are positioned to meet our auditability deadlines. This oversight also will provide specific emphasis on business systems controls that are critical to sustaining a state of audit readiness.

[The nomination reference of Mr. John Conger follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 4, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

John Conger, of Maryland, to be a Principal Deputy Under Secretary of Defense, vice Michael J. McCord, resigned.

[The biographical sketch of Mr. John Conger, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MR. JOHN CONGER

Education:

- Massachusetts Institute of Technology
  - 1987–1993
  - M.S. Aeronautics and Astronautics (1993)
  - B.S. Aeronautics and Astronautics (1991)
- International Space University
  - Summer 1995
  - Certificate of Completion (1995)
- George Washington University
  - 1994–1996
  - M.A. Science, Technology and Public Policy (1996)

Employment Record:

- Department of Defense
  - Performing the Duties of the Assistant Secretary of Defense (Energy, Installations & Environment)
  - December 2014–Present
  - Acting Deputy Under Secretary of Defense (Installations & Environment)
  - September 2012–December 2014
  - Assistant Deputy Under Secretary of Defense (Installations & Environment)
  - June 2009–Present

- Office of Congressman Chet Edwards
  - Associate Appropriations Committee Staff
  - January 2007–June 2009
  - Legislative Director
  - January 2001–June 2009
- House International Relations Committee
  - Professional Staff
  - August 2000–January 2001
- Office of Congressman Sam Gejdenson
  - Legislative Assistant
  - January 1999–August 2000
- Office of Congresswoman Jane Harman
  - Legislative Assistant
  - October 1997–January 1999
- Adroit Systems Inc.
  - Legislative Affairs Analyst
  - October 1995–October 1997
  - Airborne Reconnaissance Systems Analyst
  - June 1993–October 1995

Honors and Awards:

- Military Order of the Purple Heart Special Recognition Award (2008)
- National Association of State Approving Agencies Outstanding Support Award (2008)
- Military Officers Association of America Paul W. Arcari Award (2007)
- Military Coalition Freedom Award (2006)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. John Conger in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
John Charles Conger.

2. **Position to which nominated:**
Principal Deputy Under Secretary of Defense (Comptroller).

3. **Date of nomination:**

March 4, 2015.

4. **Address:** (List current place of residence and office addresses.)

[The nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

August 4, 1969, Los Angeles, CA.

6. **Marital status:** (Include maiden name of wife or husband's name.)

Married to Kristine Minami.

7. **Names and ages of children:**

[The nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Massachusetts Institute of Technology (1987–1993).
M.S. Aeronautics and Astronautics (1993).
B.S. Aeronautics and Astronautics (1991).
International Space University (Summer 1995).
Certificate of Completion (1995).
The George Washington University (1994–1996).
M.A. Science, Technology and Public Policy (1996).

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Performing the Duties of the Assistant Secretary of Defense (Energy, Installations & Environment),
Department of Defense,
Washington, DC,
December 2014–Present.
Acting Deputy Under Secretary of Defense (Installations & Environment),
Department of Defense,
Washington, DC,
September 2012–December 2014.
Assistant Deputy Under Secretary of Defense (Installations & Environment),
Department of Defense,
Washington, DC,
June 2009–Present.
Associate Appropriations Committee Staff,
Rep. Chet Edwards,
Washington, DC,
January 2007–June 2009.
Legislative Director,
Rep. Chet Edwards,
Washington, DC,
January 2001–June 2009.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Professional Staff Member,
House International Relations Committee,
Washington, DC,
August 2000–January 2001.
Legislative Assistant,
Rep. Sam Gejdenson,
Washington, DC,
January 1999–July 2000.
Legislative Assistant,
Rep. Jane Harman,
October 1997–January 1999.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

N/A.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member, Japanese American Citizens League.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

Democratic Precinct Chair, MD District 20, 2005–2006.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

N/A.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

$500 to CHET EDWARDS FOR CONGRESS on 5/13/10.
$250 to OBAMA FOR AMERICA on 6/18/11.
$500 to OBAMA FOR AMERICA on 7/15/12.
$250 to OBAMA FOR AMERICA on 10/16/12.
$250 to FRIENDS OF HEATHER (MIZEUR) on 5/21/14.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Awards/Recognitions:

Military Order of the Purple Heart Special Recognition Award (2008).

National Association of State Approving Agencies Outstanding Support Award (2008).

Military Officers Association of America Paul W. Arcari Award (2007).

Military Coalition Freedom Award (2006).

Fellowships:

NASA Space Grant Fellowship (full tuition at GWU, 1994–96).

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Articles:

"DOD, Climate Change, and National Security," The Environmental Forum (published by the Environmental Law Institute), March–April 2014.

"Space Visions of a New Generation," co-authored with Lawrence Friedl, Space Policy Journal, May 1996.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

I've made public comments on a number of occasions (panels, etc) but do not generally work from prepared texts. The exception is formal testimony, and I have submitted formal statements for the record on each of the following occasions.

Testimony:

Statement on FY16 Budget Request (used same statement for each):
3/11/2015 SASC
3/3/2015 HAC–Milcon
3/3/2015 HASC
Statement on FY15 Budget Request (used same statement for each):
4/2/2014 SAC–Milcon
4/2/2014 SASC
3/12/2014 HAC–Milcon
Statement on FY14 Budget Request (used same statement for each):
5/9/2013 SAC–Milcon
4/24/2013 SASC
4/11/2013 HAC–Milcon
Statement on Sikes Act Amendments
3/21/2013 House Natural Resources Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs
Statement on Base Realignment and Closure
3/14/2013 HASC

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

The witnesses will be protected from reprisal consistent with the law.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

JOHN CONGER

This 18th day of March, 2015

[The nomination of Mr. John Conger was reported to the Senate by Chairman McCain on December 7, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 14, 2015.]

[Prepared questions submitted to Mr. Stephen P. Welby by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. What is your understanding of the duties and functions of the Assistant Secretary of Defense for Research and Engineering?

Answer. The Assistant Secretary of Defense for Research and Engineering (ASD(R&E)) is the principal staff advisor to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) and to the Secretary and Deputy Secretary of Defense, for research and engineering matters. The ASD(R&E) serves as the Chief Technology Officer for the Department of Defense.

Question. What background and experience do you possess that you believe qualify you to perform these duties?

Answer. I believe my strong, multidisciplinary background in technology and technical leadership has prepared me well to perform these duties. I have over 28 years of professional experience as an engineer and technologist, serving both in and out of government, working on cutting-edge technology development. I am currently serving as the Acting Principal Deputy Assistant Secretary of Defense for Research and Engineering and as the Deputy Assistant Secretary of Defense for Systems Engineering (DASD(SE)). As the DASD(SE), I serve as the senior leader for the Department's systems engineering workforce, support the Military Departments and Defense Agencies in the execution of engineering and development efforts, and advise the USD(AT&L) on the technical execution and risk of major defense acquisition programs. I began my technical career in a defense laboratory, and I have previously served in a number of leadership roles at DARPA. If confirmed, I believe my background and experience would enable me to discharge the responsibilities of

the ASD(R&E) to develop technology that enhances the operational capabilities required by our armed forces.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Assistant Secretary of Defense for Research and Engineering?

Answer. I believe that I have the necessary background, skills, and ability to perform the duties of the ASD(R&E).

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense will assign to you?

Answer. If confirmed, I expect the Secretary to assign me duties and functions commensurate with those of a Chief Technology Officer, and any other duties the Secretary may deem appropriate.

RELATIONSHIPS

Question. Section 138(b)(8) of title 10, United States Code, and DOD Directive 5134.3 discuss the responsibilities and functions of the Assistant Secretary of Defense for Research and Engineering. Other sections of law and traditional practice also establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Assistant Secretary of Defense for Research and Engineering with the following:

The Deputy Secretary of Defense.

Answer. If confirmed, I would work closely with the Deputy Secretary to provide advice and assistance commensurate with the role of a Chief Technology Officer, including transitioning technology to the field, prioritizing science and technology investments, supporting a culture of institutional innovation, and leveraging technology to enhance current and future military capabilities.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. The ASD(R&E) is subject to the authority, direction, and control of the USD(AT&L). If confirmed, I expect to support the USD(AT&L) with technology insight and technical leadership for the defense research and engineering community.

Question. The Under Secretary of Defense for Intelligence.

Answer. If confirmed, I would work closely with the Under Secretary of Defense for Intelligence to ensure our research and engineering needs are synchronized across the Department. I believe intelligence on emerging adversary capabilities is critical to informing and shaping our defense research and engineering programs.

Question. The Under Secretary of Defense (Comptroller).

Answer. If confirmed, I would work closely with the Under Secretary of Defense (Comptroller/Chief Financial Officer) to ensure that investments in research and engineering meet the overall priorities of the Department and are managed in accordance with DOD policy.

Question. The Under Secretary of Defense for Personnel and Readiness.

Answer. If confirmed, I would work closely with the Under Secretary of Defense for Personnel and Readiness to ensure that our current research and engineering workforce is ready to support the needs of the Department, and to ensure that the technical talent necessary for the future readiness of our forces would be available to the Department.

Question. The Deputy Chief Management Officer of the Department of Defense.

Answer. If confirmed, I would work closely with the Deputy Chief Management Officer of the Department of Defense on issues regarding the effective and efficient execution of the Department's research and engineering practices.

Question. The Service Secretaries.

Answer. If confirmed, I would work to foster a close working relationship with the Military Departments to support their research and engineering priorities and technology investments and to ensure that the overall Department research and engineering portfolio is aligned and balanced.

Question. The Service Acquisition Executives.

Answer. Research and Engineering is critical to the overall acquisition process, so I view the Service Acquisition Executives as being among the primary customers of the knowledge and capabilities developed through the defense research and engineering enterprise. If confirmed, I would work closely with the Secretaries of the Military Departments and the Service Acquisition Executives on research and engineering matters that leverage technology for their missions.

Question. The Service Science and Technology Executives.

Answer. The Service S&T Executives are responsible for developing and executing the science and technology programs for their respective Service. If confirmed, I would work to share technical insights and to ensure that the overall DOD S&T in-

vestment is coordinated and provides the best possible military capabilities and return on the taxpayer's investment.

Question. The Directors of Department of Defense Laboratories and Research Centers.

Answer. If confirmed, I would work closely, through the heads of the DOD components, with the Directors of Defense Laboratories and Research Centers to provide them with the guidance, resources, and support needed to deliver technology in support of DOD needs. I would also work to establish and maintain standards for laboratory and research center performance.

Question. The Director of the Defense Advanced Research Projects Agency.

Answer. If confirmed, I would work closely with the Director of the Defense Advanced Research Projects Agency (DARPA) to ensure that DARPA continues to explore new technical fields, create technological surprise, and develop new technologies that have a profound impact on national security in accordance with DOD Directive 5134.10.

Question. The Director of the Defense Threat Reduction Agency.

Answer. If confirmed, I would work with the Director of the Defense Threat Reduction Agency on research and engineering matters, including those pertaining to weapons of mass destruction.

Question. The Joint Staff.

Answer. If confirmed, I would work closely with the Joint Staff to consider technology options and alternate procedures to enhance DOD systems and ensure our warfighters are affordably equipped with superior warfighting capabilities.

Question. The Director, Defense Test Resource Management Center.

Answer. If confirmed, I would work with the Director, Defense Test Resource Management Center to consider technology options and alternate procedures to enhance the effectiveness and efficiency of the test resources employed in the test and evaluation of DOD systems, including new and developing requirements such as cybersecurity testing.

Question. The Director, Operational Test and Evaluation.

Answer. If confirmed, I would work with the Director, Operational Test and Evaluation, to include consideration of technology options and alternate procedures for enhancing the operational test and evaluation of DOD systems.

Question. The Director of the Joint Improvised Explosive Device Defeat Office.

Answer. If confirmed, I would work with the Director of the Joint Improvised-Threat Defeat Agency, or any successor to it, to identify technology and system solutions for defeating current threats and countering future anticipated threats.

Question. The Department of Defense Chief Information Officer.

Answer. If confirmed, I would work closely with the Chief Information Officer to provide and align technology options to support the delivery and cyber protection of enhanced information management, information assurance, satellite communications, navigation and timing, spectrum utilization, and global military telecommunications capabilities.

Question. The Director of the Defense Information Systems Agency.

Answer. If confirmed, I would work closely with the Director of the Defense Information Systems Agency to support the provision, operation, and surety of the Department's globally accessible enterprise information infrastructure, command and control, and information-sharing capabilities.

Question. The Director of the White House Office of Science and Technology Policy.

Answer. If confirmed, I would work closely with the Director of the White House Office of Science and Technology Policy to ensure DOD research and engineering goals and priorities are aligned with the Administration's goals and priorities.

MAJOR CHALLENGES

Question. In your view, what are the major challenges that will confront the Assistant Secretary of Defense for Research and Engineering?

Answer. The Department currently faces the most technically challenging future defense environment we have seen since the Cold War. I believe the critical task for the ASD(R&E) will be protecting the future technological edge of U.S. forces, by ensuring that the warfighter has access to technical capabilities that counter, defeat, and provide compelling overmatch against those that can be fielded by any potential adversary. U.S. military technological strength provides the critical underpinning to U.S. conventional deterrence. Today's emerging competitive technology environment will require faster and smarter development and adoption of innovative, technologically enabled capacities that offset the growing technical capabilities of potential threats.

A second challenge involves ensuring that we can affordably deliver advanced capabilities in an efficient and effective manner, to permit modernization to continue at pace, even in a fiscally constrained environment. This challenge motivates the use of novel technologies and new system concepts and architectures that enable significant reductions in overall lifecycle cost.

A third challenge is the need to refresh continually the core technologies that support our defense advantage—the disruptive breakthrough capabilities that allow the U.S. to "leap ahead" of potential adversaries. The discovery engine that underpins our warfighting technologies offers a critical hedge against uncertainty, mitigates against technological surprise, and supports our system development efforts.

A fourth critical challenge is the need to ensure that the defense research and engineering enterprise is responsive to the demands of both the current conflict and the developing strategic environment—accelerating those advanced capabilities that can make a critical difference from laboratory to battlefield.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I would develop research and engineering plans that address these and other challenges, leveraging the strengths of the Military Departments and Defense Agencies to meet the defense science and technology needs of the warfighter. These plans would emphasize opportunities for increased effectiveness and efficiency across the Department's research and engineering enterprise.

Question. What do you consider to be the most serious problems in the performance of the functions of the Office of the Assistant Secretary of Defense for Research and Engineering?

Answer. A long-term challenge for the defense research and engineering enterprise is the "graying" of our workforce, within the office of the ASD(R&E), across the Military Departments and Defense Agencies, and within the defense industrial base. Our senior workforce possesses significant skill and experience, but over the near term the R&E enterprise will see an accelerated loss of experience as a significant fraction of its workforce retires. Attracting, developing, and retaining talent with critical twentyfirst century skills in domains such as advanced microelectronics, cybersecurity, embedded software development, and data analytics will be a significant challenge to the performance of the functions of the Office of the ASD(R&E) over the next decade.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. If confirmed, I would work with other OSD offices and the Military Departments to explore creative solutions to refresh the technical talent of the Department's workforce. Solutions may include specific workforce development initiatives, opportunities to provide greater flexibility to those who wish to spend a "tour" with the Department as part of their career, and innovative projects to enhance the environment and culture of the Department's research and engineering institutions to make them more attractive to key talent.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues that must be addressed by the Assistant Secretary of Defense for Research and Engineering?

Answer. If confirmed, I expect my priorities for the Department's research and engineering enterprise to be consistent with those established by the Secretary and the USD(AT&L).

These priorities would include:

1) Responsively addressing the technological needs of the warfighter in support of ongoing operations.
2) Developing technologically enabled capabilities that establish and preserve U.S. military technological advantage against potential adversaries.
3) Developing leap-ahead science and technology that offer a long-term disruptive advantage to U.S. forces.
4) Maintaining the capacity of the Department to attract and retain the best and brightest scientists and engineers.
5) Encouraging appropriate relationships with academia and industry to pursue cutting-edge science and technology.
6) Enhancing warfighting capabilities by supporting acquisition programs with technologies that make weapon systems more effective and affordable.

Question. What defense technologies do you consider the highest priorities for development to enhance DOD's ability to pursue its designated missions?

Answer. I believe that an effective research and engineering program must focus on balance—balance between near- and long-term technology development and balance between pursuing technology that supports continuous improvement in military capability and technology with the potential for more revolutionary impact. There are many opportunities to leverage technology to provide capability advantage for U.S. forces. Today, near-term opportunities exist in areas such as autonomy, data analytics, communications, electronic warfare, propulsion, cyber-defense, undersea technologies, advanced manufacturing, and space technologies that can shape new systems concepts and operational architectures. Over the longer term, emerging ideas in areas such as quantum science, material science, biology, and new computational architectures will feed future capability opportunity.

Question. What will be your strategy for developing these technologies in a manner to support needed defense capabilities in a timely and cost-effective way?

Answer. If confirmed, I would look at all available development strategies and evaluate them against the constraints of being timely and cost-effective. I believe that the future competitive national security environment will drive the Department to place increasing value on the pace by which we move technologically enabled capabilities from concept to field. To accelerate our pursuit and exploration of innovative concepts, the Department must make best use of its own in-house capabilities, those of academia, and those of industry—large and small. We must also be open to new engagement with innovative non-traditional commercial entities and make better use of the global capabilities of our partners and allies.

INVESTMENT IN SCIENCE AND TECHNOLOGY

Question. If confirmed, what metrics will you use to assess the size and portfolio of investments made under the defense science and technology (S&T) program?

Answer. I believe the Department's S&T program must forge ever-closer relationships with the requirements, intelligence, acquisition, sustainment, and logistics communities as it discovers, develops, and matures advanced technologies. Metrics and measures can help the S&T community assess its effectiveness in meeting the needs of these communities. The Department's current S&T investments range from those addressing long-term, strategic objectives to those focused on narrower, nearer-term project goals, and appropriate metrics must be established that reflect the differences in nature, goals, and risk versus payoff of the work. If confirmed, I would leverage the ongoing efforts of the 17 communities of interest under the Reliance 21 process to identify and characterize technology impact through performance measures. The Better Buying Power 3.0 initiative is also focused on improving performance of the S&T enterprise by developing metrics and measures that can help identify where we are having the most impact in creating options to help shape future military competition, moving technology into the hands of our warfighters, and creating opportunities for new and novel military capabilities. If confirmed, I would leverage these ongoing efforts.

Question. What role should the Assistant Secretary of Defense for Research and Engineering play in the detailed development and coordination of service and agency S&T investment strategies, programs, and budgets?

Answer. I believe the ASD(R&E) should provide investment and management guidance that integrates Military Department and Defense Agency efforts to provide a full spectrum of DOD capabilities. Each of the Military Departments and Defense Agencies S&T programs should leverage and complement each other's efforts. The ongoing Reliance 21 effort provides an overarching framework to support joint S&T planning and coordination, ensuring that the joint DOD S&T community provides solutions and advice to the Department's senior-level decision makers, warfighters, Congress, and other stakeholders in the most effective and efficient manner possible. If confirmed, I anticipate leveraging the Reliance 21 process to support information sharing, alignment of effort, coordination of priorities, and support for scientists and engineers across the Department.

Question. What, in your view, is the role and value of S&T programs in meeting the Department's transformation goals and in countering irregular, catastrophic, traditional, and disruptive threats?

Answer. The Department's S&T portfolio plays a vital role in producing and maintaining operational advantages for our force, in meeting the Department's goals for transformation, and in countering irregular, catastrophic, traditional, and disruptive threats. The DOD S&T program provides the foundation for all of the Department's capability development. An investment in S&T that is balanced across near-term capabilities and long-term technological options ensures that critical warfighter challenges are met with effective, multi-domain solutions. With the warfighter and na-

tional security in mind, our scientists and engineers generate innovative solutions to address the vast array of current and future threats.

Question. What S&T areas do you consider underfunded by the Department?

Answer. The ASD(R&E) and the DOD Components balance S&T resources across the budget submission to ensure that resources are applied to the highest payoff areas and are focused on the most critical emerging technologies. The Department continually assesses which technology areas have the greatest opportunity to bring advantage to our warfighters and we develop new programs and focus research in those areas. Routine communication among the ASD(R&E) and DOD Component S&T executives is critical to ensure we remain closely aligned and focused on the most critical threats. While I believe the overall S&T budget is appropriate, given the many demands on national security resources, I believe there are a number of fastmoving areas where the Department should consider additional emphasis. Some potential examples include: Advanced robotics; autonomous, distributed and collaborative systems; new frontiers in quantum science; new computing architectures; new engineering, design and manufacturing capabilities; advanced cyber-security capabilities and increased emphasis on prototyping and experimentation. If confirmed, I would work with the Military Departments and Defense Agencies to ensure that our portfolio of investment is balanced and adequately focused on these and other potential high-payoff S&T areas.

Question. In your judgment, will the funding levels in these areas affect the Department's ability to meet the threats of the future?

Answer. In a time of significant pressure on resources, the Department has continued to protect stable S&T funding, in order to preserve its capacity and prepare for an uncertain future. I believe, with appropriate balancing across technical opportunity, the Department's S&T budget is sufficient to prepare adequately for the threats of the future.

Question. Do you feel that the Department's current science and technology investment strategy strikes the appropriate balance between funding innovative, disruptive technologies and addressing near-term operational needs and military requirements?

Answer. Yes, I believe the current DOD S&T investment strategy strikes an appropriate balance between funding innovative, disruptive technologies (such as new capabilities for directed energy weapons) and addressing near-term operational needs and military requirements (such as software and systems capabilities to increase operator effectiveness). As technology evolves and the threat changes, DOD must constantly re-examine and adjust our S&T strategies to ensure that this balance is maintained.

BASIC RESEARCH

Question. Given the continuing nature of basic research and the broad implications and applications of discovery-focused and innovation-focused sciences, what criteria would you use, if confirmed, to measure the success of these programs and investments?

Answer. DOD's investment in basic research has played and continues to play a central role in creating and preserving our military technological advantage. Today's fielded technologies are rooted in and dependent upon the basic research discoveries of past decades. Basic research introduces disruptive change, born of new knowledge and physical insight, but this change typically emerges over time.

If confirmed, I would continuously assess our investments in basic science and discovery by asking a series of questions about each effort:

- Does this basic research investment lead to the creation of new fields of interest and/or help mitigate DOD capability challenges?
- Do the investments lead to original approaches and novel technical strategies to meet DOD needs?
- Does this investment lead to original, multidisciplinary approaches or support radically new perspectives?
- Are the results of this research contributing to and being vetted by the broader community, including universities, industry, and through publication in peer reviewed journals?
- Do the types of problems and approaches supported by this DOD investment selectively attract the finest scientists and engineers in the Nation to build a broader and smarter national security community?

I believe these questions provide a test of the relevance and quality of DOD's S&T investments.

Question. What concerns do you have, if any, about current levels of funding for Department basic research? How would you plan to address those concerns?

Answer. I believe that, in the context of finite resources, the current level of funding for the Department's basic research is reasonable, and represents a historically stable balance with overall S&T funding. Stability of research funding is necessary to provide continuity of research capabilities. If confirmed, this is an area I would watch closely.

Question. If confirmed, how would you determine whether there is an adequate investment in basic research to develop the capabilities the Department will need in 2025?

Answer. If confirmed, I would review existing studies of the Department's basic research activities and budgets. Making this assessment is, in part, a subjective one, depending on the balance of research opportunities, near-term needs and long-term investments, and input from experienced S&T resources. This includes input from external sources, including the National Research Council and the Defense Science Board.

Question. If confirmed, what steps, if any, will you take to increase efforts in unfettered exploration, which has historically been a critical enabler of the most important breakthroughs in military capabilities?

Answer. If confirmed, I would reemphasize to the DOD Components S&T executives, my belief that basic research is a critical component of our future military capability, and that the Department—from its senior officials to its bench scientists—should engage and be engaged with the Nation's and the world's leading scientists and engineers. If confirmed, I would also commit to the Department's policy of minimizing restrictions on Department scientists to perform and interact with great research, and to reinforce our policy that sponsored fundamental research shall be performed without restriction, other than those restrictions imposed by law or national regulation.

CHIEF TECHNOLOGY OFFICER

Question. If confirmed, as Assistant Secretary of Defense for Research and Engineering, you will be the Chief Technology Officer (CTO) of the Department of Defense.

What do you see as the role of the CTO of the Department of Defense?

Answer. The role of the Chief Technology Officer of the Department is defined in the ASD(R&E) charter. The charter defines the role of the ASD(R&E) as the Principal Staff Assistant to the USD(AT&L) and the Secretary on all technical matters. The ASD(R&E) should provide guidance to shape the DOD S&T program and should lead efforts to develop technology options for the Department. The CTO should also contribute significantly to ensuring that major acquisition programs are conducted with acceptable technological risk.

Question. What experience do you have in your career that will enhance your ability to serve as CTO of DOD?

Answer. My broad background in defense technology development provides the critical background and requisite knowledge to permit me to serve effectively as CTO of DOD. This experience includes time spent as a researcher in a defense laboratory, as a program manager and senior leader directing major research investments at DARPA, working critical technology programs with each of the Military Departments, and my experience over the past five years as the DASD(SE) within the Office of the ASD(R&E)

Question. Do you believe the position for Assistant Secretary of Defense for Research and Engineering currently has adequate authorities to exercise the responsibilities of a CTO?

Answer. Yes

Question. How are the activities of the Advanced Manufacturing Institutes being incorporated into the Department's science and technology activities?

Answer. I am aware that each of the Advanced Manufacturing Institutes currently has an S&T lead to connect each Institute back to the Department's broader science and technology activities. If confirmed, I would review the interaction of the planned work of the Advanced Manufacturing Institutes with the Department's science and technology activities.

Question. What is the status of the Department's long-range research and development planning activities? What noteworthy results have been realized from that initiative so far?

Answer. The Long-Range Research and Development Planning Program is a line of effort under the Defense Innovation Initiative which is focused on identifying emerging technology and materiel opportunities that could strengthen DOD capabilities in a competitive future national security environment. Since November 2014, I have been leading the 2015 LRRDPP study, which has included engaging technical

experts across the Department's research and engineering enterprise, as well as academic, not-for-profit, and defense and non-defense commercial organizations, to identify emerging opportunities for future military innovation. The classified LRRDPP study continues to identify opportunities to accelerate and demonstrate new system concepts that can inform future materiel plans.

It is also anticipated that this effort will identify key research and engineering areas for assessment and prioritization in future research and engineering planning. To date, among other input, the study has completed its review of over 400 submissions received from outside the Department in response to the 2014 Request for Information and have conducted site visits, meetings, and interviews with DOD and Department of Energy labs, small businesses, corporate research and development centers, academic institutions and intelligence community organizations. We are in the process of synthesizing the results of this study into a set of classified recommendations for the Deputy Secretary of Defense. We have synthesized the results of the first phase of the study into a set of classified recommendations for the Deputy Secretary of Defense. The second phase of the study is ongoing.

We anticipate that these specific results will emphasize themes supporting the use of limited autonomy to enable deploying manned and unmanned systems together in new ways to enable new capabilities, themes that permit the execution of precision capabilities from long range, and themes that provide new ways to counter the complex threat environment we anticipate when operating against technologically advanced actors in the future.

OFFSET TECHNOLOGIES

Question. During the Cold War, the DOD pursued three key technologies to offset the numerical superiority of Soviet conventional forces: precision guided munitions, stealth technology, and satellite-based navigation. These three technologies have given U.S. forces unparalleled superiority until now. However, with advancements by our emerging adversaries, it seems like the military technological superiority is beginning to erode. As a result, it is critical that the United States once again focus on offsetting the technology advantages being gained by our adversaries.

Which technology priorities do you believe the Department of Defense should be pursuing to maintain the military technological superiority of the United States?

Answer. Since the Cold War, U.S. forces have had assured conventional military technology dominance over every adversary they have faced or might have faced. The combination of precision weapons, advanced intelligence surveillance and reconnaissance systems, stealth, digital command and control, and space-based capabilities including navigation and communications have provided clear technology overmatch against any potential adversary. Over the last 30 years, others have had significant opportunity to study the systems and technologies that advantage U.S. military capabilities. In recent years, other nations have begun to field systems that are closing the gap with U.S. capabilities and, in some cases, directly challenging the technical advantages we have used in the past to enable U.S. power projection. This is a result of specific investments made by potential future competitors, the globalization of advanced technology, supply chains, and technical talent, and the loss of technical data through cyber exfiltration.

I believe that the Department of Defense should pursue innovative technologies that will minimize the effectiveness of these foreign investments and create the opportunity to impose extraordinary cost on future adversaries. These technological priorities should shift future national security competition from areas where U.S. advantages are narrowing to areas where U.S. strengths in agility, flexibility, and technical execution can flourish. Critical to executing these priorities will be identifying opportunities to drive cost out of future systems—through advanced design technologies; prototyping and demonstration; and advanced, flexible manufacturing capabilities to reduce risk. If confirmed, these areas would be a high priority for me.

Question. What strategies would you recommend that Secretary Carter implement to develop these technology priorities?

Answer. The Department is emphasizing the need to pursue innovative system concepts and technology solutions being developed within the Department itself, within the defense sector, and within the non-defense commercial sector, where the pace of technology adoption is often greater. We have increased our engagement with technology developers globally to ensure that we have awareness of and can leverage the best technical capabilities, regardless of source. Most importantly, the Department is reemphasizing the importance of prototyping, demonstration and experimentation as a means to mature rapidly emerging technical capabilities, gain insight into the operational capabilities they might offer, and to more rapidly inform modernization program development. These three approaches—(1) openness to inno-

vation, (2) speed from idea to implementation, and (3) prototyping, demonstration, and experimentation to inform decision making—provide a means to explore new offsetting technological advantages, and if confirmed, these approaches would be a priority for me.

Question. What role do the Services have to play in their development?

Answer. I believe that the Military Departments play an essential role in developing, maturing, and fielding the future systems necessary to shape the future competitive strategy of the Department.

TECHNOLOGY READINESS ASSESSMENT PROCESS

Question. Have you participated in or observed the development of Technology Readiness Assessments to support Milestone Decisions for defense acquisition programs?

Answer. Yes, as the DASD(SE), I have observed and supported the Technology Readiness Assessment process and its employment in defense acquisition decisions.

Question. What is your assessment of the value, strengths, and weaknesses of the current process?

Answer. The Technology Readiness Assessment process provides a valuable measure of the maturity of critical technology elements in a defense acquisition program and can be useful in highlighting areas where relatively immature technologies may increase acquisition program risk. The existing process, however, reduces this very complex and somewhat subjective assessment to a single number, which offers limited insight into the actual risk that an acquisition system may bear. There are many technical risks that should be assessed in evaluating a defense acquisition program, including integration risk, supply chain risks, and reducibility risks. Technology Readiness Assessments can contribute, but they are only one part of a holistic assessment of overall program risk. If confirmed, I would be particularly attentive to ASD(R&E) efforts to assess the full range of technical risk as part of our efforts in support of defense acquisition programs.

Question. Would you recommend any changes to the processes used for the assessment of technological maturity and integration risk of critical technology elements?

Answer. In my current assignment as DASD(SE), I led an evaluation of our acquisition technical risk management process and have published guidance to the Department on more effective formal risk management, with a particular focus on improving our capacity for active risk mitigation. If confirmed, I would continue to investigate methodologies that would provide better insight into technology maturity and integration risks in the context of an overall acquisition program risk management framework.

Question. Are you satisfied that the Assistant Secretary of Defense for Research and Engineering is properly staffed and resourced to support decision makers in complying with the technology certification and assessment requirements that are its responsibility?

Answer. I believe the Office of the ASD(R&E) is currently adequately staffed to perform its various responsibilities with respect to technology certification and assessment.

Question. What changes, if any, would you anticipate making, if confirmed, in this process?

Answer. If confirmed, I do not anticipate proposing any changes to the current technology certification and assessment requirements, but I would seek to leverage better these assessments as part of an increased emphasis on technical risk management and mitigation as a critical engineering function.

COORDINATION OF DEFENSE S&T INTERNALLY AND WITH OTHER AGENCIES

Question. If confirmed, how do you intend to integrate the S&T programs of the Services and Defense Agencies to reduce redundancy, leverage investments, and promote cooperation in order to achieve greater efficiency and technological advancement? Will you use existing structures such as Reliance 21?

Answer. If confirmed, I would expect to continue to employ the Reliance 21 process to integrate and coordinate Military Department and Defense Agency S&T programs. The Reliance 21 process has been successful in leveraging S&T efforts across the DOD Components to improve efficiency and effectiveness, spur collaboration, and reduce undesirable duplication of effort.

Question. Do you believe the mechanisms of coordination between federal civilian agencies and the Department are adequate to ensure that the military can best leverage the advances of agencies such as:

National Science Foundation on defense needs for basic science, especially in social sciences?

Answer. DOD funds basic research in targeted areas deemed most critical for defense but also relies heavily on complementary basic research insights funded by U.S. Government agencies such as the National Science Foundation. I believe that coordination between the DOD and NSF is critical and is currently adequate and effective.

In the social sciences in particular, where defense efforts tend to be more narrowly scoped for particular regions and problems, DOD projects frequently build on NSF-funded basic research insights regarding the more universal drivers and mechanisms for conflict and cooperative behavior at individual and group levels. Without a robust NSF investment in social sciences, DOD would need to divert its social science research funds away from specific defense issues to fill in those foundational gaps.

Question. National Aeronautics and Space Administration on hypersonics and other space research and the viability and availability of testing facilities?

Answer. I believe the current level of coordination of DOD efforts with NASA is adequate and effective. NASA provides input for our biennial Space S&T Strategy report and the Department reviews draft NASA technology roadmaps to identify areas for cooperative activities. In addition, NASA and DOD participate in numerous forums where our staffs interact, at both the working and senior levels, to discuss and coordinate our efforts.

Question. National Institutes of Health on areas in which military medical research and vaccine development overlap with civilian medical needs?

Answer. I believe the current level of coordination of DOD efforts with NIH is adequate and effective. The focus of NIH investment (the broad health needs of the Nation) and the focus of DOD health care S&T investment (the specific and unique medical needs of the warfighter) differ, but in areas where military and civilian research needs overlap many programs are complementary and mutually supportive. The degree of collaboration in these areas is extensive. For example, programs for the development of Human Immunodeficiency Virus vaccines are collaborative efforts with the aim of meeting programmatic objectives of both the NIH and the military. These efforts have made use of the extensive laboratory and clinical trials managed and maintained by the military while taking advantage of the extensive fundamental and applied research effort of both the NIH and the military focused on developing new vaccine candidates. The synergy between these programs was critical to the development of the only vaccine candidate that provided some degree of protection against HIV and for improvements to the vaccine that will ultimately be used to protect both military and civilian populations. If confirmed, I will work with the ASD (Health Affairs) and the Surgeons General to foster collaborative research and development efforts with NIH in areas of mutual interest.

Question. Intelligence Community in setting defense research priorities to prepare for future threat environments?

Answer. I believe that the DOD effectively leverages the Intelligence Community to inform defense research prioritization and planning. In my current role as DASD(SE), I support the reinvigorated initiatives under Better Buying Power 3.0 focused on integrating acquisition, intelligence, and requirements more closely. One additional initiative is the Science and Technology Intelligence Needs Plan that informs the intelligence community on the Department's intelligence needs for S&T. If confirmed, I would ensure that dialogue between the Department and the Intelligence Community is open and transparent.

Question. Department of Homeland Security on Homeland defense and national security-related science?

Answer. I believe that the current level of coordination of DOD efforts with the Department of Homeland Security is adequate and effective and provides strategic leverage across the technology investments being made by the two Departments.

Question. If confirmed, how would you work with other federal agencies and the Office of Science and Technology Policy to improve coordination?

Answer. If confirmed, I would work with other federal agencies and with the OSTP to ensure that DOD research and engineering are well coordinated with other government efforts.

TECHNOLOGY STRATEGY

Question. What weaknesses, if any, do you see in the current Defense S&T strategic planning process?

Answer. I observe that the current Defense S&T strategic planning process is significantly labor intensive—which can create challenges in generating timely recommendations to support the Department's annual budget submission.

Question. What do you believe are the key attributes for a good technology strategic plan that can be effectively utilized for programming and budgeting purposes?

Answer. I believe an effective technology strategic plan should include (1) specific, time-phased, and actionable recommendations for technology development and demonstration; (2) a clear mapping between technology activities and potential outcomes, demonstrating clear relevance to the Department's mission; and (3) specific quantified goals and targets to provide insight into progress.

Question. If confirmed, how would you work to ensure that strategic plans are utilized during the budget planning and programming process?

Answer. If confirmed, I would work to make Reliance 21 and the Communities of Interest more strategic in their planning and more efficient and effective in implementation through directly, explicitly, and transparently linking Reliance 21 recommendations to ASD(R&E) budget inputs and recommendations.

TECHNOLOGY TRANSITION

Question. The Department's efforts to quickly transition technologies to the warfighter have yielded important results in the last few years. Challenges remain, however, in successfully transitioning new technologies into existing programs of record, fielded systems, and major weapon systems and platforms.

How would you assess the effectiveness of current transition systems?

Answer. The current system is most effective when transitioning technological capabilities to support existing programs of record. The S&T laboratories are well connected and responsive to the needs of the program offices. Initiatives such as the Rapid Innovation Fund and Foreign Comparative Test provide program offices with access to non-traditional small businesses and international businesses—sources of new and novel solutions.

The current system is less able to recognize and transition opportunistic capability—new and emerging technologies opportunities that emerge during development or which disrupt current acquisition plans. In these cases the Department needs to be more effective at assessing technical opportunity and creating opportunities to deploy more rapidly emerging capabilities to achieve maximum benefit with minimum impact. If confirmed, I would work to improve mechanisms for planned and opportunistic technology transition into DOD systems.

Question. What challenges exist in technology transition within the Department?

Answer. A key challenge in technology transition is the mismatch between the risk acceptance posture of technology developers and that of acquisition program managers. Technology developers are motivated to take risk and to explore the art of the possible, while acquisition managers are motivated to minimize risk and to pursue stable, well-understood capabilities to minimize overall acquisition program risk. I believe that aligning incentives so as to motivate program managers continually to review technology options to improve performance and reduce cost, and to motivate technologists to harden, demonstrate, and de-risk emerging technologies, would significantly aid technology transition.

Question. What would you do, if confirmed, to address these challenges?

Answer. If confirmed, I would vigorously support the Better Buying Power 3.0 direction to emphasize technology insertion and technology refresh in program planning. Initiatives under Better Buying Power that emphasize modular, open system architectures, initiatives that support rapid technology insertion, and initiatives that promote increased use of rapid prototyping and experimentation to mature and derisk technologies and demonstrate operational utility all help increase the Department's ability to transition research and development more quickly and effectively to operational use.

Question. What is the role of the Assistant Secretary of Defense for Research and Engineering in facilitating communication between technical communities, acquisition personnel, and end users to speed technology transition?

Answer. I believe an effective ASD(R&E) must work closely with the requirements community, the acquisition community, the research and development community, and the operational communities to provide new technologies that sustain our technological superiority against potential future adversaries. The ASD(R&E) must coordinate across this broad set of communities: coupling technical opportunity to emerging requirements; informing technology development with operational feedback; and aiding transition of capabilities from research and development to acquisition. If confirmed, I would connect and coordinate these diverse communities to speed technology transition from concept to field.

Question. Do you believe that we need to change the manner in which we fund technology transition in the Department of Defense? If so, what changes would you recommend?

Answer. Technology development is sometimes challenged by the availability of nonprogram-specific applied technology funding used to mature technologically driven capabilities, to prototype and experiment with emerging system concepts, and to support bridging technology development to support the transition of technology to programs of record and the warfighter. While the Department has protected S&T funding levels, Advanced Component Development and Prototypes funds are increasingly consumed by the demands of modernization programs and other uses directly tied to specific acquisition programs. If confirmed, I would explore ways to provide the flexibility needed to improve technology transition.

SYSTEMS ENGINEERING AND PROTOTYPING

Question. Do you feel that the Department of Defense has sufficient systems engineering expertise in its current workforce or contractor base?

Answer. Based on my engagement across this community and with acquisition leadership in each of the Components, I believe that the current systems engineering technical capacity and capability supporting the DOD is sufficient. I also believe that this workforce possesses and has demonstrated strong technical capabilities. It will be important to ensure that the workforce is technically refreshed as new challenges arise, and as technical disciplines mature.

Question. What will be the impact of further reductions in personnel to the ability to execute the systems engineering missions of the Assistant Secretary of Defense for Research and Engineering?

Answer. System Engineering oversight functions that are part of the Military Departments and OSD headquarters elements will likely be impacted by proposed across-the board headquarter staff reductions, and additional efficiencies will need to be identified to meet mission requirements

Question. What changes, if any, do you believe should be made in the Department's systems engineering organization and practices?

Answer. I have worked with the Military Departments to optimize organic systems engineering practices. These are now reflected in policy, the foremost example being the recently updated DOD Instruction 5000.02 that revised DOD systems engineering policy, and reflects a stronger engineering participation and technical risk consideration across the acquisition activities. Our current systems engineering organizations and practices are adequate but should evolve as engineering tools and methods are developed and matured.

Question. What is the value of competitive prototyping in increasing the success of DOD acquisition efforts?

Answer. Competitive prototyping is most effective at increasing the likelihood of success of DOD acquisition efforts when it drives real risk reduction in the actual product that the Department will acquire and field. Under the right conditions, competitive prototyping can be expected to have several benefits to DOD programs, including: reduction of overall technical risk; validation of cost; validation of design; evaluation of the manufacturing process; and refinement of program requirements. Competitive prototyping imposes costs, since the Department must carry multiple offerors far enough through the design process to produce prototypes for evaluation. This cost penalty can sometimes reduce the advantage of competitive prototyping, making it most effective in cases where the cost/benefit ratio is clearly advantageous, where multiple design options merit further exploration, or where the competitive environment drives early return on lifecycle cost.

Question. If confirmed, how will you work to increase the amount of systems engineering projects and competitive prototyping efforts that are undertaken by the Department of Defense and its contractor base?

Answer. In my current role as DASD(SE), I have supported robust systems engineering and risk-appropriate, cost-effective prototyping. If confirmed, I would continue to emphasize a robust systems engineering process across the Department's acquisition portfolio.

VENTURE CAPITAL STRATEGIES

Question. In recent years, some components of the Department of Defense have attempted to follow the lead of the intelligence community by using venture capital firms to make investments in developing technologies.

What role do you believe that venture capital firms should play in DOD's investments in developing technologies, including in the Small Business Innovation Research program?

Answer. I believe that small, early-stage companies are a significant driver of innovation in our Nation—leveraging U.S. strengths in entrepreneurship, acceptance of risk, and access to technical talent and smart capital to create businesses that

are shaping the commercial technology landscape. I believe the Department needs to be engaged with innovative early-stage firms throughout the country, to explore the relevance of applying cutting-edge commercial capabilities to meet the Department's needs and to encourage small innovative companies to see the Department as a smart and engaged potential customer for their ideas. The Department's Small Business Innovation Research program is a very effective means of engaging these companies. If confirmed, I would explore an alternative means to reach out to these companies, such as by using venture-capital-like approaches to engage companies early, with the objective that they consider the Department's requirements among the targets for their product development priorities.

Question. What advantages and disadvantages do you see in the use of venture capital strategies?

Answer. Venture capital strategies could permit the Department to engage innovative companies in a natural way—by supporting their need for critical investment to support the development of innovative capabilities. This could provide the Department with access to innovation that we might not be able to reach through other approaches. Venture capital strategies, however, are inherently risky. Most early stage companies likely will not achieve breakthrough innovations, and a venture capital strategy must be patient enough to accept the risk profile associated with making a number of investments with the goal of seeing a fraction of them yield concrete benefit.

Question. When DOD does decide to use venture capital strategies, what steps do you believe the Department should take to ensure that DOD funds are invested in technologies and companies that properly reflect national defense priorities, avoid the potential for conflicts of interest by industry partners, and ensure that the Department's investments are not diluted?

Answer. I believe it would be critical to evaluate carefully investments made through a venture capital strategies approach, and to assess whether leveraging a venture capital strategy is truly the most effective and appropriate model for investing in a particular technology or engaging a particular company.

Question. What other strategies do you intend to employ, if confirmed, to ensure that the nation's most innovative companies work on Department of Defense research and engineering programs?

Answer. In April, Secretary Carter announced the Defense Innovation Unit-experimental, an activity in the San Francisco Bay Area to provide a mechanism to increase the Department's presence in an area of significant entrepreneurial innovation. Communication and outreach efforts are effective ways to attract and engage innovative companies. If confirmed, I would explore methods to increase the Department's engagement with and outreach to the most innovative companies across the Nation.

INTERNATIONAL RESEARCH COOPERATION

Question. In your view, how should increased globalization of defense technology affect DOD's research and technology development and investment strategy?

Answer. The increased globalization of defense technologies provides both opportunities and challenges for the Department. To the extent DOD can leverage technology developments in allied and friendly nations, DOD will be able to redirect resources to address other critical needs. This would also provide opportunities for DOD to increase commonality with these nations, creating increased efficiencies for all. However, globalization of defense technology creates challenges to our technological superiority through proliferation of advanced military capabilities.

Question. What is your assessment of the value of cooperative research and development programs with international partners?

Answer. Our international cooperative research and development programs are based on equitable investment by all participants. In addition to reducing cost burdens, these cooperative programs enable us to interact with the best and brightest in many nations. Cooperative research and development programs deepen our defense relationships with our allies and other partner nations.

Question. In your view, what are the obstacles to more effective international cooperation, and, if confirmed, how would you address those obstacles?

Answer. Successful international cooperative research and development programs require trusted partnerships between the nations involved in them. These require commitment by all parties, which includes providing adequate levels of funding and involvement. If confirmed, I would attentive to ensuring our proposed international cooperative efforts address these commitments.

Question. How will increased international technology cooperation affect our domestic defense industrial base?

Answer. International cooperative research and development programs can provide opportunities for the industrial base to work with and develop relationships in other nations. This can lead to increased business opportunities through creation of trusted partnerships. It can also provide the Department with increased access to world-class research and researchers.

Question. How should DOD monitor and assess the research capabilities of our global partners and competitors, and of the global commercial sector?

Answer. DOD maintains awareness of global S&T and commercial capabilities through our global technology watch efforts and through the Military Departments' regional and global international S&T offices. If confirmed, I would support and strengthen these critical tools for providing situational awareness of the competitive global S&T landscape.

TEST AND EVALUATION

Question. What are your views on the adequacy and effectiveness of the Department's development and operational test and evaluation activities?

Answer. I believe the Department's developmental test and evaluation and operational test and evaluation activities are adequate and effective. Test activities play a critical role in informing acquisition decision making and in identifying programmatic opportunities for application of additional engineering and risk mitigation resources.

Question. What will be the impact of further reductions in personnel on the ability to execute the test and evaluation missions of the Assistant Secretary of Defense for Research and Engineering?

Answer. Further reductions in test and evaluation workforce capacity would require the Department to identify new efficiencies to effectively execute its T&E mission and will require careful planning and management attention. Developmental test and evaluation oversight functions that are part of the Military Departments and OSD headquarters elements will likely be impacted by proposed across-the-board headquarter staff reductions, and additional efficiencies will need to be identified to meet mission requirements

Question. What changes do you anticipate will be made in the Department's developmental testing organization and capabilities?

Answer. I do not anticipate changes to the Department's developmental testing organization and capabilities. The establishment of the position of the Director of Developmental Test and Evaluation, now the DASD(DT&E), significantly strengthened the Department's test discipline and practice, and I have had the privilege of working closely with the DASD(DT&E) in my current capacity.

Question. What modifications would you recommend to the test and evaluation processes in the Department of Defense to more efficiently and quickly develop and deliver operationally effective and suitable technologies to the warfighter?

Answer. I believe that the test community needs to be engaged early and continuously with acquisition programs to ensure that opportunities for early, effective, and cost efficient test are designed into program plans and that test activities produce actionable information to inform programmatic decision making. I also believe that strong DT&E can be an effective way to minimize risk, and to avoid discovery of issues in OT&E by identifying and correcting issues early in the design and development process. If confirmed, I would support efforts to improve the test community's early and continuous engagement.

SMALL BUSINESS ISSUES

Question. If confirmed, how would you work to ensure that the Small Business Innovation Research (SBIR) program serves a useful purpose in meeting the Department's research goals?

Answer. The policy oversight and responsibility for the SBIR/STTR falls within the Department's Office of Small Business Programs. If confirmed, I would work closely with the Director of Small Business Programs to ensure that the program remains focused on innovation and technology advancement and aligned with the Department's overall research goals. The SBIR /STTR program is a major contributor in meeting the Department's research goals and fosters a broad and innovative small business industrial base to meet critical warfighter needs.

Question. What recommendations would you suggest to the SBIR program to improve the transition of S&T capabilities into acquisition programs?

Answer. The recent Better Buying Power 3.0 included efforts focused on improving the transition of SBIR-developed S&T capabilities into acquisition programs. Last year the Department included transition goals and incentives in DOD Instruction 5000.02. If confirmed, I would pursue reinforcing these initiatives to continue

to improve SBIR transition with guidance, education, and training across the Department.

Question. What recommendations would you suggest to the SBIR program to improve its ability to attract non-traditional defense contractors, such as small startup companies, into the program?

Answer. If confirmed, I would explore avenues to continue to improve the ability of DOD to attract non-traditional defense contractors through a comprehensive outreach and communication strategy. Annually the Department reviews over 10,000 SBIR/STTR proposals, of which approximately one-third are from newly formed businesses engaging with the Department for the first time. The Department recently has significantly increased its outreach to minorities, HUB zone, and underserved states, and I believe these efforts should be fostered and expanded.

Question. What guidance or direction do you consider necessary regarding transition of the research results of SBIR programs to major weapon systems and equipment?

Answer. I believe the Department has adequate guidance and direction to support transition of SBIR results to major systems acquisition, but these efforts require continuous emphasis by Department advocates identifying and leveraging opportunities for transition.

Question. What emphasis would you place, if confirmed, on participation by the acquisition community in setting research priorities for the SBIR and in accepting new solutions into existing programs of record?

Answer. I believe the acquisition and S&T communities must be strongly engaged in setting research priorities for the SBIR program to ensure the relevance of these efforts to the Department's research goals and to foster transition from SBIR to programs of record. If confirmed, I would emphasize these efforts.

Question. In your judgment, are modifications needed to the Department's SBIR program to ensure it meets the Department's goals and is updated to support research costs of the small business community?

Answer. I am currently unaware of the need for any modifications to the Department's SBIR program.

DEFENSE LABORATORIES

Question. What is your overall assessment as to the technical capabilities and quality of Defense laboratories relative to their Department of Energy, FFRDC, industry, academic and foreign peers?

Answer. I believe that DOD laboratories are a critical and unique component of the Department's research and engineering enterprise. They provide the science, technology, and engineering expertise to DOD that allows our Nation to maintain a technological edge over potential adversaries. DOD technical expertise also plays a prominent role in developing technologies that benefit the Nation as a whole. While Department of Energy, FFRDCs, industry, academic, and foreign laboratories make vital contributions, they cannot replace the unique capabilities and expertise of the in-house Defense laboratories and their unique focus on, and access to, U.S. warfighter needs. Furthermore, subject matter expertise developed in the DOD laboratories provides the knowledge necessary to evaluate and mold technologies developed by private industry and academia to meet DOD's unique needs. The DOD laboratories' complete focus on the warfighter and the mission make them unique, irreplaceable assets.

Question. What are your views on the most effective management approach for personnel at these facilities?

Answer. I believe that the most effective management approaches for the Defense laboratories are ones that provide laboratory leadership with the flexibility needed to shape their workforce to meet the rapidly changing needs of the warfighter. The authorities currently granted to defense laboratories as Science and Technology Reinvention Laboratories are appropriate for managing the personnel at DOD laboratories and, with the support of Congress, are continually being refined to meet the changing laboratory workforce management needs of the DOD.

Question. A review of defense laboratories operations shows various deficits in personnel management, infrastructure renewal, physical plant recapitalization rate, support services adequacy, etc. Some analyses have indicated that these deficiencies result from excessive centralized control.

Do you support significantly increased delegation of operating authority to the lab director?

Answer. I believe empowering individual leaders at the lowest appropriate level is part of the necessary flexibility for effectively managing a laboratory. There is a complementary need for some centralized coordination in order to ensure that re-

sources are expended both efficiently and effectively. I currently am unaware of a need significantly to increase delegation but, if confirmed, I would study this issue and recommend changes as appropriate.

Question. If confirmed, what steps, if any, will you take to improve the quality, technical capabilities, and mission performance of the Defense laboratories?

Answer. If confirmed, and building on the work of Better Buying Power 3.0 to look at laboratory return on investment, I would assess the current quality, technical capabilities, and mission performance of the Defense laboratories. I would then work in collaboration with the heads of the DOD components, and through them, the laboratories to implement any needed changes.

Question. Would you support transitioning certain laboratory capabilities into FFRDCs or Government Owned-Contractor Operated facilities?

Answer. I am currently unaware of any capabilities that should be transitioned to FFRDCs or Government Owned-Contractor Operated facilities. If confirmed, I would make any needed recommendations as part of the assessment of laboratory capabilities.

LABORATORY PERSONNEL MANAGEMENT

The Department's research and development laboratories perform unique functions in serving national security missions and do not readily fit into the general operational management structure.

Question. Would you support increasing the flexibility of the laboratories on personnel matters?

Answer. The quality of the Department's research and development laboratories is completely dependent on the ability of the labs to attract, recruit, and retain top-notch technical talent with skill sets critical to military innovation. Increased flexibility in personnel matters is an important factor in recruiting and retaining the high-caliber workforce needed by the DOD's laboratory enterprise. I support making maximum use of available direct and flexible hiring authorities for scientists and engineers, as well as allowing full use of all Science and Technology Reinvention Laboratory personnel authorities in order to compete to attract the best and brightest talent to the DOD laboratories.

Question. What particular workforce challenges does the Assistant Secretary of Defense for Research and Engineering have?

Answer. Recruiting and retaining a world-class technical workforce is a pressing challenge for the defense research and engineering enterprise. The DOD mission requires specialized scientific and engineering skills and the Department needs to compete effectively to identify and leverage this limited talent pool. I believe that attracting, developing, and retaining talent with critical twenty-first century skills in domains such as advanced microelectronics, cybersecurity, embedded software development, and data analytics will be a significant challenge to the Office of the ASD(R&E) over the next decade.

An additional long-term challenge for the defense research and engineering enterprise is the "graying" of the workforce, within the Office of the ASD(R&E), across the Military Departments and Defense Agencies, and within the defense industrial base. The senior workforce possesses significant skill and experience, but over the near term the R&E enterprise will see an accelerated loss of experience as a significant portion of its workforce retires. If confirmed, I would be attentive to these challenges.

Question. How do the personnel flexibilities of the Office of the Assistant Secretary of Defense for Research and Engineering compare to those of DARPA or the Defense Laboratories? Should the Office of the Assistant Secretary of Defense for Research and Engineering be permitted to use the same hiring flexibilities as these organizations?

Answer. I believe personnel flexibility is critical for recruiting and retaining the best and the brightest to our laboratory enterprise. DARPA and the Science and Technology Reinvention Laboratories (STRLs) have special authorities with regard to personnel flexibility, that do not apply to the Office of the ASD(R&E), I believe that these personnel procedures, including those applicable to OASD (R&E), have been adequate for the needs of the DOD, although I note that increased flexibility can prove useful for any part of the DOD.

SCIENTIFIC AND TECHNICAL CONFERENCES

Question. A recent GAO study indicated that the lengthy and burdensome approval processes for legitimate conference attendance requests at the Department of Defense have severely curtailed attendance at academic conferences. Has the work and mission of the laboratories and the Office of the Assistant Secretary of Defense

for Research and Engineering been hindered by conference approval processes and travel limitations?

Answer. Collaboration with scientific colleagues is key to the success of DOD laboratory and Office of the ASD(R&E) personnel, as is the ability to share technical findings with the broader research community. Scientific exchange is one of the primary vehicles for the exchange of new ideas and is a vehicle through which new concepts and technological innovation bloom. Academic and technical conference participation for the DOD professional workforce, including scientists and engineers, is an essential element of the S&T mission and a critical means of achieving and maintaining global technological superiority.

While the Defense Laboratories and the Office of the ASD(R&E) continue to meet their mission, the conference approval processes and travel limitations have hindered this type of important collaboration. If confirmed, I would work with the USD(AT&L), the Deputy Chief Management Officer, and the Components to explore means to reduce unnecessary impediments to technical collaboration.

Question. Has the application of the new conference approval processes since the issuance of OMB Memorandum M–12–12 "Promoting Efficient Spending to Support Agency Operations" improved the effectiveness of the DOD research and engineering community in executing its designated missions?

Answer. The September 23, 2015 memorandum from the Deputy Secretary of Defense and the associated DOD Conference Guidance Version 3.0 issued simultaneously by the Deputy Chief Management Officer recognize the importance of participation in technical meetings, symposia and conferences to the DOD Science and Engineering community. These revised policies have significantly streamlined approval authorities for technical conference attendance and are intended to remove unintended barriers to technical collaboration, while maintaining appropriate management visibility and management to control travel costs. I expect that implementation of this revised policy will address previous concerns over burdensome local implementation of M–12–12 policy.

Question. Does the application of the conference approval process in DOD align with best practices of the commercial sector or leading public and private academic institutions?

Answer. Recent revisions to conference approval policy are intended to align DOD practice more closely with best practice of leading public and private institutions. If confirmed, I will monitor and assess impacts of this recent policy change on the research and engineering workforce.

TECHNICAL AND ACQUISITION WORKFORCE ISSUES

Question. In your view, does the Department have adequate technical expertise within the government workforce to execute its designated acquisition and technical development missions?

Answer. I believe the current scientific and engineering workforce numbers and skill mix are sufficient to meet DOD's current acquisition and technical development needs, but several trends raise future concerns. The first trend is the large number of employees in the technical workforce nearing or at retirement age. We expect that approximately half of the technical workforce will be eligible to retire in the next 10 years. The second challenge is with the most recent hires: those with 0–5 years of experience. Studies indicate that the individuals in this age group may expect to change jobs every 3–5 years. Consequently DOD will need to compete with industry to retain the newest employees. Finally, in fast moving technical areas, the Department will need to refresh, retrain, and upgrade the skills of its acquisition and technical development workforce. If confirmed, I would carefully monitor workforce data for early indications of excessive turnover and/or accelerated loss of key skills.

Question. What efforts will you undertake, if confirmed, to improve the technical capabilities of DOD in critical areas, such as systems engineering, information assurance, social and cultural sciences, and software engineering?

Answer. The DOD Science, Technology, Engineering and Mathematics workforce represents a diverse set of very specific technical skills. Critical, high demand skills such as systems engineering, cyber security and information assurance, large data analytics, social and cultural modeling, and software engineering are areas that require particular and continued attention. Other domains, such as nuclear engineering, aerospace engineering, naval architecture, and energetics, in which DOD—unique skill sets are required, also merit specific attention. As DASD(SE), I have worked closely with leaders across the engineering community to address critical technical capabilities needed by the DOD workforce. Mitigation actions have included improved training and education, development of guidance and best practices, and investment in the development of new methodologies to address DOD

challenges. If confirmed, I would continue to work with the engineering and scientific communities to address these needs to ensure we have a workforce that can meet current and future DOD challenges.

DEFENSE ADVANCED RESEARCH PROJECTS AGENCY

Question. What is your view of the appropriate relationship between the Assistant Secretary of Defense Research and Engineering and the Director of DARPA?

Answer. The Director of DARPA reports to the USD(AT&L) through the ASD(R&E), I believe this the appropriate relationship. In my current position, I have an excellent, strong, and ongoing relationship with DARPA.

Question. What do you believe is the proper research mission for DARPA?

Answer. Since its founding, DARPA has a long history of being an effective engine of transformative innovation. DARPA's ability to apply innovative solutions to address some of the most difficult problems that face the DOD, now and in the future, has been the cornerstone of its success. The agile, flexible, and inventive nature of the agency's organizational culture has been successful in driving the pace of technology development for the National Security enterprise. I believe the proper role for DARPA is to conduct high-risk, high-payoff research for the Department, and to share that work with the Military Departments and others within the government.

Question. What adjustments do you expect to make, if confirmed, to the current style of DARPA research program management and investment strategy?

Answer. If confirmed, I would work closely with DARPA, as well as the Military Departments and other DOD Components, to provide a balanced technology portfolio across the Department. Based on my current awareness of the DARPA research program and investment strategy, I do not see a need to make significant adjustments to the agency's current strategy.

Question. What do you believe are the key characteristics of an effective DARPA director?

Answer. I believe an effective DARPA Director should have the ability to develop and communicate a vision of the DARPA research program, have the ability to attract exceptional technical talent to the agency, have the ability to motivate teams internal and outside the agency to take on challenges of national importance, be able to connect and bridge DARPA research to the operational and acquisition community, and be prepared to take on the most critical technical challenges that face the Department.

Question. What, in your view, is the appropriate relationship between DARPA and the Service S&T programs?

Answer. I believe that the DARPA and the Military Department S&T programs should be coordinated, supportive, and complementary. DARPA is particularly focused on pushing the envelope to develop high-risk, high-payoff, leap-ahead advances, while the Military Department S&T programs draw upon and further develop these and other technological advancements to maintain the broad and deep technology base required to develop innovative capabilities for the warfighter. DARPA's strategy allows the agency to pursue opportunistic thrusts to dramatically advance particular technical capabilities, while the Military Department S&T programs seek a more balanced risk portfolio.

Question. What, in your view, is the appropriate relationship between DARPA and the Service laboratories?

Answer. I believe that the programs relationship between the Military Department laboratories and DARPA is one of being partners in developing technology solutions for the warfighter.

SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS (STEM) EDUCATION

Question. Do you believe that DOD specifically and the Nation as a whole is facing a crisis in STEM education?

Answer. As the government's largest employer of federal scientists and engineers, the Department has a large stake in identifying and attracting necessary STEM talent. This, in turn, means the Department depends on the Nation's success in producing a capable, competitive talent pool in STEM fields.

STEM education and maintenance of a vibrant STEM workforce are national security imperatives. Today's military capabilities reflect the great reach and impact that scientists, engineers, and technologists have made on our national security and economy. DOD's future STEM capacity, however, is at risk. In 2008, the percentage of engineering graduates among all university graduates in the United States remained among the lowest in the world, at 4.4 percent (by comparison, China was among the highest at 31 percent). The Department of Labor predicts that in the next decade, 80 percent of jobs will require STEM skills, yet according to the De-

partment of Education, less than 25 percent of college students pursuing bachelor's degrees will be specializing in STEM fields. Excellence in is imperative to national security and the Nation's economic well-being; however, as much of DOD's workforce approaches retirement, DOD and industry will face a significant challenge in attracting superior STEM talent.

Question. In your view, how will this affect DOD's ability to pursue its missions?

Answer. I believe that the health of the STEM talent pool directly affects DOD's ability to pursue its mission and goals. The Department seeks to ensure continued success at recruiting STEM talent, enhancing STEM education, and providing opportunity to the children of military families, and assuring a STEM-capable workforce through strategic outreach

Question. What role do you think DOD should play in supporting STEM education?

Answer. I believe the Department should be actively engaged at all levels across the Science, Technology, Engineering and Mathematics education continuum—precollege through graduate—and, more importantly, work with the Office of Science and Technology Policy, the National Science Foundation, the Department of Education, and other Federal components involved in national security, to generate a "whole of government" approach to address national security STEM workforce development.

Question. How do DOD's efforts fit in with the larger STEM education program consolidation initiative announced by the President?

Answer. DOD efforts span a broad educational continuum, from elementary through graduate school and into workforce development. The Department's STEM efforts align with the Administration's larger STEM education program consolidation initiative in numerous ways. DOD collaborates with the lead Federal agencies—the Department of Education (pre-kindergarten through 12th grade STEM education), and the National Science Foundation (undergraduate through graduate STEM education). It also works with the Smithsonian Institution (informal STEM education) as well as with other Federal agencies on a regular basis through the Federal Interagency Working Groups (IWGs). For example, DOD contributed to the development of the Federal STEM Education 5–Year Strategic Plan and IWG charters, and it continues to provide significant input about its programs to joint agency efforts in support of enhancing evaluation and increasing the impact of the Federal investments in STEM education. DOD actively advises and assists with implementation of the Federal STEM Education 5–Year Strategic Plan.

HEALTH OF R&D ENTERPRISE

Question. What is your assessment of the current health of the DOD's R&D enterprise as a whole?

In general, I believe the health of the DOD's R&D enterprise is good, but there are signs of stress as a result of reduced DOD manpower and budget. DOD is seeing some indications that retention of younger employees is a potential concern. Another trend is a growing number of employees in the technical workforce nearing or at retirement age. Approximately half of the technical workforce will be eligible to retire in the next 10 years. The cumulative effect of downsizing, reduced opportunities for technical collaboration, and uncertainty about future funding stability may be having a negative impact on the overall health of the R&D enterprise by decreasing the Department's reputation as an employer of choice.

Question. Are rules currently in place to govern DOD R&D conducive to a healthy enterprise?

Answer. I believe current statutory authorities, rules, and regulations have been sufficient for a healthy R&D enterprise, but the Department finds itself in competition for critical technical talent and is challenged by the flexibility of the current processes.

Question. DOD has recently taken criticism for not devoting enough funding to constructing and upgrading facilities for R&D. If confirmed, how would you address that issue?

Answer. If confirmed, I will assess the effectiveness of existing authorities in addressing concerns over constructing and upgrading facilities for R&D.

Question. How would you work to reduce the overall costs of the R&D enterprise, while still maintaining the integrity and quality of the Department's R&D work? In which areas would you strive to build efficiency?

Answer. I have not assessed the efficiency of the current R&D enterprise. Under the Better Buying Power 3.0 initiative, the Department is taking a holistic look at costs and overhead across the R&D enterprise, with the goal of improving performance and efficiency. If confirmed, I would strongly support this effort.

Question. How do you think continued budgets under sequestration will affect DOD science and technology funding?

Answer. I believe the threat of sequestration significantly affects the Department's ability to perform effective long-range S&T planning. To date, the Department has made a concerted effort to prioritize and protect S&T funding in its budget requests. If, however, the full effect of sequester were triggered in any year, I believe that there would be an immediate reduction to S&T budgets.

DEFENSE INNOVATION INITIATIVE

Question. Former Secretary Hagel recently established a broad, Department-wide initiative to pursue innovative ways to sustain and advance the country's military superiority and improve business operations. How has the Department integrated that initiative with Research and Engineering?

Answer. One of the lines of effort under the Defense Innovation Initiative is focused on identifying emerging technology and material opportunities that offer opportunity to strengthen DOD capabilities in a competitive future national security environment. The effort, called the Long-Range Research and Development Planning Program (LRRDPP), was named in reference to the seminal 1973 study that identified many of the key military thrusts of the last 30 years. Since November 2014, I have been leading the 2015 LRRDPP study, which has engaged technical experts across the Department's research and engineering enterprise, as well as seeking separate input from academic, not-for-profit, and other private sector sources to identify emerging opportunities for future military innovation. The classified LRRDPP study, when fully completed early next year, should identify opportunities to accelerate and demonstrate new system concepts that can inform future materiel plans. This effort will also identify key research and engineering areas for assessment and prioritization in future research and engineering planning.

Question. How would you further those efforts?

Answer. While the current LRRDPP effort has been a valuable assessment of emerging technology and system opportunities, I believe the Department needs to establish a stronger capacity to conduct regular, periodic, independent assessments of broad emerging defense and non-defense technology opportunities, both to inform our DOD's science and technology investment priorities and to ensure that the Department is continuously experimenting with new and emerging technologies that can inform and improve the effectiveness and efficiency of critical military capabilities.

Question. How would you increase the effectiveness of the Long-Range Research and Development Program Plan (LRRDPP)?

Answer. The initial LRRDPP effort focused largely on future weapon, air combat, maritime, and space capabilities to counter emerging peer and near-peer state actors. It did not include an assessment of technology-enabled future land combat. Earlier this year, the Deputy Secretary of Defense requested an LRRDPP follow-on study, with the participation of key technology and operational experts from the U.S. Army, U.S. Marine Corps, and U.S. Special Operations Force communities, of emerging technical opportunities for future land combat. This effort is currently under way.

TRUSTED FOUNDRY PROGRAM

Question. What is the status of the "Trusted Foundry" program for providing a secure source of microchips for sensitive defense systems?

Answer. The Defense Microelectronics Activity (DMEA) manages the DOD Trusted Foundry Program. This program provides the Department and other government agencies with access to trusted microelectronics design and manufacturing capabilities necessary to meet the confidentiality, integrity, availability, performance, and delivery needs of U.S. Government customers. DMEA accredits suppliers as "trusted" in the areas of integrated circuit design, aggregation, brokerage, mask manufacturing, foundry, post processing, packaging/assembly, and test services. These services cover a broad range of technologies and are intended to support both new and legacy applications; both classified and unclassified. There are currently 72 DMEA-accredited suppliers covering 153 services, including 22 suppliers that can provide full-service trusted foundry capabilities.

Question. What is being done to respond to the recent announcement that IBM plans to sell its Foundry capabilities to a foreign controlled company based in the United Arab Emirates?

Answer. In July 2015, Global Foundries purchased IBM's U.S.-based Trusted. DOD, the IC, and the Department of Energy assessed how the loss of access to the Trusted Foundry's specialized IBM technology, IP, and R&D knowledge would dis-

rupt their current and future national security programs. Based on this assessment, the DOD determined that continuity of supply of unique trusted products over the short- and mid-term is critical, and that a revised strategy is needed to ensure long term access to trusted state of the art microelectronics.

For the short- and mid-term, DOD continues to work directly with GF to ensure appropriate accreditations can be in place for the successor company to serve as a DOD Trusted Supplier. For the long term, the DOD is taking a broad look toward future, state-of-the-art needs, projections for the commercial microelectronics marketplace, and technology solutions that may enable access to commercial fabrication facilities, to inform alternative approaches to ensuring access to trusted, state of the art microelectronics.

Question. How might the Department mitigate the risks of losing that capability to a company with foreign ownership?

Answer. The Department is studying long-term options and alternatives to the current Trusted Foundry approach. The DOD is taking a broad look toward future, state-of-the-art needs, projections for the commercial microelectronics marketplace, and technology solutions that may enable access to commercial fabrication facilities, to inform alternative approaches to ensuring access to trusted, state of the art microelectronics. The vision for these new approaches involves shifting the burden of hardware assurance from policies that restrict access to the commercial sector, to technologies and processes that enable cooperation. Options include improved hardware and software assurance tools for analyzing provenance and functionality, new technology capabilities to enable trust from untrusted sources, and continued maturation of the broader trusted supplier network that DMEA certifies. DOD and other federal agencies are contributing to these analyses, to identify sustainable approaches to securing the microelectronics supply chain of the future.

Question. How does the Trusted Foundry program support a secure supply chain for field-programmable gate array (FPGA) chips?

Answer. The current Trusted Foundry program does not address FPGA chips; it provides access to custom-manufactured application specific integrated circuits (ASICs). FPGAs are frequently a more affordable alternative to ASICs, but unlike ASICs, they are commercial-off-the-shelf items produced for a broad market of users. FPGAs have unique trust issues. They are globally designed and manufactured, and unlike ASICs there are currently no U.S.-based foundries supplying FPGAs for DOD use.

It is DOD policy to employ protections that manage risk in the supply chain for components or subcomponent products such as FPGAs. The Department has issued guidance on supply chain risk management practices to address components such as FPGAs. If confirmed, I would support efforts to continue to mature these practices as we learn more about their effectiveness.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information. Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of Defense for Research and Engineering?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

OUR OWN ANTI-ACCESS/AREA DENIAL STRATEGY

1. Senator HIRONO. Mr. Welby, there is much concern about China's ability to deploy cost-effective "anti-access/area denial" capabilities in the Pacific that could frustrate our ability to project power into that theater in the event of conflict. However, China must also "project power" across the South China Sea to secure the series of island chains that ring their mainland. This geography offers the United States and its allies in the region the ability to present China with an effective and affordable anti-access/area denial challenge. In other words, the very technology trends that we are expressing concern about could be harnessed to check China's power projection capability. Could our own anti-access/area denial strategy help the U.S. and our allies help to contain China's military in a conflict?

Mr. WELBY. The combatant commander, U.S. Pacific Command, is responsible for developing the plans and strategies to conduct operations in the South China Sea and other areas of the Western Pacific. We work closely with the commander and his staff to identify the current and future capabilities PACOM will need, in order to guide our research and development efforts. ASD(R&E) is actively pursuing technologies that will improve existing PACOM capabilities and developing new technical capabilities that will allow U.S. and allied forces under U.S. PACOM command to maintain a credible deterrent and successfully execute PACOM plans. These efforts include technical efforts focused on addressing "anti-access/area denial" capabilities as well as efforts focused on creating asymmetric advantages for U.S. Forces. If confirmed, I will continue to emphasize these efforts.

2. Senator HIRONO. Mr. Welby, have you considered this concept in the context of your "Third Offset Strategy"?

Mr. WELBY. The Secretary and Deputy Secretary are exploring the concept of a "Third Offset Strategy" to address specific challenges we see in future conflicts due to the rapidly evolving global national security environment and the proliferation of advanced technical capabilities. Technology is one aspect of this discussion. In support of these efforts, ASD(R&E) has been evaluating technical approaches that can mitigate against the growing anti-access/area denial challenge and that can create asymmetric advantages for U.S. Forces in a future competitive environment. I consider these efforts critical to maintaining our warfighters technical edge in a future competitive technology environment.

3. Senator HIRONO. Mr. Welby, what technologies would you want to develop to support this idea?

Mr. WELBY. Working with the Services, the combatant commanders, and others, ASD(R&E) has identified and is pursuing a number of technologies that have the potential to deliver significant new or improved capabilities to the Joint Force in a range of militarily relevant domains including, but not limited to: Missile Defense, Air Warfare and strike, Maritime warfare, Land Warfare, Communications, and Surveillance. Many of these areas may also be able to take advantage of emerging concepts in electronic warfare, advanced computing (including applications of large data and deep learning), and advances in manned-unmanned teaming and systems. If confirmed, I would prioritize these efforts.

SCIENCE & TECHNOLOGY TO SUPPORT COMBATANT COMMANDERS

4. Senator HIRONO. Mr. Welby, although the combatant commanders (such as PACOM) are the ones who actually execute military operations, it seems like many times their needs and requirements are subordinate to the needs and priorities of the Military Service bureaucracies. As a result research programs are not established that connect with their priorities and these needs go unmet. How will you work to ensure that the needs of PACOM and the other combatant commanders are adequately prioritized by the Services as they build their science and technology and research budgets and programs?

Mr. WELBY. ASD(R&E) works to insure that the long term needs of combatant commanders shape the science and technology investments of the Department. ASD(R&E) maintains liaisons with all of the Combatant Commands. These liaisons also perform outreach to the Service Component Commanders in each command. If confirmed, I will work to ensure that the Department's research and engineering enterprise deepens its connections to the combatant commanders, including PACOM.

5. Senator HIRONO. Mr. Welby, what programs would you strengthen to better connect research activities to the combatant commanders?

Mr. WELBY. If confirmed, I will work to promote active dialog and interaction between the combatant commanders and their subordinate Service Component Commanders with the R&D activities within the Office of the Secretary of Defense and those in the Service Research & Development organizations. I particularly believe that our programs focused on Experimentation and Concept Prototyping offer an excellent opportunity for engagement—as these efforts provide an excellent opportunity to jointly explore the operational impacts of emerging technology and to accelerate emerging capabilities to the force.

[The nomination reference of Mr. Stephen P. Welby follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 19, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Stephen P. Welby, of Maryland, to be an Assistant Secretary of Defense, vice Zachary J. Lemnios, resigned.

[The biographical sketch of Mr. Stephen P. Welby, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF STEPHEN P. WELBY

Education:

MS Computer Science, The Johns Hopkins University, Baltimore, MD, 1996

MS Applied Mathematics, The Johns Hopkins University Baltimore, MD, 1991

MS Business Administration, Texas A&M University, Texarkana, TX, 1988

BS Chemical Engineering, The Cooper Union for the Advancement of Science and Art, Manhattan NY, 1987

Employment Record:

- United States Department of Defense—Washington, DC
  - Deputy Assistant Secretary for Systems Engineering
  - September 2009–Present
- Raytheon Missile Systems—Tucson, Arizona
  - Deputy Vice President, Advanced Missiles and Unmanned Systems
  - February 2009–September 2009
- Self Employed, Independent Aerospace and Defense Consultant—Bethesda, Maryland
  - August 2008–February 2009
- Defense Advanced Research Projects Agency—Arlington, Virginia
  - Director and Deputy Director, Tactical Technology Office (2004-2008)
  - Acting Director and Deputy Director, Information Exploitation Office (2001-2004)
  - Program Manager, Information Systems and Special Projects Offices (1997-2001)
  - October 1997–August 2008
- US Army Research Laboratory—Adelphi, MD
  - Project Engineer and Team Leader
  - 1988–1997
- US Army School of Engineering and Logistics, Red River Army Depot—Texarkana, TX
  - Engineering Intern
  - 1987–1988

Honors and Awards:

- Full Undergraduate Academic Scholarship, The Cooper Union for Advancement of Science and Art
- Secretary of Defense Award for Exceptional Public Service

- Secretary of Defense Exceptional Civilian Service Award
- Department of the Army Achievement Medal for Civilian Service

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[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Stephen P. Welby in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Stephen Patrick Welby

2. **Position to which nominated:**
Assistant Secretary of Defense for Research and Engineering

3. **Date of nomination:**
March 19, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
3 February 1965, Manhattan, NY.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married, Spouse: Kimberly Jean Villa.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
MS Computer Science, The Johns Hopkins University, Baltimore, MD, 1996
MS Applied Mathematics, The Johns Hopkins University Baltimore, MD, 1991
MS Business Administration, Texas A&M University, Texarkana, TX, 1988
BS Chemical Engineering, The Cooper Union for the Advancement of Science and Art, Manhattan NY, 1987

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
2009–Present, Deputy Assistant Secretary for Systems Engineering, United States Department of Defense, Washington, DC

2009–2009, Deputy Vice President, Advanced Missiles and Unmanned Systems, Raytheon Missile Systems Tucson, Arizona

2008–2009, Self Employed, Independent Aerospace and Defense Consultant, Bethesda, Maryland

2004–2008 Director and Deputy Director, Tactical Technology Office Defense Advanced Research Projects Agency Arlington, Virginia

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

2001–2004 Acting Director and Deputy Director, Information Exploitation Office Defense Advanced Research Projects Agency Arlington, Virginia

1997–2001 Program Manager, Information Systems and Special Projects offices Defense Advanced Research Projects Agency Arlington, Virginia

1988–1997 Project Engineer and Team Leader U.S. Army Research Laboratory, Adelphi, Maryland

1987–1988 Engineering Intern U.S. Army School of Engineering and Logistics, Red River Army Depot, Texarkana, Texas

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Senior Member, Institute of Electrical and Electronics Engineers

Member, International Council on Systems Engineering

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Full Undergraduate Academic Scholarship, The Cooper Union for Advancement of Science and Art

Secretary of Defense Award for Exceptional Public Service

Secretary of Defense Exceptional Civilian Service Award

Department of the Army Achievement Medal for Civilian Service

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

See attached for a copy of the latest three speeches given.

Below table summarizes speeches or presentations done over the past five years. Speeches are highlighted in yellow.

Date of Event	Event	Topic of Remarks/ Interview	Sponsoring Organization	City	State	Event Type (Conference, etc)
27-Oct-09	12th Annual NDIA Systems Engineering Conference	DoD Systems Engineering	National Defense Industrial Association (NDIA)	San Diego	CA	Conference
9-Dec-09	NDIA SE Division Annual Strategic planning Meeting	DoD Systems Engineering	National Defense Industrial Association (NDIA)	Scottsdale	AZ	Meeting
18-Feb-10	DAU South Conference	DoD Systems Engineering	DAU/AMRDEC	Huntsville	AL	Conference
3-Mar-10	20th Annual National Test and Evaluation Conference	Panel: Systems Engineering Considerations in Practicing Test & Evaluation A Perspective from DoD	National Defense Industrial Association (NDIA)	San Diego	CA	Conference
17-Mar-10	8th Annual Conference on Systems Engineering Research (CSER)	Defense Research And Engineering	Stevens Institute of Technology and University of Southern California	Hoboken	NJ	Conference
7-Apr-10	Workshop on U.S. Education in Undergraduate Systems Engineering	Perspectives and Challenges for Undergraduate Programs in Systems Engineering	US Air Force Academy	Colorado Springs	CO	Workshop
13-Apr-10	SERC Advisory Board	System Engineering within Defense Research And Engineering	Systems Engineering Research Center (SERC)	Washington	DC	Meeting
22-Apr-10	NAS AF Study on Evaluation of USAF Pre-acquisition Technology Development	System Engineering within Defense Research And Engineering	National Academy of Science (NAS)	Washington	DC	Meeting
28-Apr-10	AIA Technical Operations Council	System Engineering within Defense Research And Engineering	Aerospace Industries Association (AIA)	Arlington	VA	Meeting
11-May-10	Northrop Grumman Systems Engineering Advisory Group Symposium 2010	System Engineering within Defense Research And Engineering	Northrop Grumman	McLean	VA	Conference
3-Jun-10	JIAMD Conference	Governance Panel	Joint Integrated Air and Missile Defense (JIAMD)	Huntsville	AL	Conference
10-Jun-10	DAU Systems Acquisition Management Course (ACQ 404)	Systems Engineering	Defense Acquisition University	Fort Belvoir	VA	Course
16-Jun-10	NDIA SE Division Mtg	DoD Systems Engineering Update	National Defense Industrial Association (NDIA)	Arlington	VA	Meeting
3-Aug-10	US Air Force Systems Engineering Conference	DoD Systems Engineering Update	SAF/AQ	Arlington	VA	Conference
18-Aug-10	2nd Annual Ground Vehicle Systems Engineering and Technology Symposium (GVSETS)	DoD Systems Engineering Update	National Defense Industrial Association (NDIA)	Dearborn	MI	Conference
6-Oct-10	30th Air Armament Symposium	DoD Systems Engineering Update	National Defense Industrial Association (NDIA)	Ft. Walton Beach	FL	Conference
12-Oct-10	INCOSE Washington Metropolitan Area Chapter Meeting	DoD Systems Engineering Update	International Council on Systems Engineering (INCOSE)	Tysons Corner	VA	Meeting
25-Oct-10	13th Annual NDIA Systems Engineering Conference	Systems Engineering and Acquisition Excellence	National Defense Industrial Association (NDIA)	San Diego	CA	Conference
28-Oct-10	DMSMS & Standardization 2010 Conference	Acquisition Excellence, Systems Engineering, and Defense Standardization	Defense Standardization Program Office	Las Vegas	NV	Conference

Date of Event	Event	Topic of Remarks/ Interview	Sponsoring Organization	City	State	Event Type (Conference, etc)
1-Nov-10	TTCP JSA TP4 (#22) SISAIG (#3)	System Engineering and Acquisition Excellence	The Technical Cooperation Program (TTCP), Canadian Member	Ottawa	Canada	Meeting
17-Nov-10	General Dynamics Systems Engineering Forum	Systems Engineering and Acquisition Excellence	GD	Falls Church	VA	Conference
16-Dec-10	DAU Systems Acquisition Management Course (ACQ 404)	Systems Engineering and Acquisition Excellence	Defense Acquisition University	Ft. Belvoir	VA	Course
16-Feb-11	NDIA SE Division Meeting	DoD Systems Engineering: Status Report	National Defense Industrial Association (NDIA)	Washington	DC	Meeting
14-Apr-11	9th Annual Conference on Systems Engineering Research (CSER)	Keynote	Stevens Institute of Technology and University of Southern California	Los Angeles	CA	Conference
21-Apr-11	Materiel Acquisition Logistics and Technology (MALT) Review	Department of Defense Research & Engineering Priorities	ASA(ALT)	Washington	DC	Meeting
26-Apr-11	AIA Technical Operations Council Meeting	Department of Defense Research & Engineering Priorities	Aerospace Industries Association (AIA)	Arlington	VA	Meeting
17-May-11	Aviation Week Affordability Requirements Forum	Acquisition Panel: Achieving Affordable, Efficient and Effective Acquisition	Aviation Week	Washington	DC	Conference
9-Jun-11	DAU Systems Acquisition Management Course (ACQ 404)	Systems Engineering and Acquisition Excellence	Defense Acquisition University	Fort Belvoir	VA	Course
12-Jul-11	SE Capstone Workshop	Systems Engineering and Acquisition Excellence	ASD(R&E)	Arlington	VA	Workshop
20-Jul-11	INCOSE Chesapeake Chapter Meeting	Keynote	International Council on Systems Engineering (INCOSE)	Columbia	MD	Meeting
9-Aug-11	INCOSE Los Angeles Chapter	DoD Challenges and Opportunities for Systems Engineering	International Council on Systems Engineering (INCOSE)	Los Angeles	CA	Meeting
16-Aug-11	AF SE Conference	Keynote	SAF/AQ	Dayton	OH	Conference
30-Aug-11	DMSMS & Standardization 2011 Conference	Keynote	Defense Standardization Program Office	Hollywood	FL	Conference
7-Sep-11	INCOSE Chesapeake Chapter CSEP Dinner	Remarks	International Council on Systems Engineering (INCOSE)	Baltimore	MD	Meeting
13-Sep-11	INCOSE WMA Meeting (DC Chapter)	DoD Systems Engineering	International Council on Systems Engineering (INCOSE)	McLean	VA	Meeting
21-Sep-11	SE Technical Committee Specialists Meeting	DoD Systems Engineering	AHS International	Owego	NY	Meeting
25-Oct-11	NDIA 14th Annual Systems Engineering Conference	DoD Systems Engineering	National Defense Industrial Association (NDIA)	San Diego	CA	Conference
6-Dec-11	NDIA SE Division Annual Strategic Planning Meeting	DoD Systems Engineering	National Defense Industrial Association (NDIA)	Orlando	FL	Meeting

Date of Event	Event	Topic of Remarks/ Interview	Sponsoring Organization	City	State	Event Type (Conference, etc)
13-Dec-11	DAU Systems Acquisition Management Course (ACQ 404)	DoD Systems Engineering	Defense Acquisition University	Fort Belvoir	VA	Course
22-Feb-12	National Engineers Week	Systems Engineering	WHS/FSD/SCD	Washington	DC	Meeting
6-Mar-12	Singapore-US Systems Engineering Workshop	DoD Systems Engineering / Program Protection	Singapore Defense (DSTA)		Singapore	Workshop
14-Mar-12	2011 Defense Standardization Program Awards Ceremony	Defense Standardization	Defense Standardization Program Office	Washington	DC	Meeting
18-Apr-12	ASEE EDI Conference	Keynote & SE and the Military Panel	American Society of Engineering Education	Kauai	HI	Conference
24-Apr-12	Value-driven Engineering: A National Conference on Medical Innovation and US Global Competitiveness	Systems Engineering	Austen BioInnovation Institute in Akron (ABIA)	Akron	OH	Conference
2-May-12	AIA Technical Operations Council (TOC) Meeting	OSD Systems Engineering	Aerospace Industries Association (AIA)	Arlington	VA	Meeting
15-May-12	Systems Engineering Conference in Washington DC 2012 Conference	DoD Systems Engineering	International Council on Systems Engineering (INCOSE)	Fairfax	VA	Conference
4-Jun-12	TechAmerica Systems, Standards, and Technology Council (SSTC) Meeting	DoD Systems Engineering	TechAmerica	McLean	VA	Meeting
5-Jun-12	DAU Systems Acquisition Management Course (ACQ 404)	DoD Systems Engineering	Defense Acquisition University	Fort Belvoir	VA	Course
14-Jun-12	TARDEC SE Workshop	DoD Systems Engineering	US Army RDECOM	Warren	MI	Workshop
20-Jun-12	NDIA SE Division Meeting	DoD Systems Engineering Update	National Defense Industrial Association (NDIA)	Arlington	VA	Meeting
26-Jun-12	2012 National Space and Missile Materials Symposium (NSMMS)	ASD(R&E) Overview	Industry consortia, GDIT lead	Tampa	FL	Conference
31-Jul-12	Systems Engineering Education & Training (SEZT) Program Graduation Ceremony	DoD Systems Engineering	AMRDEC	Huntsville	AL	Meeting
14-Aug-12	Raytheon SE and Architecture Symposium	DoD Systems Engineering Update	Raytheon Company	El Segundo	CA	Conference
23-Oct-12	NDIA 15th Annual SE Conference	Chief SE Panel & Keynote: Driving Engineering Productivity	National Defense Industrial Association (NDIA)	San Diego	CA	Conference
13-Feb-13	NDIA SE Division Meeting	DoD Systems Engineering Update	National Defense Industrial Association (NDIA)	Washington	DC	Meeting
18-Mar-13	Northrop Grumman Systems Engineering Advisory Group (SEAG) Meeting	DoD Systems Engineering	Northrop Grumman	Arlington	VA	Meeting
5-Apr-13	SysEngr 408 – Systems Engineering Colloquium	DoD Systems Engineering	USAFA Systems Engineering Program Advisory Council	Colorado Springs	CO	Meeting

Date of Event	Event	Topic of Remarks/ Interview	Sponsoring Organization	City	State	Event Type (Conference, etc)
1-May-13	Technical Operations Council Meeting	DoD Systems Engineering Update	Aerospace Industries Association (AIA)	Arlington	VA	Meeting
4-Jun-13	DAU Systems Acquisition Management Course (ACQ 404)	DoD Systems Engineering	Defense Acquisition University	Fort Belvoir	VA	Course
24-Jun-13	23rd Annual INCOSE International Symposium	Keynote: DoD Systems Engineering & Panel: Ensuring a secure supply chain	International Council on Systems Engineering (INCOSE)	Philadelphia	PA	Conference
28-Aug-13	INCOSE Chesapeake Chapter 4th Annual CSEP Dinner	Value of SE Certification	International Council on Systems Engineering (INCOSE)	Baltimore	MD	Meeting
20-Sep-13	JRD Conference	SE and Acquisition	ASD(R&E)	Washington	DC	Conference
29-Oct-13	16th Annual NDIA Systems Engineering Conference	Chief SE Panel	National Defense Industrial Association (NDIA)	Arlington	VA	Conference
12-Nov-13	Open Architecture Summit	Open Systems	Defense Daily	Washington	DC	Conference
21-Nov-13	Agile in Government Summit	Agile in DoD	Association for Enterprise Information (AFEI) & Software Engineering Institute (SEI)	Washington	DC	Conference
3-Dec-13	Diminishing Manufacturing Sources and Material Shortages (DMSMS) & Standardization 2013 Conference & 2013 Defense Manufacturing Conference	DoD Systems Engineering	Defense Standardization Program Office	Kissimmee	FL	Conference
31-Jan-14	Committee on Improving the Effectiveness and Efficiency of U.S. Air Force Pre-Acquisition Development Planning Meeting	OUSD(AT&L) Perspectives on Development Planning	National Research Council/Air Force Studies Board	Washington	DC	Meeting
12-Feb-14	NDIA SE Division Meeting	DoD SE Update	National Defense Industrial Association (NDIA)	Washington	DC	Meeting
25-Feb-14	5th Annual Systems Engineering Research Center (SERC) Sponsor Research Review	SE Research Priorities	Systems Engineering Research Center (SERC)	Washington	DC	Conference
22-Mar-14	12th Annual Conference on Systems Engineering Research (CSER 2014)	Keynote: DoD SE Priorities	International Council on Systems Engineering (INCOSE)	Redondo Beach	CA	Conference
15-May-14	50th Annual Autonomous, Guidance, Navigation, and Control Symposium	Maintaining Our Technological Advantage in an Era of Uncertainty	Charles Stark Draper Laboratory, Inc.	Cambridge	MA	Conference
3-Jun-14	DAU Systems Acquisition Management Course (ACQ 404)	DoD Systems Engineering	Defense Acquisition University	Fort Belvoir	VA	Course
10-Jun-14	FFRDC and UARC directors meeting	Maintaining Our Technological Advantage in an Era of Uncertainty: Research and Engineering Strategic Update/Priorities	DoD ARA	Arlington	VA	Meeting
1-Oct-14	Raytheon Systems Engineering & Architecture Symposium	DoD Systems Engineering	Raytheon Company	Tucson	AZ	Conference
15-Oct-14	DoD R&D Event	ASD(R&E) Perspective (Strategy & Budget)	Potomac Officers Club	McLean	VA	Meeting

Date of Event	Event	Topic of Remarks/ Interview	Sponsoring Organization	City	State	Event Type (Conference, etc)
29-Oct-14	17th Annual NDIA Systems Engineering Conference	Chief Systems Engineers Panel; Open Systems Architecture in DoD Acquisition: Opportunities and Challenges Briefing; Luncheon Remarks	National Defense Industrial Association (NDIA)	Springfield	VA	Conference
13-Nov-14	NSF Theory of SE Workshop	Remarks	National Science Foundation	Arlington	VA	Workshop
21-Nov-14	Leadership Excellence Acceleration Program (LEAP) Meeting	DoD Engineering and Better Buying Power 3.0	Boeing	Arlington	VA	Meeting
25-Nov-14	Meeting with Ms. Heather Goldstraw (UK MOD Head of Technology Delivery - Defence Equipment and Support (DE&S))	DoD Engineering and Better Buying Power 3.0	DASD(SE)IC	Washington	DC	Meeting
1-Dec-14	Korean Delegation Visit	DoD Systems Engineering	DASD(SE)IC	Washington	DC	Meeting
2-Dec-14	2014 Defense Manufacturing Conference (DMC)	DoD Keynote	DASD(MIBP)	San Antonio	TX	Conference
4-Dec-14	8th Annual SERC Sponsor Research Review	DoD Systems Engineering	Systems Engineering Research Center (SERC)	Washington	DC	Conference
10-Dec-14	Annual Strategic Planning Meeting	DoD Engineering and Better Buying Power 3.0	National Defense Industrial Association (NDIA)	Arlington	VA	Meeting
6-Jan-15	Innovation Summit – Federally Funded Laboratories	DoD Long-Range R&D Plan	MITRE, Johns Hopkins University Applied Physics Lab (JHU/APL), Draper Lab, MIT Lincoln Labs	McLean	VA	Workshop
26-Mar-15	2015 Georgia STEM Summit	STEM Workforce Panel: The Growing Importance of STEM Policy	US Air Force and GA Department of Economic Development	Atlanta	GA	Meeting

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

STEPHEN P. WELBY

This 7th day of April, 2015

[The nomination of the Mr. Stephen P. Welby was reported to the Senate by Chairman McCain on December 7, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 14, 2015.]

[Prepared questions submitted to Ms. Alissa M. Starzak by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I believe that Goldwater-Nichols and other reforms significantly improved interservice and joint relationships within the Department of Defense. The principles that animated Goldwater-Nichols—including enhancing civilian control of the military, improving military advice to civilian leaders, strengthening the role of combatant commanders to allow them to accomplish the missions assigned to them, and encouraging joint officer management—continue to apply today. I understand that there is currently a desire to take a careful look at Goldwater-Nichols to assess whether any changes are necessary. Although at this time, I am unaware of any need to amend Goldwater-Nichols, I look forward to being involved in those discussions, if confirmed, and to recommend any changes I believe to be warranted through the established process.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. As noted above, I am not aware of any need to amend Goldwater-Nichols.

DUTIES

Question. What is your understanding of the duties and functions of the General Counsel of the Department of the Army?

Answer. The duties and functions of the General Counsel of the Army are determined and assigned by the Secretary of the Army. The General Counsel provides legal advice to the Secretary of the Army, the Under Secretary, the Assistant Secretaries, and other offices within the Army Secretariat and serves as the chief legal officer of the Department of the Army responsible for determining the controlling legal positions of the Department. I understand that the General Counsel's responsibilities extend to any matter of law and to other matters as directed by the Secretary, to include overseeing matters in which the Army is involved in litigation, taking final action on certain claims filed against the Army, providing professional guidance to the Army's legal community, and establishing and administering the Army's policies concerning legal services.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. Because of the broad nature of the duties and responsibilities of the office, the Army General Counsel must not only have good judgment and legal skills, but also the ability to build strong relationships and work collaboratively with individuals in the Army, across the Executive branch, and in the Congress. I believe my experience, both inside and outside the Department of Defense, has prepared me for this role.

After receiving a Bachelor of Arts degree, magna cum laude, from Amherst College, I attended the University of Chicago Law School, where I was an editor on the Law Review and graduated with honors. After graduation, I served as a law clerk to the Honorable E. Grady Jolly, on the U.S. Court of Appeals for the Fifth Circuit in Jackson, Mississippi. I subsequently moved to Washington, DC, to practice law at the law firm of O'Melveny and Myers, where I focused on compliance, corporate investigations and white collar defense. In 2005, I joined the Office of General Counsel at the Central Intelligence Agency, before becoming a counsel on the Senate Select Committee on Intelligence in 2007. I currently serve as a Deputy General Counsel in the Department of Defense Office of General Counsel, working on a variety of legal issues related to Congress, including issues directly related to the Army. I believe that this legal and practical experience—in three branches of

government—will serve me well in addressing the wide range of issues that will face the Department of the Army.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the General Counsel of the Department of the Army?

Answer. I am confident that I have the necessary legal and professional experience, analytic skills, and leadership abilities to be the General Counsel of the Department of the Army. If I am confirmed, I will establish and maintain close and professionally cooperative relationships with the talented and dedicated attorneys in the Office of the General Counsel, with The Office of The Judge Advocate General of the Army, and with other offices dealing with matters of mutual interest in order to provide the best possible legal services to all members of the Department of the Army.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Army would prescribe for you?

Answer. If I am confirmed, I will be ready to execute the responsibilities of the General Counsel set forth in the General Order prescribing the duties of each principal officer of Headquarters, Department of the Army. In addition to these duties, I anticipate that the Secretary of the Army will expect me to manage the Office of General Counsel efficiently and effectively, ensuring that it provides accurate and timely legal advice. I also anticipate that the Secretary will expect me to work collaboratively with The Judge Advocate General, the General Counsels of the Department of Defense, the other Military Departments, and the Defense Agencies, and the legal staff of other federal agencies.

Question. In carrying out your duties, how will you work with the General Counsel of the Department of Defense?

Answer. While the General Counsels of the Army, Navy and Air Force serve as the chief legal officers of their respective departments, the General Counsel of the Department of Defense is the chief legal officer and final legal authority for the entire Department of Defense. If confirmed, I intend to continue the close professional relationship I have with Mr. Robert Taylor, the Acting General Counsel of the Department of Defense, by meeting regularly and collaboratively working in furtherance of the best interests of the Department of Defense.

MAJOR CHALLENGES

Question. In your view, what are the major challenges that will confront the General Counsel of the Department of the Army?

Answer. The General Counsel of the Department of the Army must provide accurate and timely legal advice on the full spectrum of matters that arise in the Army. In a time of shrinking budgets, the General Counsel will be confronted with significant legal matters related to balancing and transitioning the Army. In addition, I expect that the General Counsel will confront significant challenges related to the prevention of, and response to, sexual assault, military and civilian personnel policies, acquisition, and compliance with environmental law.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I plan to prioritize legal issues consistent with the Secretary of the Army's priorities, and to work closely with the Secretary, the Chief of Staff, The Judge Advocate General, and the attorneys in the Office of the General Counsel to provide timely, accurate, and candid legal advice. If confirmed, I will also ensure that the Office of the General Counsel is appropriately resourced and staffed to address those priorities.

Question. What do you see as the most significant legal issues the Army will face in the coming year?

Answer. In an environment of declining resources, the Army is facing difficult policy choices and a period of significant transition. Those efforts to rebalance and reform the Army will invariably involve significant legal questions. Although it is difficult to predict exactly what other significant legal issues will arise in the coming year, if confirmed, I will work closely with the talented team of attorneys and judge advocates in the Office of the General Counsel to address those issues.

Question. Does the Army Office of the General Counsel have the resources to deal with these problems?

Answer. At this time, I believe the Office of the General Counsel has the resources needed to address the many difficult legal issues confronting the Army today. If I am confirmed, I will be in a better position to evaluate this important management and leadership issue.

Question. What broad priorities will you establish in terms of issues which must be addressed by the Office of the General Counsel of the Department of the Army?

Answer. If confirmed, I plan to carefully examine the structure and functioning of the Office of General Counsel to ensure that it continues to appropriately address the needs of the Army as changes are made to the Army's operating framework. To provide high-quality, timely legal advice, the Army legal community must be integrated into the broader Army community and involved at all stages of the decision-making process. If confirmed, I also intend to carefully review programs for attorney recruitment and retention to ensure that the Office has the skills and capacity to address the challenges of the future.

RELATIONSHIPS

Question. What is your understanding of the formal and informal relationship between the General Counsel of the Army and the following offices?

The General Counsel of the Department of Defense.

Answer. I understand that the Acting General Counsel of the Department of Defense, Mr. Robert Taylor, has worked closely with the General Counsels of the Military Departments. If confirmed, I intend to continue the professional relationship I have with Mr. Taylor, which will include routine consultation, communication, and cooperation on matters of mutual interest, furthering the best interests of the Department of the Army and the Department of Defense.

Question. The Secretary of the Army.

Answer. As the head of the Department of the Army, the Secretary of the Army is responsible for all affairs of the Department. If confirmed, my primary responsibility will be to provide the Secretary with clear, concise, and correct legal advice and counsel, and to perform the duties and functions he has assigned. In order to execute these responsibilities to the highest standard, I intend to establish a strong relationship with the Secretary of the Army that will enhance my ability to communicate with him directly and candidly on all matters.

Question. The Chief of Staff of the Army.

Answer. The Chief of Staff of the Army is the senior military officer of the Department of the Army and a member of the Joint Chiefs of Staff. The Chief of Staff is directly responsible to the Secretary of the Army on all matters except those related to his role as a member of the Joint Chiefs of Staff. If confirmed, I will work closely with The Judge Advocate General to continue the excellent relationship between the Army General Counsel, the Chief of Staff, and the Army Staff.

Question. The Assistant Secretaries of the Army.

Answer. I understand that the five Assistant Secretaries of the Army perform the duties and responsibilities assigned to them in statute and prescribed by the Secretary of the Army. In broad terms, the Assistant Secretaries formulate and oversee policies and programs within their functional areas. As the chief legal officer of the Department of the Army, the General Counsel is responsible for providing legal advice, counsel, and guidance to the Assistant Secretaries and their staffs. If confirmed, I will seek to establish strong, productive relationships with each of the Assistant Secretaries and ensure that the Office of the General Counsel continues to provide timely and correct legal advice to their respective staffs.

Question. The Judge Advocate General of the Army.

Answer. In coordination with the Army General Counsel, I understand The Judge Advocate General serves as military legal advisor to the Secretary of the Army and the primary legal advisor to the Chief of Staff of the Army, members of the Army Staff, and members of the Army generally. Additionally, I recognize that The Judge Advocate General has the primary responsibility for providing legal advice and services regarding the Uniform Code of Military Justice (UCMJ) and the administration of military discipline. A close, professional relationship between the civilian and uniformed members of the Army's legal community is critical. If confirmed, I will work collaboratively with The Judge Advocate General to provide the best possible legal support to the Army.

Question. The Inspector General of the Department of Defense.

Answer. The Inspector General of the Department of Defense is responsible for advising the Secretary of Defense on criminal investigative matters and all other matters relating to the prevention and detection of fraud, waste, and abuse within the Department of Defense. If confirmed, I will work with the Inspector General of the Department of Defense on matters related to the Department of the Army to ensure that Army interests are fully and fairly represented and to ensure Army actions taken as a result of Department of Defense Inspector General recommendations are executed in compliance with applicable law, directives, and regulations.

Question. The Inspector General of the Army.

Answer. The Inspector General of the Army reports directly to the Secretary of the Army regarding the discipline, efficiency, and economy of the Army, and on

other matters specifically assigned by the Secretary. If confirmed, I anticipate maintaining a close and professional relationship with The Inspector General to ensure that he and his staff have the legal advice and support they require for mission success.

Question. The General Counsels of the other military departments.

Answer. Like the General Counsel of the Army, the General Counsels of the other Military Departments serve and act under the authority, direction, and control of the Secretaries of their respective Departments. If confirmed, I would expect to work closely with them on matters of mutual interest. I know that the Acting General Counsel of the Department of Defense, Mr. Taylor, facilitates this effort in order to best use the legal services across the Department of Defense. I look forward to participating in this effort.

Question. The Attorney General and the Department of Justice.

Answer. The Attorney General is the chief legal officer of the Executive Branch and may issue controlling guidance on certain legal issues. I also know the Attorney General and the Department of Justice represent the Department of the Army in litigation before Federal district courts and State courts. I view a strong relationship between the Army and the Department of Justice to be critical to success, and if confirmed, I will work in conjunction with The Judge Advocate General and the General Counsel of the Department of Defense to ensure the continuation of the Army's current cooperative relationship with the Attorney General and the Department of Justice.

RELATIONSHIP WITH THE JUDGE ADVOCATE GENERAL.

Question. In carrying out your duties if you are confirmed, how will you work with the Judge Advocate General of the Army?

Answer. It is essential that the Army General Counsel maintain a close and cooperative relationship with The Judge Advocate General. A productive and positive relationship sets the tone and the direction for the effective delivery of legal services to the Army at all echelons. I know The Judge Advocate General shares this view, and if confirmed, we will work together to ensure the Offices of the General Counsel and The Judge Advocate General work closely together in the spirit of teamwork to deliver the best possible legal services to the members of the Army.

Question. How are the legal responsibilities of the Department of the Army allocated between the General Counsel and the Judge Advocate General?

Answer. The Army General Counsel serves as the chief legal officer for the Department of the Army. As a component of the Army Secretariat, the Office of the Army General Counsel is charged to provide advice to the Secretary of the Army and other Secretariat officials on any subject of law and on other matters as directed by the Secretary of the Army. The Army General Counsel is authorized to provide the controlling legal opinion in any matter for the Army. The Judge Advocate General is the chief legal advisor to the Chief of Staff of the Army, members of the Army Staff, and members of the Army generally. In coordination with the Army General Counsel, The Judge Advocate General serves as the military legal advisor to the Secretary of the Army. The law prohibits interference with the ability of The Judge Advocate General to provide independent legal advice to the Secretary of the Army, which I fully support. The Judge Advocate General provides supervision over the delivery of a wide-range of legal services across the Army. The Judge Advocate General also has primary responsibility for providing legal advice and services regarding the Uniform Code of Military Justice and the administration of military discipline. The Offices of the Army General Counsel and The Judge Advocate General have a well-developed and supportive working relationship in their respective responsibilities. If confirmed, I will work to continue this productive partnership for the benefit of the Army.

Question. If confirmed, how would you ensure that legal opinions of your office will be available to Army attorneys, including judge advocates?

Answer. I understand the respective offices of the General Counsel and The Office of The Judge Advocate General have a longstanding routine and cooperative working arrangement. Open lines of communication and collaboration are essential to ensure legal views and opinions issued by the Office of the Army General Counsel and the Office of The Judge Advocate General are readily available to all Army attorneys, both civilian attorneys and judge advocates. If confirmed, I will support this relationship in a positive manner.

Question. In response to attempts within the Department of Defense to subordinate legal functions and authorities of the Judge Advocates General to the General Counsels of the Department of Defense and the military services, Congress enacted legislation prohibiting any officer or employee of the Department of Defense from

interfering with the ability of the Judge Advocates General of the military services and the legal advisor to the Chairman of the Joint Chiefs of Staff to provide independent legal advice to the Chairman, service secretaries, and Service Chiefs.

What is your view of the need for the Judge Advocate General of the Army to have the authority to provide independent legal advice to the Secretary of the Army and the Chief of Staff of the Army?

Answer. I believe it is essential that the expertise of The Judge Advocate General be available to the Secretary of the Army and the Chief of Staff of the Army. I fully support the law, in both principle and in spirit, empowering The Judge Advocate General of the Army to provide independent legal advice honed by years of experience and informed judgment on military affairs to the Secretary of the Army and the Chief of Staff of the Army.

Question. What is your view of the responsibility of Army judge advocates to provide independent legal advice to military commanders?

Answer. Army commanders are charged with the responsibility to maintain discipline and to ensure the lawful conduct of the forces under their control, in addition to the proper functioning of their unit or organization. Army Judge Advocates at all levels provide valuable aid to commanders and leaders to maintain discipline and to help avoid a myriad of legal pitfalls in the day-to-day business of command. A Judge Advocate's ability to provide candid legal advice to a commander and staff, both openly and in confidence as needed, is absolutely critical. Army commanders need and deserve the best legal advice and judgment available. This is best achieved when Judge Advocates are empowered to provide commanders with independent legal advice, supported by appropriate guidance from supervising attorneys.

Question. If confirmed, would you propose any changes to the current relationships between the uniformed judge advocates and the Army General Counsel?

Answer. If confirmed, I will always look for opportunities to improve and to strengthen the relationships between the uniformed judge advocates and the staff of the Office of the General Counsel. At this time, I am not aware of any need for change, and my understanding is that the current relationship works well.

Question. Are legal opinions of the Office of the Army General Counsel binding on all Army lawyers?

Answer. Because the Army General Counsel is the chief legal officer for the Department of the Army as directed by the Secretary of the Army, legal opinions issued by the Office of the Army General Counsel are controlling throughout the Department of the Army. As a general matter, however, I understand that opinions are typically drafted in collaboration with The Judge Advocate General. If confirmed, I would ensure that significant legal opinions are informed by the expertise of both civilian attorneys and judge advocates.

Question. How will you ensure that such legal opinions are available to Army lawyers?

Answer. Written opinions of the Office of the General Counsel for the Department of the Army are distributed in the ordinary course of business, using normal departmental distribution processes. If confirmed, I expect to continue this practice.

Question. If confirmed, are there specific categories of Army Counsel legal opinions that you expect to reconsider and possibly revise? If so, what categories?

Answer. I am not aware of any specific categories of Army General Counsel legal opinions in need of reconsideration or revision. If confirmed, however, as the need arises, I would review opinions warranting revision consistent with contemporary law in consultation with the appropriate attorneys and subject matter experts within the Army and elsewhere as appropriate.

Question. Article 6 of the Uniform Code of Military Justice gives primary jurisdiction over military justice to the Judge Advocates General of the Army, Navy, and Air Force.

How do you view the responsibilities of the Army General Counsel in the performance of military justice matters with regard to the Judge Advocate General of the Army?

Answer. The Judge Advocate General's responsibilities to ensure the proper administration of the military justice system require direct and independent advice to the Secretary of the Army. If confirmed, I look forward to supporting The Judge Advocate General on military justice matters with consultation, advice, and assistance, as needed.

ATTORNEY RECRUITING AND RETENTION ISSUES

Question. If confirmed, how do you assess your ability to hire and retain top quality attorneys and provide sufficient opportunity for advancement?

Answer. I believe my background and experience have prepared me to meet the challenges of recruiting and retaining top quality attorneys and providing meaningful and rewarding opportunities for those attorneys to advance. Nevertheless, I believe the Army will face significant challenges in the coming years as we compete with the private sector and other federal employers for quality attorneys, while shrinking resources will force us to demand more from the highly qualified attorneys we already have. If confirmed, I will work to ensure the Army allocates sufficient resources to attract and select only the best qualified candidates for military and civilian attorney positions. In doing so, I will work closely with the Office of The Judge Advocate General to retain the best attorneys to provide first-rate legal services to the Army, its commanders, soldiers, and family members.

Question. In your view, does the Department of the Army have a sufficient number of civilian and military attorneys to perform its missions?

Answer. My understanding is the Army General Counsel has a sufficient number of civilian attorneys to perform its mission, and the Judge Advocate General's Corps (JAG) has enough military and civilian attorneys to meet its current requirements. To address emerging requirements, however, including special victim capabilities (required by the FY2013 National Defense Authorization Act) and special victim counsel (required by the FY2014 National Defense Authorization Act), the Army JAG Corps is planning to grow. Recognizing that as the Army draws down, legal support requirements may increase, I will closely monitor these emerging requirements and ensure they are resourced appropriately.

Question. In your view, what incentives to successful recruiting and retention of attorneys, if any, need to be implemented or established?

Answer. I understand the legal market is projected to become increasingly competitive over the next several years, with fewer students graduating from law school and a likely increase in hiring by private sector law firms. In my view, it is crucial that the Army renew our commitment to funding current incentive programs, like student loan repayment and career retention bonuses, notwithstanding the current fiscal challenges. These programs are needed to attract and retain the highest quality attorneys.

DETAINEE ISSUES

Question. What role do you expect to play, if confirmed, in addressing legal issues regarding detainees?

Answer. Although issues relating to the treatment of detainees most often arise in combatant commands, there are many Army judge advocates serving in those combatant commands, and the General Counsel of the Army may in some circumstances have an appropriate role in assisting those judge advocates with legal issues regarding detainees.

Question. Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.

In your view, is the section 1403 prohibition in the best interest of the United States? Why or why not?

Answer. Yes, I believe this prohibition is in the best interest of the United States and is fully consistent with protecting our national security.

Question. Do you believe that the phrase "cruel, inhuman, or degrading treatment or punishment" has been adequately and appropriately defined for the purpose of this provision?

Answer. The Detainee Treatment Act of 2005 and the Military Commissions Act of 2009 define "cruel, inhuman, or degrading treatment or punishment" as the cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the U.S. Constitution. I think this definition provides a clear standard for ensuring that detainees in the custody of the U.S. Government are treated in a humane manner.

Question. What role do you believe the General Counsel of the Army should play in the interpretation of this standard?

Answer. The General Counsel should play an independent role in advising the Secretary of the Army and those who fall under his command on the standards governing the treatment of persons detained by the U.S. Army, including any interpretation of this legal standard.

Question. What role do you believe the Judge Advocate General of the Army should play in the interpretation of this standard?

Answer. The Judge Advocate General of the Army should be intimately involved in the interpretation of legal standards governing the treatment of detainees and

should provide independent legal advice to the Secretary of the Army. The Judge Advocate General and the lawyers she leads—many of whom have served multiple deployments—bring experience and an important perspective to these and many other operational matters. If confirmed, and if called on to offer any guidance on this standard, I would expect to work collaboratively with The Judge Advocate General to provide clear advice to the field.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes, I support the requirements in revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and DOD Directive 2310.01E, reissued on August 14, 2014, that all detainees and detained personnel be treated humanely and with respect for their dignity.

Question. Section 2441 of title 18, United States Code, as amended by the Military Commissions Act of 2006, defines grave breaches of common article 3 of the Geneva Conventions, including torture and cruel and inhuman treatment.

In your view, does section 2441 define these terms in a manner that provides appropriate protection from abusive treatment to U.S. detainees in foreign custody and to foreign detainees in U.S. custody?

Answer. I believe section 2441 provides an appropriate standard for protecting both U.S. detainees in foreign custody and foreign detainees held in our custody.

Question. Section 812 of title 10, United States Code states: "No member of the armed forces may be placed in confinement in immediate association with enemy prisoners or foreign nationals not members of the armed forces."

Consistent with the statute, what recommendations would you provide the Secretary of the Army, if confirmed regarding the possible holding of foreign detainees at DOD Regional Corrections Facilities and Disciplinary Barracks?

Answer. In the event that the Secretary of the Army sought my advice on such a matter, I would ensure that my advice was consistent with applicable law, including section 812.

Question. What types of modifications would be needed at military detention facilities to ensure they are compliant with domestic and international law as well as meeting the special security considerations necessary for the safe detention of foreign law of war detainees?

Answer. At this time, I am not familiar with what modifications, if any, would be needed to ensure that a military detention facility complies with domestic and international law.

Question. If confirmed, what recommendations would you have for addressing the safety and security of the general public living near these facilities?

Answer. If confirmed, I would defer to law enforcement experts about what measures would be necessary to ensure the safety and security of the general public living near these facilities, and would work closely with them to ensure that safety issues are appropriately and lawfully addressed.

Question. In November 2012, the U.S. Government Accountability Office (GAO) published a report titled: Guantanamo Bay Detainees: Facilities and Factors for Consideration if Detainees Were Brought to the United States. That reported noted that only one DOD facility, the U.S. Disciplinary Barracks at Fort Leavenworth, Kansas, currently holds "inmates with sentences exceeding 5 years as well as inmates sentenced to death." The report also stated: "in order to conform with international law and DOD policies . . . " detainees are to be "protected from public curiosity (for example, pictures of detainees' faces are not disseminated publicly)."

In your view, what steps would need to be taken in the handling of law of war detainees in order to comply with international law and DOD regulations, including the "public view" prohibition raised by GAO?

Answer. The Department of Defense takes seriously its obligation to comply with the Geneva Conventions and other legal requirements relating to the treatment of detainees, including the requirement not to hold detainees out for public curiosity. If confirmed, I would ensure any advice I provide regarding law of war detention is consistent with those requirements.

CRIMINAL JURISDICTION OVER CONTRACTORS ON THE BATTLEFIELD

Question. The Military Extraterritorial Jurisdiction Act (MEJA) was enacted in 2000 to extend the criminal jurisdiction of the U.S. courts to persons employed by or accompanying the Armed Forces outside the United States.

In your view, does MEJA provide appropriate jurisdiction for alleged criminal actions of contractor employees in Iraq, Afghanistan, and other areas of combat operations?

Answer. I believe that the Military Extraterritorial Jurisdiction Act of 2000 (MEJA) does provide appropriate criminal jurisdiction over contractor employees in areas of combat operations. Although these types of prosecutions are rare, MEJA is an effective tool to hold contractors and Department of Defense civilian employees accountable for serious criminal acts. All people supporting our Armed Forces, regardless of their location, should be held accountable for their actions, and MEJA can be an effective means of achieving that end.

Question. What changes, if any, would you recommend to MEJA?

Answer. My understanding is that MEJA is sufficient in its current form.

Question. What role would you expect to play, if confirmed, in developing Administration recommendations for changes to MEJA?

Answer. If confirmed, I expect to be actively involved in any effort to develop Administration recommendations for changes to MEJA. Because MEJA applies to civilian personnel working across the Department of Defense and its contractors, I would certainly work with officials in other agencies and military departments on any recommended changes to MEJA.

Question. Section 552 of the National Defense Authorization Act for Fiscal Year 2007 extended criminal jurisdiction of the military courts under the Uniform Code of Military Justice to persons serving with or accompanying an armed force in the field during time of declared war or a contingency operation, such as our current operations in Afghanistan.

In your view, does the UCMJ provide appropriate jurisdiction for alleged criminal actions of contractor employees in Afghanistan and other areas of combat operations?

Answer. Yes. The UCMJ provides appropriate jurisdiction for alleged criminal actions of contractor employees in Afghanistan and other areas of combat operations. Civilians serving with or accompanying our Armed Forces overseas who commit crimes should be held appropriately accountable. While it is difficult to prepare for every scenario that may arise in a deployed environment, article 2 of the UCMJ provides a means to address the misconduct of civilians accompanying the force in areas of combat operations.

Question. What is your view of the procedures agreed upon by the Department of Defense and the Department of Justice to reconcile jurisdictional responsibilities under MEJA and the UCMJ?

Answer. If confirmed, I am prepared to examine, from an Army perspective, the relationship between the Department of Justice and the Department of Defense and to give thought to whether it reflects the appropriate balance.

Question. What changes, if any, would you recommend to the UCMJ to ensure appropriate jurisdiction for alleged criminal actions of contractor employees?

Answer. I have no recommendations for any such changes to the UCMJ at this time. If confirmed, and if after further review I perceive a need, I will recommend any changes I believe to be warranted.

IDENTIFICATION OF POTENTIAL EXTREMIST VIEWS

Question. In your view, do current Army policies limit the ability to include information about extremist views in official records that may assist in the identification of potential threats?

Answer. No. To my knowledge, current Army policy does not limit the ability to include this type of information in official records. The Army maintains several types of records that may help identify individuals whose extremist views could pose a threat. These official records include, but are not limited to, records managed by several U.S. Army commands, such as the U.S. Army Human Resources Command, the U.S. Army Criminal Investigation Command, and the U.S. Army Intelligence and Security Command.

Question. Do current Army procedures hinder the ability to share this type of information with other official agencies charged with identifying and monitoring potential extremist or terrorist activities?

Answer. My understanding is that Army procedures do not prohibit sharing this type of information with other official agencies where appropriate. Documents collected in official records are available to individuals or organizations that have a "need to know," which includes appropriate law enforcement agencies.

Question. What is your understanding of how the Army balances the need to identify and respond to potentially harmful extremist views held by soldiers against in-

dividual privacy and respect for the right of soldiers to hold and express personal beliefs?

Answer. Commanders are responsible for building healthy and positive social climates based on dignity and respect for treatment of one another, and maintaining good order and discipline. As such, the Army emphasizes the exercise of calm and prudent judgment to achieve the proper balance between security and the need to preserve a soldier's right of expression. I understand that the Army gives commanders discretion and latitude to balance the mission of safeguarding the security of the United States while preserving the constitutional right of expression.

Question. Do you see a need for a change in this balance?

Answer. I do not currently see a need for change, but I am prepared to examine this issue if confirmed.

RELIGIOUS GUIDELINES

Question. In your view, do Department of Defense policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. I believe the Department of the Army and the Department of Defense's policies support the goals of religious tolerance and mutual respect. If confirmed, in this area as well as other areas, I would ensure all Army policies uphold the Constitutional tenets of the Free Exercise and Establishment clauses of the First Amendment.

Question. In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. I have been advised that under current Army policy, when participating in mandatory official events, chaplains are not compelled to offer prayers that are inconsistent with their personal beliefs or faith, but they are expected to remain sensitive to the pluralistic Army and society they serve. Given the diversity of religious views in the Army, this policy appears to strike the proper balance.

Question. Section 533 of the FY13 National Defense Authorization Act (P.L. 112–239), as amended by section 532 of the FY14 National Defense Authorization Act (P.L. 113–66) protects rights of conscience of members of the armed forces and chaplains and prohibits, so far as possible, use of such beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment. Members of some religious denominations have sincerely held beliefs in opposition to same-sex marriage.

In your view, may a member of the armed forces who has a sincerely held belief in opposition to same-sex marriage be subject to adverse personnel action or similar other adverse action, if he or she shares those personal views on the subject in a personal capacity?

Answer. If soldiers wish to express their personal views about this issue in an open forum and caveat those as such, it is within their right to do so, and they will not be subject to adverse personnel action or similar other adverse action for expressing those views. This is a fundamental right, and if confirmed, I will ensure that all Army policies protect this and similar rights.

ROLE IN THE OFFICER PROMOTION AND CONFIRMATION PROCESS

Question. What is your understanding of the role of the General Counsel of the Department of the Army in ensuring the integrity and proper functioning of the officer promotion process?

Answer. I understand the Secretary of the Army is responsible for the proper functioning of the Department of the Army's promotion selection process. The Army General Counsel is responsible for ensuring that the conduct of the board process conforms to all legal requirements; this includes reviewing all Memoranda of Instruction and selection board reports to ensure they comport with statutory standards. The Office of the Army General Counsel works closely with the Office of The Judge Advocate General to advise the Secretary of the Army of any case in which a selection board report or selection board process fails to adhere to the statutory standards and to provide counsel on appropriate corrective action.

Question. Do you see a need for change in this role?

Answer. I have been advised that the current process is working well; however, if I am confirmed and determine that a change is necessary and proper, I would work closely with the Assistant Secretary of the Army (Manpower and Reserve Af-

fairs), The Judge Advocate General, and the Deputy Chief of Staff, G–1, to effect such change. Proper execution of this process is essential to maintaining the trust of the Army Officer Corps, the Congress, and the American people.

GENERAL OFFICER NOMINATIONS

Question. Under DOD Instruction 1320.4, adverse and alleged adverse information pertaining to general and flag officers must be evaluated by senior leaders in the Services and in the Office of the Secretary of Defense prior to nomination for promotion and certain assignments.

If confirmed, what role, if any, would you play in the officer promotion system, particularly in reviewing general officer nominations?

Answer. I have been informed that for all Army officer promotions, including general officer promotions, the Office of the Army General Counsel, in coordination with The Office of The Judge Advocate General, plays an active role in the officer promotion system, to include reviewing Memoranda of Instruction that govern the conduct of promotion selection boards and subsequent promotion selection board reports.

Question. What is your understanding of the role of the General Counsel of the Department of the Army in ensuring the legal sufficiency of statutory selection board processes?

Answer. I understand the Secretary of the Army is responsible for the proper functioning of the Department of the Army's promotion selection process. Prior to approval by the Secretary of the Army, all Memoranda of Instruction for officer promotion selection boards are reviewed by the Office of the Army General Counsel, in coordination with the Office of The Judge Advocate General, to ensure the Secretary's instructions conform to statutes and accurately reflect his guidance regarding attributes necessary for service in the next grade. All reports of promotion selection boards are processed through the Office of the Army General Counsel prior to final action on the report by the Secretary. The Army General Counsel must be satisfied that the Army has met applicable statutory standards and that individual selection board reports conform to the law. The Army General Counsel must advise the Secretary of the Army of any case in which a selection board report fails to adhere to the statutory standards, either generally or with regard to a particular officer being considered for promotion. In advising the Secretary of the Army and the Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs), the Army General Counsel helps to ensure that Army promotion policies properly implement applicable laws and regulations and are fairly applied.

Question. What is the role, if any, of the General Counsel of the Department of the Army in reviewing and providing potentially adverse information pertaining to a nomination to the Senate Armed Services Committee?

Answer. It is my understanding that under current Department of the Army practice, regarding General Officer nominations, the Office of the Army General Counsel reviews each selection board report, as well as departmental communications to the Committee, the President, and the Secretary of Defense, to ensure that the reports and communications comply in form and substance with law and applicable directives and regulation. The Office of the Army General Counsel gives special attention to cases of nominees with substantiated or potentially adverse information and cases with reportable information in order to ensure that such information is reported to the Senate Armed Services Committee in a timely, accurate, and comprehensible manner.

MILITARY PERSONNEL POLICY AND CASES

Question. In your view, what role, if any, should the General Counsel and civilian attorneys assigned to the Office of General Counsel play in military personnel policy and individual cases, including cases before the Board for Correction of Military Records?

Answer. If confirmed, I will work with the Secretary of the Army, the Assistant Secretary of the Army (Manpower and Reserve Affairs), and other senior leaders to ensure that the Army properly develops and fairly applies military personnel policies. If I am confirmed and become aware that the Department did not fairly and lawfully apply military personnel policies, I will take appropriate action to ensure that the Army properly resolves the issue. I understand and fully respect the independent role that the Army Board for the Correction of Military Records (ABCMR) plays in the correction of military records, and if confirmed, I will coordinate with the Assistant Secretary of the Army (Manpower and Reserve Affairs), who exercises overall responsibility for the Army Review Boards Agency regarding the legal sufficiency of ABCMR recommendations to the Secretary of the Army.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. The Fiscal Year 2013 Department of Defense Annual Report on Sexual Assault in the Military reflects that reports of sexual assaults in the Army increased by 51% from fiscal year 2012 to 2,149 reports of sexual assault in fiscal year 2013. What is your assessment of this report?

Answer. Although the Department of Defense did not conduct a study of the prevalence of sexual assault in fiscal year 2013, I understand there are indications that the increase in reporting in fiscal year 2013 reflects an increased willingness of victims to come forward rather than an increase in the number of sexual assaults. Nevertheless, there is still more to do to prevent and punish the crime of sexual assault. If confirmed, I intend to provide my full support in helping the Army achieve this goal.

Question. What is your assessment of the Army's sexual assault prevention and response program?

Answer. I understand that the Army has taken substantial steps to addressing the issue of sexual assault. Through the combined efforts of military and civilian leaders at all echelons, I am informed that the Army has implemented an unprecedented number of program and policy initiatives to address this insider threat.

I support the Army's commitment to a holistic approach to change culture, prevent sexual assault and harassment in the ranks, support and advocate for victims, and hold offenders appropriately accountable.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. I am informed that since implementing the restricted reporting option (which does not initiate a law enforcement investigation) in 2005, the number of total reports has continued to increase. The restricted reporting option gives victims time to understand the process, seek the counseling and care they need, and to consult with an attorney if they wish. I understand the conversion of restricted reports to unrestricted continues to increase, which I believe is an indication that victims are gaining more trust in the system. If confirmed, I will ensure that the Army continues to work to improve upon its response system and to enhance victim support.

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. I believe the chain of command has an important role to play in providing compassionate care and necessary support to victims of sexual assault. As a general matter, the commander—as well as the commander's subordinate commanders and staff members—has a responsibility to care for soldiers in the commander's charge. I understand that the Army is working hard to foster a climate in which victims trust their chain of command to support them if and when sexual offenses occur.

Question. What is your understanding of the adequacy of Army resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. My understanding is that the Army is dedicated to providing soldiers, civilians and eligible family members who are the victims of sexual assault with extensive medical, psychological, and legal support services. I am aware that sexual assault victims are offered the services of a Sexual Assault Response Coordinator (SARC) and a Victim Advocate (VA). When a victim of sexual assault comes to any Military Treatment Facility in the Army, his or her medical needs are managed by a Sexual Assault Clinical Provider and his or her behavioral health care is provided by the Sexual Assault Behavioral Health Provider. Victims of sexual assault are also entitled to the services of a Special Victim Counsel. The Army Special Victim Counsel program is staffed, resourced, and supported by the Department of the Army; the Army JAG Corps is currently growing to meet emerging requirements.

Question. What is your view of the steps the Army has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. I understand that both the Secretary of the Army and the Chief of Staff of the Army have made the prevention of sexual assault a top priority and are providing resources consistent with that prioritization. As a result, leaders at every echelon and in every location must be committed to preventing sexual assaults and caring for victims, and the Army is working diligently to ensure that all soldiers share these commitments.

Question. What is your view of the adequacy of the training and resources the Army has in place to investigate and prosecute allegations of sexual assault?

Answer. I understand that the Army has invested substantial resources and training toward the investigation and response to allegations of sexual assault. As stated above, the Secretary of the Army and Chief of Staff have made the prevention of

sexual assault a top priority and are providing resources consistent with that prioritization.

Question. What is your view on the value of the Army's Special Victims Counsel Program? Has this program had an impact on the reporting and prosecution of allegations of sexual assault in the Army? If so, what is that impact?

Answer. My understanding is that the Special Victim Counsel Program has been successful for both victims and commanders. The feedback from victims is that this program is an invaluable resource as they navigate the administrative, medical and justice systems within the Army. Commanders indicate that they can now act with confidence that they understand the victim's position and preferences.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. I believe that commanders can drive change in culture. Commanders are responsible for everything their command does or fails to do, which includes training soldiers on how to prevent sexual assault and holding all leaders accountable for creating a culture that does not tolerate sexual assault. As part of these responsibilities, commanders are responsible for fostering respect within their units, creating a climate in which sexual assaults and sexual harassment are not tolerated, holding offenders accountable, and cultivating an environment in which victims feel comfortable reporting all forms of misconduct.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. I think it is difficult to fully assess the potential impact of such a significant change to the military justice system. Requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted would, in effect, create a separate justice system for sexual assault cases, with uncertain consequences. The Army must encourage a climate in which victims feel comfortable in reporting misconduct, perpetrators of sexual assault are held accountable for the crimes they commit, and all soldiers believe the system to be fair and transparent. I believe that both commanders and judge advocates have important roles to play in all components of that effort.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Army?

Answer. If confirmed, I will be an ardent supporter of the Army Sexual Harassment/Assault Response and Prevention Program and will work with the Secretary of the Army, the Chief of Staff of the Army, the Assistant Secretary of the Army (Manpower & Reserve Affairs), and the Deputy Chief of Staff, G–1 to ensure that eliminating sexual assault remains a top priority throughout the Army.

ASSIGNMENT OF WOMEN IN THE MILITARY

Question. In January 2013, Secretary of Defense Panetta rescinded the 1994 Direct Ground Combat Definition and Assignment Rule, excluding women from assignment to units and positions whose primary mission is to engage in direct combat on the ground. The Military Departments are required to develop detailed plans for implementation of this directive and to complete integration of women into newly opened positions and units as expeditiously as possible, considering good order and judicious use of fiscal resources, but no later than January 1, 2016. Any recommendation to keep an occupational specialty or unit closed to women must be personally approved by the Chairman of the Joint Chiefs of Staff and by the Secretary of Defense.

If confirmed, what role, if any, would you expect to play in the evaluation of the plans of the Department of the Army to integrate women into occupational specialties or recommendations to keep specific occupations or units closed to women?

Answer. If confirmed, I would expect to provide legal advice regarding plans to integrate women into those occupational specialties.

RECOMMENDATIONS OF THE RESPONSE SYSTEMS TO ADULT SEXUAL ASSAULT CRIMES PANEL

Question. On June 27, 2014, the Response Systems to Adult Sexual Assault Crimes Panel (RSP) released its report fulfilling the requirements of section 576 of the Fiscal Year National Defense Authorization Act (P.L. 112–239). This report contained 132 recommendations in the areas of victim services, victim rights, the role of the commander in the military justice process, and the investigation, prosecution and adjudication of sexual assault.

If confirmed, what role, if any, would you expect to play in the evaluation of the recommendations of the RSP for possible implementation in the Department of the Army?

Answer. If confirmed, I would expect to work closely with The Judge Advocate General to advise the Secretary of the Army about the RSP's recommendations and, where appropriate, how they should be implemented.

WHISTLEBLOWER PROTECTION

Question. Section 1034 of title 10, United States Code, prohibits taking retaliatory personnel action against a member of the armed forces as reprisal for making a protected communication. By definition, protected communications include communications to certain individuals and organizations outside of the chain of command.

If confirmed, what actions will you take to ensure that senior military leaders understand the need to protect servicemembers who report misconduct to appropriate authorities within or outside the chain of command?

Answer. The General Counsel has the primary role of advising the Secretary of the Army and those who fall under his authority on the standards governing treatment of servicemembers reporting misconduct to any appropriate authority. I am fully committed to protecting those who report misconduct to appropriate authorities. Army policy provides for reporting and investigation of retaliatory actions, and for appropriate corrective and disciplinary action. Additionally, the Secretary of the Army, pursuant to the requirements of section 1034 of title 10, has a special obligation to ensure appropriate action is taken to correct the record of those who have been subjected to reprisal and to ensure appropriate disciplinary action is taken against those who engage in prohibited personnel actions against servicemembers reporting misconduct. It is critical for senior Army leaders to be aware of legal requirements so as to avoid improper retaliatory actions against those who bring matters of interest to our attention. My staff and I will work to ensure statutory and policy requirements are understood and appropriately executed.

SUPPORT TO ARMY INSPECTOR GENERAL

Question. What role, if any, do you think the General Counsel of the Army should have in reviewing the investigations and recommendations of the Army Inspector General?

Answer. The Inspector General is a key member of the Secretariat, and if confirmed, as counsel to all Secretariat officials, I will ensure the Office of the General Counsel of the Army continues its current professional relationship with The Inspector General. I personally intend this to include routine, direct, and candid communications. I have been advised that Army General Counsel's office routinely provide independent and objective legal advice to the Office of The Inspector General in regard to all matters that relate to Inspector General programs, duties, functions, and responsibilities. In coordination with The Judge Advocate General, I will oversee the provision of effective legal guidance to the Office of The Inspector General in conducting investigations and making recommendations. Additionally, based on the Army General Counsel's responsibility to review legal and policy issues arising from the Army's intelligence and counterintelligence activities, I will work closely with The Inspector General concerning proper reporting of the Army's intelligence oversight activities.

CIVILIAN ATTORNEYS

Question. Judge advocates in the armed forces benefit from an established career progression, substantial mentoring and training opportunities, and exposure to a broad spectrum of legal areas and leadership responsibilities. By contrast, civilian attorneys in the military departments normally do not have established career programs and may do the same work for many years, with promotion based solely upon longevity and vacancies.

What is your understanding of the personnel management and career development system for civilian attorneys in the Army?

Answer. Civilian career development is important to me, and it is my understanding that all civilian attorneys and paraprofessionals supporting Army legal services are now covered by a comprehensive career program that promotes and facilitates their recruitment, training, education, development, advancement and retention. To achieve these goals, a career program office was established. I have been informed that the career program office publishes two governing documents, which the Army terms "Army Civilian Education, Training, and Education Development System" plans. There are separate guides for civilian attorneys and paraprofes-

sionals, but both are functionally tailored to the legal career field and combine formal training with developmental assignments.

Question. In your view does that system need revision? If so, what do you see as the major problems and what changes would you suggest?

Answer. From what I have been told, the career program is still in its early stages of operation, and program evaluation is ongoing. If confirmed, I will serve as the career program's functional chief, and will advocate for, or direct, revisions when appropriate.

CLIENT

Question. In your opinion, who is the client of the General Counsel of the Department of the Army?

Answer. The client of the General Counsel of the Department of the Army is the Department of the Army, acting through its authorized officials.

ACQUISITION ISSUES

Question. What role should the General Counsel play in ensuring that Army procurement programs are executed in accordance with the law and DOD acquisition policy?

Answer. If confirmed, I will work closely with the Secretary of the Army, the Under Secretary of the Army, the Assistant Secretary of the Army for Acquisition, Logistics and Technology, the Chief Information Officer, the Director of Small Business Programs, and other senior Army officials to ensure that Army acquisition programs comply with applicable laws, regulations, and policies. The Army's acquisition leadership must accomplish its primary mission of acquiring equipment and services for the Department while complying with an extensive framework of legal and policy requirements. Army lawyers best support this mission through early involvement in acquisition program and procurements and through proactive assistance in identifying potential issues and shaping effective, legally-supportable business strategies throughout the acquisition life-cycle.

Question. What role should the General Counsel play in ensuring that Army acquisition officials understand flexibilities provided by Congress in the acquisition and financial statutes and can take advantage of those flexibilities to act in the best interests of the Army?

Answer. I believe the legal community is uniquely suited to assist Army officials in this area. If confirmed, I will work closely with the Department's senior leadership to ensure that Army acquisition programs and financial operations comply with their governing legal and policy framework but also to question and modify program strategies that reflect an inaccurate or unduly restrictive interpretation of applicable authorities.

Question. What role should the General Counsel play in ensuring that ethics provisions on conflict of interest are followed both by Army personnel and by Army contractors?

Answer. It is essential that the Department have well-understood business rules designed to avoid or mitigate organizational and personal conflicts of interest. Army lawyers play an important role in this area through robust programs for acquisition ethics training and proactive involvement in the Army's acquisition, logistics and technology programs and contracting operations. If confirmed, I will work closely with the Assistant Secretary of the Army for Acquisition, Logistics and Technology and other Army senior leaders to foster an organizational climate that is sensitive to the importance of avoiding conflicts of interest and that appropriately addresses specific situations that arise.

Question. Allegations of fraud and abuse during contingency contracting in Iraq and Afghanistan have been wide-spread.

What role should the General Counsel play in ensuring that Army personnel are properly trained in contingency contracting and are supervised in the performance of their duties?

Answer. If confirmed, I will work closely with the Secretary of the Army, the Under Secretary of the Army, the Assistant Secretary of the Army for Acquisition, Logistics and Technology, and other senior officials to ensure that the Army legal community continues to support the contingency contracting initiatives adopted in response to the 2007 Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations, also known as the "Gansler Commission Report." I would also work closely with The Judge Advocate General of the Army and other senior leaders in the Army legal community to ensure that an appropriate level of legal resources are allocated in support of contingency contracting.

DETECTING CONFLICTS OF INTEREST

Question. Personal and organizational conflicts of interest have become a major concern. DOD's expanded use of private contractors being tasked to perform key functions that the services had formerly performed in-house and the new requirement to fill thousands of DOD civilian positions with experienced, qualified individuals present challenges in preventing conflicts of interest and the appearance of conflicts of interest.

What do you think the Army should do, and what should the General Counsel's role be, in ensuring that the Army identifies personal and organizational conflicts of interests and takes the appropriate steps to avoid or mitigate them?

Answer. Because of their potential not only to result in an unfair competitive advantage, but also to damage the credibility of the institution, conflicts of interest are unacceptable in any organization. As the Army's Designated Agency Ethics Official (DAEO), the General Counsel is responsible for management and oversight of the Army Ethics Program. These duties include ensuring that Army personnel who are required to file financial disclosure reports do so at the appropriate time and that ethics counselors timely review these reports to prevent or mitigate conflicts of interest. In addition, if confirmed, I will help ensure that other circumstances of potential conflict of interest are addressed promptly, consistent with legal requirements.

Question. What is your understanding of the steps the Army takes to identify and address potential conflicts of interest during the hiring process?

Answer. At this time, I am not aware of the steps the Army takes to identify and address conflicts of interest during the hiring process. If confirmed, I will look into that issue and ensure that appropriate safeguards exist.

LEGAL ETHICS

Question. What is your understanding of the action a Department of the Army attorney or an Army judge advocate should take if the attorney becomes aware of improper activities by a Department of the Army official who has sought the attorney's legal advice and the official is unwilling to follow the attorney's advice?

Answer. If an Army attorney suspects that the Army official, either in exercising functions or in failing to do so, violates a law or standard of conduct, the attorney should immediately bring the matter to the attention of the attorney's supervisor. If not satisfactorily resolved at that level, the matter should be brought to higher level supervisory lawyers or authorities in the chain of supervision or command.

Question. Do you believe that the present limits on pro bono activities of government attorneys are generally correct as a matter of policy or does the policy need to be reviewed and revised?

Answer. I understand the former Army General Counsel established a supportive and permissive pro bono legal practice policy for the Office of the Army General Counsel, consistent with statutory restrictions prohibiting federal employees from representing clients before the federal government, including the federal courts. Many rewarding pro bono activities are available to government attorneys in their private, non-official capacity in areas such as family law, consumer law, landlord-tenant disputes, and other civil and criminal law matters. If confirmed, I would review pro bono policies to determine whether any change would be appropriate.

Question. In your view, do the laws, regulations, and guidelines that establish the rules of professional responsibility for attorneys in the Department of the Army provide adequate guidance?

Answer. Much of the value and respect for the law depends on the proper ethical conduct of lawyers. I believe that the laws, regulations, and guidelines establishing rules for attorney professional responsibility for the Department of the Army are well developed and adequate. The Army's ethical rules are based on the American Bar Association Model Rules of Professional Conduct. Both uniform and civilian Army attorneys are subject to state licensing authority ethical codes. By regulation, Army attorneys must remain, at all times, in good standing with a at least one licensing authority in the United States, including those of U.S. states, U.S. territories, the District of Columbia, or the Commonwealth of Puerto Rico. This complimentary system of ethical oversight is implemented on a day-to-day basis by the exercise of competent and conscientious supervision by experienced Army attorneys at all levels. If confirmed, I would consult and review the current professional responsibility policy and systems with The Judge Advocate General and, as appropriate, seek revisions and improvements.

LITIGATION INVOLVING THE DEPARTMENT OF THE ARMY

Question. What is your understanding of the relationship between the Department of the Army and the Department of Justice with respect to litigation involving the Department of Defense?

Answer. Under section 516 of title 28 of the U.S. code, the authority to represent the military departments in litigation is reserved to the Department of Justice, under the direction of the Attorney General. It is my understanding the Department of Defense and the Department of the Army, along with the other military departments, have a positive and mutually supportive relationship with the Department of Justice. I understand coordination between the Department of Justice and the military departments is timely and consistent on every level. If confirmed, I will work collaboratively with The Judge Advocate General and the General Counsel of the Department of Defense to ensure the interests of the Army are fully understood and appropriately pursued with the Department of Justice in litigation.

Question. In your view, does the Department need more independence and resources to conduct its own litigation or to improve upon its current supporting role?

Answer. In general, because of established close working relationships, I think the Department of Justice is effective in defending the interests of the Department of the Army. If confirmed, I will routinely consult with The Judge Advocate General and the General Counsel of the Department of Defense to determine whether adequate authority and resources are available to protect the full measure of the Army's interests in litigation.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the General Counsel of the Department of the Army?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR TOM COTTON

PANETTA REVIEW

1. Senator COTTON. Ms. Starzak, during your hearing, you responded to a number of my questions by stating that your employment with the Senate Select Committee on Intelligence ended years ago and that you do not recall details of the events I inquired about. Please make every effort to refresh your memory of these events. Also, please describe what efforts you have taken to refresh your memory, including any conversations with colleagues and any review of news articles, notes, files, e-mails, and other records that you possess or to which you can gain access.

Ms. STARZAK. Consistent with the rules established by the Senate Select Committee on Intelligence for discussion or review of Committee-sensitive material, I have no access to non-public Committee material related to the Committee's study for review. I do not possess any notes, files or emails related to the review to refresh my memory.

During the hearing, questions were asked about events that occurred after I left the Committee in 2011. As I was not personally involved in those events, I have no additional information about them.

2. Senator COTTON. Ms. Starzak, the first page of each document in the Panetta Review contains the following lengthy stamp: "This classified document was prepared by the CIA Director's Review Group for Rendition, Detention, and Interrogation (DRGRDI) for DRG–RDI's internal discussion purposes and should not be used for any other purpose, nor may it be distributed without express permission from DRG–RDI or CIA's Office of General Counsel. This document contains [certain classified information]. This document also contains material protected by the attorney-client and attorney work-product privileges. Furthermore, this document constitutes deliberative work product, protected by the deliberative-process privilege, and is not a final, conclusive, complete, or comprehensive analysis of DRG–RDI or CIA. Rather, it was created to suit the needs of DRG–RDI, in support of informing senior Agency officials about broad policy issues. While every effort was made to ensure this document's accuracy, it may contain inadvertent errors. For this reason, and because this document selectively summarizes, draws inferences from, or omits information from the sources it cites, it should not be relied upon by persons outside DRG–RDI."

As a trained attorney I would hope that one would read this caveat and feel it best to consult with interested parties to best preserve governmental prerogatives, exercise proper congressional oversight, and meet ethical and legal obligations.

a. When you saw this stamp, did you notify and seek guidance from any CIA officials?

i. Who specifically did you seek guidance from?

ii. Did these CIA officials provide you with any instructions?

b. Did you notify or seek guidance from any SSCI officials?

i. Who specifically did you seek guidance from?

ii. Did these SSCI officials instruct you to continue your review without notifying the CIA?

Ms. STARZAK. I participated in many conversations with CIA officers related to the study and the provision of documents to the Committee. Although the terms of reference for the study provided to the CIA by the Committee suggested that the Committee intended the study to examine issues that could arguably be subject to privilege, I do not remember having any conversations in which CIA officers or attorneys indicated that CIA was seeking to withhold documents from the Committee pursuant to deliberative-process, attorney-client or attorney work-product privileges. Indeed, many of the documents I reviewed in connection with the study—including some documents the CIA delivered to the Committee's space in the Hart Senate Office building—were marked as deliberative or predecisional or had been prepared by CIA attorneys. I am not aware of any claims that these documents were provided to the Committee inadvertently, notwithstanding their markings or the fact that they were prepared by or for attorneys. As such, the caveat referenced above would not have provided the document a different legal status than many of the other documents that the CIA provided to the Committee for the purpose of congressional oversight.

I have no memory of seeking guidance from either CIA or SSCI officials about the particular document referenced, which was one of the more than six million pages of CIA records to which SSCI staff had access at the CIA facility.

c. Did you notify or seek guidance from any other officials, advisors, attorneys, or persons apart from those you may have consulted at the CIA or with SSCI?

Ms. STARZAK. No.

d. Have you ever been asked to speak to an investigator regarding an individual who may have accessed, removed, or had knowledge of the removal of a hard copy of the Panetta Review Document to SSCI offices?

Ms. STARZAK. No.

e. Did you ever speak with the Senate Sergeant-at-Arms or the CIA Inspector General during their investigations relating to the discovery and removal of these documents?

Ms. STARZAK. No.

RDI INVESTIGATION

3. Senator COTTON. Ms. Starzak, the SSCI rules of procedure 10.4 states that the "Committee staff shall assist the minority as fully as the majority in the expression of minority views, including assistance in the preparation and filing of additional, separate, and minority views, to the end that all points of view may be fully considered by the Committee and the Senate."

a. Do you believe you fully complied with this rule during your time with the committee?

Ms. STARZAK. I am not aware of any minority views being prepared related to the RDI investigation during my time on the Committee.

b. Senator COTTON. During your time with the SSCI, did you ever request that access to CIA documents during the RDI investigation be denied or turned off for any Republican committee staff member?

i. Senator COTTON. If so, was your request denied, overridden, or reversed?

Ms. STARZAK. Republican Committee staff was provided access to CIA documents at the CIA facility throughout the two and half years I worked on the study. I never requested that access to CIA documents be denied for any Republican Committee staff member.

I do recall an isolated incident in which the CIA temporarily suspended a minority committee staff member's access to documents after majority staff requested to reconfigure the computer system. The reconfiguration of the system mistakenly resulted in the temporary suspension of the minority staff member's access to certain CIA documents, an outcome that was never intended. Once the error was identified, the CIA restored the minority staff member's access to CIA records as quickly as possible.

BERGDAHL CASE

4. Senator COTTON. Ms. Starzak, President Obama traded five hardened Taliban commanders for Sgt. Bowe Bergdahl, who served in the military branch you would like to advise. The GAO found that President Obama broke two laws with this trade—a 30-day congressional notification requirement and the Anti-Deficiency Act.

a. Do you agree with the GAO that President Obama broke the law twice with this transfer?

Ms. STARZAK. The Department of Defense prepared a notification to Congress on the conclusions of the report, stating that it disagreed with GAO's conclusions. That notification is attached.

b. Susan Rice has stated that Sgt. Bergdahl served honorably. Is it your position as well that Sgt. Bergdahl served honorably? Should the Army encourage other soldiers to serve as honorably as Sgt. Bergdahl?

Ms. STARZAK. I understand that there are preferred charges pending against SGT Bergdahl alleging desertion and misbehavior before the enemy, both of which are offenses under the Uniform Code of Military Justice. Given the possibility that these charges may go to trial, I believe it would be inappropriate for me to characterize SGT Bergdahl's service or to comment on his guilt or innocence.

UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

COMPTROLLER

DEC 5 2014

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Consistent with section 145.8 of OMB Circular A-11, this letter reports the views of the Department of Defense regarding the opinion of the U.S. Government Accountability Office (GAO), dated August 21, 2014, concluding that the Department of Defense's transfer of five detainees from Guantanamo Bay to Qatar without 30 days' advance notice to Congress as described in section 1035(d) of the National Defense Authorization Act for Fiscal Year 2014 violated section 8111 of the Department of Defense Appropriations Act, 2014, and that the Department's obligation of appropriated funds to carry out the transfer therefore violated the Antideficiency Act, 31 U.S.C. § 1341(a). The Department disagrees with GAO's conclusion.

As previously explained to Congress and GAO, the Administration concluded that the transfer of the five detainees could lawfully proceed, in the exercise of the President's constitutional authority to protect the lives of Americans abroad and, specifically, to protect U.S. service members, notwithstanding the absence of 30 days' notice as described in section 1035(d). In response to GAO's request, the Department provided a statement of the Administration's legal views on the application of section 8111 to the transfer (enclosed), in which both the Department of Justice and the Department of Defense concurred, presenting three separate grounds for concluding that the transfer did not violate federal law. First, section 8111 bars the use of funds for transfers that do not comply with section 1035, but section 1035, unlike the version of the provision covering the prior year, conditions the authority to make transfers only on the Secretary's making certain determinations (which the Secretary made), not on his providing advance notice under section 1035(d). Second, even if section 1035 were read to make compliance with the notice requirement a condition on transfers, the provision should not be read, in the absence of a clear statement, to apply where providing the notice would interfere with the President's exercise of his constitutional authority to protect the life of an American service member. Third, if section 1035(d) were nonetheless read to apply in those circumstances, it would be unconstitutional as applied.

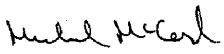
Observing that it is not GAO's role to determine the constitutionality of federal statutes, GAO's opinion expressly declined to address the constitutionality of section 8111 or section 1035 as applied in this instance. GAO's opinion similarly failed to take into account the potential constitutional infirmities when construing these statutes. Accordingly, the legal analysis in the opinion is incomplete, and GAO's stated conclusion is unfounded.

GAO's conclusion with respect to the Antideficiency Act is premised on its analysis of section 8111 and is likewise incorrect. GAO's opinion states: "If an agency incurs an obligation in excess of or in advance of amounts that are legally available, the agency has violated the Antideficiency Act." The opinion further asserts that "DoD obligated funds that were not legally available for obligation because DoD did not satisfy the notification requirements under section 8111." To the contrary, for the reasons explained in the statement of the Administration's legal views, the use of appropriated funds to effect the transfer of the five detainees was lawful under section 8111, either as a matter of statutory interpretation or under separation of powers principles. Because funds appropriated by Congress for purposes including detainee transfers were, under the circumstances presented here, legally available for obligation notwithstanding the absence of 30 days' advance notice, there was no violation of the Antideficiency Act.

The foregoing is concurred in by the Department of Justice.

Identical letters are being submitted to the President, President of the Senate, Speaker of the House of Representatives, Chairman of the House Committee on Armed Services, Chairman of the Subcommittee on Defense of the Senate Committee on Appropriations, Chairman of the Subcommittee on Defense of the House Committee on Appropriations, and Comptroller General of the United States.

Sincerely,



Michael McCord

Enclosure:
As stated

cc:
The Honorable James M. Inhofe
Ranking Member

Administration Views Provided to the Government Accountability Office
July 31, 2014

3. Please provide your legal views on the application of section 8111 of the Consolidated Appropriations Act, 2014 to the transfer of the five individuals.

Under the particular circumstances presented, the transfer of the five individuals at issue was lawful notwithstanding the absence of 30 days' advance notice. Section 8111 of division C of the Consolidated Appropriations Act, 2014, Pub. L. 113-76, 128 Stat. 131, provides that "[n]one of the funds appropriated ... in this Act may be used to transfer any [Guantanamo detainee] to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1035 of the [National Defense Authorization Act for Fiscal Year 2014 ("FY 2014 NDAA"), Pub. L. 113-66, 127 Stat. 851]." Section 8111 did not prohibit the transfer of the five individuals for one of three possible reasons.

1. Under the best reading of section 8111, that provision prohibits the use of appropriated funds to make a covered transfer only if the transfer is unlawful under section 1035. Here, although questions have been raised about the Administration's compliance with the notice requirement in section 1035(d), the transfer itself was lawful under section 1035, because section 1035 does not make notice a precondition of transfer.

Section 1035(b) states that, except as provided in section 1035(a), "the Secretary of Defense may transfer an individual detained at Guantanamo to the custody or control of ... a foreign country[] only if the Secretary determines" two things—(1) that actions have or will be taken that substantially mitigate the risk that the individual will engage in activity that threatens the United States or U.S. persons or interests and (2) that the transfer is in the national security interest of the United States. Section 1035(c) lists several factors that the Secretary "shall specifically evaluate and take into consideration" "[i]n making the determination specified in subsection (b)," but section 1035 does not impose any other preconditions on the Secretary's authority under section 1035(b) to make transfers. In the case of the transfer of the five individuals, the Secretary made the two determinations required by section 1035(b) after evaluating and taking into consideration the factors specified in section 1035(c). The transfer was therefore lawful under section 1035.

The fact that the Secretary did not provide notice 30 days before the transfer as described in section 1035(d) does not alter that conclusion. Section 1035(d) states that the Secretary "shall notify the appropriate committees of Congress of a determination . . . under subsection . . . (b) not later than 30 days before" a covered transfer, but section 1035(d) specifies no consequence for the failure to make that notification. Thus, while section 1035(d) imposes a legal requirement that the Secretary provide Congress with notice 30 days before making certain transfers, neither it nor any other provision of section 1035 (or the FY 2014 NDAA) states that a transfer that is otherwise authorized by section 1035(b) is rendered unlawful by the absence of the notification.

The language of the transfer restriction in the prior version of the National Defense Authorization Act, the NDAA for Fiscal Year 2013 ("FY 2013 NDAA"), Pub. L. 112-239, 126 Stat. 1914, supports this plain language reading of the FY 2014 NDAA. The FY 2013 transfer restriction stated that, subject to a limited exception, the Secretary could not use any funds available to the Department of Defense to make a transfer "unless the Secretary submit[ted] to Congress" a certification containing specified findings "not later than 30 days before the transfer." FY 2013 NDAA, section 1028(a) (1). Unlike the language in section 1035 of the FY 2014 NDAA, the FY 2013 language expressly conditioned the lawfulness of a transfer on the Secretary's notifying Congress 30 days in advance of the transfer. Congress's deliberate decision not to use that language in the FY 2014 NDAA strongly suggests that the FY 2014 NDAA—as its plain text indicates—does not condition the lawfulness of the transfer itself on the provision of notice.

Accordingly, under this reading of section 8111, the use of appropriated funds to effect the transfer of the five individuals was lawful under section 8111 because the transfer was lawful under section 1035, regardless of whether the Administration complied with any notice requirement imposed by section 1035(d).

2. Section 8111 might be read more broadly, to prohibit the use of appropriated funds to make a transfer not only when the transfer is itself unlawful under section 1035, but also whenever any other applicable requirements in section 1035, including the notice requirement in section 1035(d), are not satisfied. Even under that broader reading, however, the transfer of the five individuals did not violate section 8111 because, under the particular circumstances of this transfer, the absence of 30 days' advance notice did not violate section 1035(d), for one of two reasons.

a. First, section 1035(d) might be construed as having been inapplicable to this particular transfer. The transfer was necessary to secure the release of a captive U.S. soldier, and the Administration had determined that providing notice as specified in the statute could jeopardize negotiations to secure the soldier's release and endanger the soldier's life. In those circumstances, providing notice would have interfered with the Executive's performance of two related functions that the Constitution assigns to the President: protecting the lives of Americans abroad and protecting U.S. service members. Such interference would "significantly alter the balance between Congress and the President," and could even raise constitutional concerns; and courts have required a "clear statement" from Congress before they will interpret a statute to have such an effect. *Armstrong v. Bush*, 924 F.2d 282, 289 D.C. Cir. (1991). Congress may not have spoken with sufficient clarity in section 1035(d) because the notice requirement does not in its terms apply to a time-sensitive prisoner exchange designed to save the life of a U.S. soldier. *Cf. Bond v. United States*, 134 S. Ct. 2077, 2090-93 (2014).

b. Second, if section 1035(d) were construed as applicable to the transfer, the statute would be unconstitutional as applied because requiring 30 days' notice of the transfer would have violated the constitutionally-mandated separation of powers. Compliance with a 30 days' notice requirement in these circumstances would have "prevent[ed] the Executive Branch from accomplishing its constitutionally assigned functions," *Morrison v. Olson*, 487 U.S. 654, 695 (1988), without being "justified by an overriding need" to promote legitimate objectives of Congress, *Nixon v. Administrator of General Servs.*, 433 U.S. 425, 443 (1977). As just discussed, the Administration had determined that providing notice as specified in the statute would undermine the Executive's efforts to protect the life of a U.S. soldier. Congress's desire to have 30 days to weigh in on the determination that the Secretary had already made, in accordance with criteria specified by Congress, that the transfer did not pose the risks that Congress was seeking to avoid, was not a sufficiently weighty interest to justify this frustration of the Executive's ability to carry out these constitutionally assigned functions. Thus, even though, as a general matter, Congress had authority under its constitutional powers related to war and the military to enact section 1035(d), that provision would have been unconstitutional to the extent it applied to the unique circumstances of this transfer. And, just as section 1035(d) would be unconstitutional to the extent it was construed as applicable to the transfer, the broader reading of section 8111 would likewise be unconstitutional as applied to that transfer, because it would attempt to impose through the spending power the same unconstitutional requirement that section 1035(d) would attempt to impose directly.

Accordingly, even under this reading of section 8111, the use of appropriated funds to effect the transfer of the five individuals was lawful under section 8111, either as matter of statutory interpretation or under separation of powers principles.

3. Finally, note that GAO itself held that various statutory funding restrictions against U.S. combat operations in Southeast Asia did not apply to the rescue of Americans, including the attempted rescue of the crew of the Mayaguez. *Letter to the Hon. Thomas Eagleton*, 55 Comp. Gen. 1081 (1976). Having earlier noted the President's constitutional power to order such rescue operations, GAO stated that "neither the language of the acts nor their legislative histories make clear congressional intent respecting the President's power to rescue Americans abroad," id. at 1086, and therefore that "the availability of appropriations for rescue operations for Americans is not flatly precluded by the . . . funding limitation statutes," *id.* at 1088. The literal language of some of the restrictions, GAO conceded, would seem to cover rescue operations, but GAO read that language as aimed at offensive operations, *id.* at 1087. Here, for the reasons described earlier, the literal language of Section 8111 need not be construed to apply to this transfer, and reading the provision to apply to it would have rendered the provision unconstitutional as applied. Accordingly, GAO precedent supports the conclusion that section 8111 did not prohibit the use of appropriated funds to carry out the transfer.

QUESTIONS SUBMITTED BY SENATOR THOM TILLIS

GUANTANAMO BAY

5. Senator TILLIS. Ms. Starzak, In the event that the President directed the transfer of detainees from Guantanamo to the United States, in your professional legal judgment, would officers of the Department of the Army be at legal risk for a violation of the Anti-Deficiency Act if they were to execute a transfer of detainees from Guantanamo to the United States, contrary to the prohibition against use of appropriated funds for that exact purpose?

Ms. STARZAK. The Department of the Army's operations are currently funded by a continuing resolution that incorporates funding restrictions from the Department of Defense Appropriations Act, 2015. Sections 8112 and 8113 of the DOD Appropriations Act, 2015 prohibit the use of funds to, respectively, "transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions" Guantanamo detainees and "construct, acquire, or modify any facility in the United States, its territories, or possessions to house" Guantanamo detainees. If the Department of the Army were to act in a manner inconsistent with those funding restrictions, it could potentially be a violation of the Antideficiency Act.

6. Senator TILLIS. Ms. Starzak, what do you believe is the proper authority under which the President could decide to unilaterally close Guantanamo and move inmates to the U.S. by executive action?

Ms. STARZAK. There are currently statutory prohibitions on the transfer of detainees from Guantanamo Bay to the United States. As such, I believe it is appropriate for the Administration to engage with Congress to address those statutory restrictions on the transfer of detainees.

7. Senator TILLIS. Ms. Starzak, the administration typically evokes article II, section III of the Constitution when arguing against an anti-deficiency act violation. What is your legal opinion on whether the faithful execution clause still applies in a situation where there is an affirmative prohibition on use of funds in the law?

Ms. STARZAK. The Constitution requires the President to take care that the laws are faithfully executed. To the extent that Congress lawfully imposes restrictions on the use of appropriated funds, the Take Care Clause would require the President to comply with those funding restrictions.

QUESTIONS SUBMITTED BY SENATOR DAN SULLIVAN

GUANTANAMO BAY

8. Senator SULLIVAN. Ms. Starzak, after reviewing at the NDAA provision and the Attorney General's recent statements regarding Guantanamo Bay, does the authority to close Guantanamo Bay reside in the Congress of the United States?

Ms. STARZAK. I believe this is a reference to the comments of the Attorney General to the House Judiciary Committee in which she indicated that the law currently does not allow for the transfer of detainees from Guantanamo to the United States. My understanding is that the National Defense Authorization Act for FY 2016 and restrictions from the Department of Defense Appropriations Act, 2015 incorporated into the continuing resolution currently funding DOD's operations prohibit the transfer or release of Guantanamo detainees to or within the United States through December 31, 2016. Thus, I agree with the Attorney General that, to the extent that closure of the Guantanamo Bay detention facility requires the transfer of a number of detainees to the United States for continued detention, the law does not currently allow for that.

9. Senator SULLIVAN. Ms. Starzak, does the President, in light of the FY 2016 NDAA, have the authority to unilaterally shut down Guantanamo Bay without Congressional authorization?

Ms. STARZAK. As noted above, in light of the FY 2016 NDAA and restrictions from the Department of Defense Appropriations Act, 2015 incorporated into the continuing resolution currently funding DOD's operations, to the extent that closure of the Guantanamo Bay detention facility requires the transfer of a number of detainees to the United States for continued detention, the law does not currently allow for that.

[The nomination reference of Ms. Alissa M. Starzak follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 13, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Alissa M. Starzak, of New York, to be General Counsel of the Department of the Army, vice Brad Carson, resigned.

[The biographical sketch of Ms. Alissa M. Starzak, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ALISSA MICHELLE STARZAK

Education:

- Amherst College
  - 1991–1995
  - AB
- University of Chicago
  - 1997–2000
  - JD

Employment Record:

- Department of Defense (Washington, DC)
  - Deputy General Counsel (Legislation)
  - May 2011—Present
- U.S. Senate Select Committee on Intelligence (Washington, DC)
  - Counsel
  - January 2007–May 2011
- Central Intelligence Agency (Washington, DC)
  - Assistant General Counsel
  - August 2005–January 2007
- O'Melveny & Myers (Washington, DC)
  - Attorney
  - November 2001—August 2005
- U.S. Court of Appeals for the Fifth Circuit (New Orleans, LA)
  - Judicial Law Clerk to the Honorable E. Grady Jolly
  - 2000–2001

Honors and Awards:

None

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Ms. Alissa M. Starzak in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Alissa Michelle Starzak.

2. **Position to which nominated:**
General Counsel, Department of the Army.

3. **Date of nomination:**
January 13, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
August 3, 1973, Binghamton, NY.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Andrew G. Gerguson.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
Amherst College, 1991–1995, AB, May 1995.
University of Chicago, 1997–2000, JD, June 2000.

9.**Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
May 2011–Present: Deputy General Counsel (Legislation), Department of Defense, Pentagon, Washington, DC.
January 2007–May 2011 : Counsel, Senate Select Committee on Intelligence, U.S. Senate, Washington, DC.
August 2005–January 2007: Assistant General Counsel, Central Intelligence Agency, Washington DC.
November 2001–August 2005: Associate, O'Melveny & Myers, Washington, DC.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
Judicial Law Clerk to the Honorable E. Grady Jolly, U.S. Court of Appeals for the Fifth Circuit, 2000–2001.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.
None.

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.
None.
(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.
None.
(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.
Obama for America, 2012, $200.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
N/A.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.
None.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.
None.

17. **Commitments regarding nomination, confirmation, and service:**
(a) Have you adhered to applicable laws and regulations governing conflicts of interest?
Yes.
(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?
No.
(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?
Yes.
(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?
Yes.
(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, if confirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

ALISSA M. STARZAK

This 7th day of April, 2015

[The nomination of Ms. Alissa M. Starzak was reported to the Senate by Chairman McCain on December 7, 2015, with the rec-

ommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 14, 2015.]

[Prepared questions submitted to Mr. Franklin R. Parker by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

What modifications to Goldwater-Nichols Act provisions, if any, do you believe are necessary for the readiness of the armed forces?

Answer. If confirmed, I will assess whether there is a need for changes to the Goldwater-Nichols provisions. Given that changes would likely have implications across all Services and the potential to alter the basic command and control and operational readiness of our forces, any proposed changes would have to be carefully considered by senior leadership across the Department of Defense (DOD). In the area of personnel policy, I understand the Goldwater-Nichols provisions that govern promotion policies are nearly thirty years old and, if confirmed, I will review those in detail to see if they continue to meet the needs of our current force.

DUTIES

Question. Section 5016 of title 10, United States Code, provides that the Assistant Secretary of the Navy for Manpower and Reserve Affairs shall have "as his principal duty the overall supervision of manpower and Reserve component affairs of the Department of the Navy."

If confirmed, what duties do you expect that the Secretary of the Navy will prescribe for you?

Answer. If confirmed, I believe the Secretary of the Navy will require me to provide overall supervision and oversight of manpower and Reserve component affairs for the Navy and Marine Corps. I would be responsible for developing integrated policies and programs related to military personnel (Active and Reserve components) and the civilian workforce. Additionally, I would provide the necessary oversight of our total force—military, civilians and contractors—to ensure the most efficient workforce balance.

Question. What actions will you take to enhance your ability to perform the duties of the Assistant Secretary of the Navy for Manpower and Reserve Affairs?

Answer. If confirmed, I will apply my experience in government service to further my understanding and knowledge of the Department of the Navy, its people and organizations. I will diligently evaluate the challenges it faces and the resources necessary to sustain and transform it. I will seek advice and counsel from the military and civilian personnel of the Department and from Members of Congress and their staffs.

Question. In carrying out these duties, what would be your relationship with the following officials:

The Secretary of the Navy.

Answer. The Secretary of the Navy is responsible for conducting all the affairs of the Department of the Navy and for formulating and implementing policies and programs consistent with the policies and objectives established by the President and the Secretary of Defense. If confirmed, I will work with the Secretary of the Navy to help him achieve his goals, particularly those involving manpower issues. My role will be defined in part by powers he may choose to delegate to me.

Question. The Under Secretary of the Navy.

Answer. The position of Under Secretary of the Navy is currently vacant. As the Chief Operating Officer of the Department of the Navy, the Under Secretary plays a significant role in prioritizing and synchronizing the efforts of the Assistant Secretaries of the Navy. If confirmed, I would establish a close, direct, and supportive

relationship with the new Under Secretary of the Navy, or the person acting in that capacity.

Question. The other Assistant Secretaries of the Navy.

Answer. If confirmed, I would coordinate with them on our combined interests and work together to support the Secretary's goals.

Question. The General Counsel of the Navy.

Answer. The General Counsel is the senior civilian legal advisor to the Secretary, the Under Secretary, and the Assistant Secretaries and their staffs. If confirmed, I expect to consult and rely upon the General Counsel on a variety of legal issues in discharging my responsibilities.

Question. The Judge Advocate General of the Navy.

Answer. The Judge Advocate General is the senior uniformed legal advisor to the Secretary of the Navy and Chief of Naval Operations and serves as the Department of Defense Representative for Ocean Policy Affairs. If confirmed, I expect to consult and rely upon the Judge Advocate General on a variety of legal issues in discharging my responsibilities.

Question. The Inspector General of the Navy.

Answer. The Naval Inspector General is the senior investigating official in the Department of the Navy and the principal advisor to the Secretary of the Navy, Chief of Naval Operations and the Commandant of the Marine Corps on all matters concerning inspection, investigations, and audit follow-up. If confirmed, I will establish and maintain a close and professional relationship with the Naval Inspector General.

Question. The Chief of Legislative Affairs of the Navy.

Answer. The Chief of Legislative Affairs is responsible for developing legislative strategies for the Navy. If confirmed I will work closely with him as it relates to the Department's legislative requirements for manpower and personnel and to ensure an open and candid dialogue with the oversight committees and individual Members of Congress and their respective staffs.

Question. The Under Secretary of Defense for Personnel and Readiness.

Answer. The Under Secretary of Defense for Personnel and Readiness is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for Total Force Management as it relates to readiness, Active and Reserve component affairs, health affairs, training, and personnel requirements and management. These responsibilities include the issuance of guidance to the Military Departments. If confirmed, I will develop a close and professional relationship with the Under Secretary of Defense for Personnel and Readiness. I will continuously communicate and coordinate with the Under Secretary of Defense for Personnel and Readiness on matters of mutual interest, articulating the views of the Department of the Navy. I will ensure that the Department of the Navy is administered in accordance with guidance and direction from the Department of Defense.

Question. The Principal Deputy Under Secretary of Defense for Personnel and Readiness.

Answer. The Principal Deputy Under Secretary of Defense for Personnel and Readiness advises the Under Secretary of Defense for Personnel and Readiness and, from time to time, performs responsibilities that require the issuance of guidance to the Military Departments. If confirmed, I will continuously communicate and coordinate with the Principal Deputy Under Secretary of Defense for Personnel and Readiness on matters of mutual interest and in furtherance of the best interests of the Department of the Navy and the Department of Defense.

Question. The Assistant Secretary of Defense for Manpower and Reserve Affairs.

Answer. This is a new position and currently not filled. The Assistant Secretary of Defense for Manpower and Reserve Affairs is responsible for the overall supervision of manpower and Reserve affairs of the Department of Defense. If confirmed, I will communicate and coordinate with the new Assistant Secretary of Defense for Manpower and Reserve Affairs, or the person acting in that capacity, in the development of programs and policy related to military and civilian personnel in furtherance of the best interests of the Department of the Navy and the Department of Defense.

Question. The Assistant Secretary of Defense for Readiness.

Answer. This is a new position and currently not filled. The Assistant Secretary of Defense for Readiness is responsible for advising the Principal Deputy Under Secretary of Defense for Personnel and Readiness on key readiness and training issues. If confirmed, I will communicate and coordinate with the new Assistant Secretary of Defense for Readiness, or the person acting in that capacity, on matters of mutual interest and in furtherance of the best interests of the Department of the Navy and the Department of Defense.

Question. The Chief of Naval Operations.

Answer. The Chief of Naval Operations is the senior military officer of the Department of the Navy and has a direct reporting relationship to the Secretary of the Navy. If confirmed, I would work with the CNO to support the Secretary in areas of manpower policy as well as program execution.

Question. The Vice Chief of Naval Operations.

Answer. The Vice Chief of Naval Operations is the second highest-ranking commissioned officer in the United States Navy, and serves as the second-in-command for the Chief of Naval Operations. If confirmed, I will work very closely with the Vice Chief of Naval Operations, as required, on manpower issues.

Question. The Chief of Naval Personnel.

Answer. The Chief of Naval Personnel is responsible to the Chief of Naval Operations for Navy's manpower readiness. If confirmed, I would maintain a close relationship with the Chief of Naval Personnel, ensure that the manpower, personnel, training, and education needs of the Navy are met, and to provide the best possible support for sailors and their families.

Question. The Commandant of the Marine Corps.

Answer. The Commandant is the highest-ranking officer in the United States Marine Corps and has a direct reporting relationship to the Secretary of the Navy. If confirmed, I would work with the Commandant to support the Secretary in areas of manpower policy as well as program execution.

Question. The Assistant Commandant of the Marine Corps.

Answer. The Assistant Commandant of the Marine Corps is the second highest ranking officer in the United States Marine Corps and serves as the second-in-command for the Commandant of the Marine Corps. If confirmed, I will work very closely with the Assistant Commandant of the Marine Corps, as required, on manpower issues.

Question. The Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs.

Answer. The Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs assists the Commandant by planning, directing, coordinating, and supervising both Active and Reserve forces. If confirmed, I would maintain a close relationship with the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs, ensure that the manpower, personnel, training, and education needs of the Marine Corps are met, and to provide the best possible support for Marines and their families.

Question. The Surgeon General of the Navy.

Answer. The Surgeon General of the Navy is the Chief of the Bureau of Medicine and Surgery. If confirmed, I would look to the Surgeon General for advice and insights on the spectrum of medical affairs affecting our Navy and Marine Corps personnel.

Question. The Chief of Navy Reserve.

Answer. The Chief of Navy Reserve is the principal advisor on Navy Reserve matters to the Chief of Naval Operations and the commander of the Navy Reserve Force. If confirmed, I would work closely with the Chief of Navy Reserve on the numerous operational and policy matters affecting the Reserve component of the Navy.

Question. The Commander, Marine Forces Reserve.

Answer. The Commander, Marine Forces Reserve, is the principal advisor to the Commandant on Marine Forces Reserve matters. If confirmed, I would work closely with Commander, Marine Forces Reserve on the numerous operational and policy matters affecting the Marine Forces Reserve.

Question. Marines, sailors and their families.

Answer. Those men and women who answer the call to duty and service are our Nation's most valuable national security assets. If confirmed, I will work to ensure sailors and marines are fully trained, integrated and ready when called upon. I will also work diligently to care for sailors, marines and their families across the Department of the Navy to ensure they enjoy a comfortable quality of life that meets their individual and collective needs as they serve and sacrifice on behalf of our Nation. Additionally, I would meet with sailors and marines wherever they are stationed, when practicable, to gain their insights and to remain informed of the issues and concerns most important to them.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. If confirmed, I believe my personal background, my educational and my professional experiences qualify me for this position.

The son and nephew of Vietnam veterans—my father an Air Force Captain, my uncle an Army Lieutenant Colonel—I was raised with a deep appreciation for what it means to be called to serve our Nation. It was instilled in me at an early age that we must always respect our servicemembers and their service, and that we must always care for them as they have for us. Following 9/11, I left the practice of law to pursue a life of public service. After earning an advanced Public Policy degree in Political Advocacy and Leadership from Harvard University's John F. Kennedy School of Government, I returned to private legal practice specializing, in part, in legislative and regulatory affairs, where I gained valuable experience working with Congressional offices on public policy issues.

In 2009, I was honored to receive an appointment as Special Assistant (attorney-advisor) to the General Counsel of the Department of the Navy. During this extraordinary opportunity, I worked on a range of matters that provided me with critical insight into issues impacting the Department, its servicemen and women, and its civilian personnel. I was afforded the unique opportunity to participate in DOD's Comprehensive Review Working Group, which examined the impacts of a repeal of the "Don't Ask Don't Tell" policy; exploring the potential effects of one of the most significant military personnel policy changes of our time. For my service, I was honored to receive the Department of the Navy's Meritorious Public Service Award in 2011 and the Distinguished Public Service Award in 2012.

In 2012, I was appointed as Chief Counsel for the Maritime Administration (MARAD) at the U.S. Department of Transportation (DOT), where I serve not only as MARAD's chief legal officer, but also as its third-ranking official. In this capacity, my responsibilities include not only legal matters, but also impact broader personnel, management, and policy concerns in support of MARAD's mission. Core to this mission is the training, employment, and retention of the U.S. merchant mariners and maritime professionals who support our Nation's commercial and military sealift requirements. In addition to my core duties as Chief Counsel, I have been closely involved in other personnel-related initiatives such as serving on DOT's Senior Executive Service (SES) Performance Review Board, participating in Office of Personnel Management-led interagency efforts to improve SES onboarding practices, and playing various roles in hiring, diversity, mentoring, quality of life, professional development, outreach and other efforts.

I believe the sum of my experiences in private practice and government; my efforts on both military and civilian personnel matters; my legal familiarity with governmental authorities and limitations; my perspective having served in both defense and civilian agencies; my understanding of government processes, organizations, and dynamics; my roles as an action officer, a Senior Executive and as a member of senior Agency leadership; my work with Congressional offices and staff, and the deep respect and appreciation I hold for the women and men who serve our Nation, equip me with the skills I need to effectively perform the duties of this position.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Assistant Secretary of the Navy for Manpower and Reserve Affairs?

Answer. In my view, the fundamental challenge facing the Assistant Secretary of the Navy for Manpower and Reserve Affairs is effectively manning the entire force, which equates to balancing military readiness with future requirements. Manning the force with the right manpower mix of qualified military, civilian, and contractor personnel in the current and foreseeable fiscal environment will be a critical challenge. The Department of the Navy must continue to recruit, train and retain the very best, maintain the superior pay and benefits package our sailors and marines deserve, and ensure the best care for our wounded warriors and their families.

Question. If confirmed, what plans do you have for addressing these challenges?

If confirmed, I will work within the Department of the Navy-Department of Defense framework to address manpower requirements while supporting our servicemen and women and their families. I will work to ensure that major headquarters are properly adjusted per congressional and SECDEF guidance. I will support SECDEF and SECNAV initiatives such as Force of the Future, Task Force Innovation, and Talent Management initiatives to enhance flexibility in career and workforce management and help develop and retain the Department of the Navy's highly trained personnel. I will address requirements by garnering the expertise of the civilian and military leadership within the Department of the Navy, the Office of the Secretary of the Navy, and the Office of the Secretary of Defense, and will be open to input from Members of Congress and the Department's oversight committees.

SYSTEMS AND SUPPORT FOR WOUNDED SOLDIERS

Question. Servicemembers who are wounded or injured in combat operations deserve the highest priority from the Navy and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from Active Duty if required, and continuing support beyond retirement or discharge. Despite the enactment of legislation and renewed emphasis over the past several years, many challenges remain.

What is your assessment of the progress made to date by the Navy to improve the care, management, and transition of seriously ill and injured marines and sailors, and their families?

Answer. I am aware that the Navy and Marine Corps take seriously the importance of caring for the medical needs of their personnel and their families. I understand the Navy Safe Harbor program and Marine Corps Wounded Warrior Regiment programs were established to improve and integrate support services, and speed delivery of coordinated care. In addition to these programs, I am aware the Navy 21st Century sailor and marine initiative has been established to address other areas to provide the full spectrum of whole life support. If confirmed, I will continue to support and optimize these and other vital programs for Wounded Warriors and their families.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase the Navy's support for wounded marines and sailors, and to monitor their progress in returning to duty or to civilian life?

Answer. If confirmed, I will continue to work closely with the Secretary of the Navy, Vice Chief of Naval Operations, Assistant Commandant of the Marine Corps, Assistant Secretary of Defense (Health Affairs), Surgeon General of the Navy, the Department of Veterans Affairs leadership, and the veteran service and non-profit organizations in local communities to continually evaluate and improve existing programs and initiatives provided to our wounded and their families. In addition I will look to continue the Department's Annual Wounded Warrior Hiring conference. I will continue to champion the best practices of training, hiring and retaining our wounded, ill and injured servicemembers into both government and private career opportunities. I thank Congress for its continued support, as I believe our Nation and our Department owe these wounded sailors and marines a debt that can never fully be paid.

OFFICER MANAGEMENT ISSUES

Question. As the Assistant Secretary of the Navy for Manpower and Reserve Affairs you would have significant responsibilities with regard to officer management policies, the promotion system, and recommending officers for nomination to positions of authority and responsibility.

If confirmed, what changes, if any, would you make to the officer management system?

Answer. I understand the officer management systems, and in particular the promotion system, are constantly being evaluated and efforts made to improve them. I am not yet familiar with the specifics of the program, or the results of the latest evaluations. However, if confirmed, I will fully consider and evaluate any recommendations from Navy and Marine Corps leadership for system improvement.

Question. Do you believe the current Navy procedures and practices for reviewing the records of officers pending nomination by the President are sufficient to ensure the Secretary of the Navy, the Secretary of Defense, and the President can make informed decisions?

Answer. It is my understanding that the Navy's processes and policies to identify eligibility and suitability for appointment or re-appointment as officers provide sufficient information for these decisions. If confirmed, I will fully support efforts to enhance personnel suitability screening associated with nominations for appointments to higher positions of leadership, trust and responsibility.

Question. In your view, are these procedures and practices fair and reasonable for the officers involved?

Answer. To the best of my knowledge, current procedures for vetting personal and professional information seek to protect the rights of individual officers and the interests of the Navy in advancing only those who have clearly demonstrated exceptional character, competence, and commitment to the Nation's values. If confirmed, I will support these vetting processes and, for any changes proposed, I will ensure the due process rights of individual officers are protected.

TECHNICAL TRAINING AND ASSIGNMENT OF GENERAL AND FLAG OFFICERS

Question. In your view, do a sufficient number of general and flag officers have advanced training and degrees in scientific and technical disciplines?

Answer. Anecdotally, it has been my personal experience that the general and flag officers I have worked with predominantly have sufficient training and degrees to fulfill their responsibilities. In my previous position as an attorney in the Office of the General Counsel of the Navy, it was apparent to me that many of the general and flag officers with whom I interacted had scientific and technical backgrounds likely obtained through a scientific or technical undergraduate and/or graduate degree.

If confirmed, I will closely monitor the inventory of senior officer personnel to ensure our Navy and Marine Corps has officers with the technical and scientific training necessary to perform their duties.

Question. Are the career paths for officers with technical skills appropriate to ensure that the services can execute complex acquisition programs, adapt to a rapidly changing technological threat environment, and make informed investment decisions on DOD and Army resources? If not, what will you do to address this deficiency?

Answer. It is my understanding that there are multiple factors that affect a general/flag officer's ability to ensure the effective execution of complex acquisition programs. I understand that the Department of the Navy policy for the Acquisition Workforce requires that those general/flag officers serving in positions with oversight responsibility for major acquisition programs have at least 10 years of experience, prior experience in a Critical Acquisition Position, as well as prior experience as an acquisition Program Manager or Deputy Program Manager.

Additionally, I understand that the Department of the Navy (DON) attempts to provide a robust development program for its acquisition program leaders. For example, I understand the Assistant Secretary of the Navy for Research, Development and Acquisition has Acquisition War Rooms that provide well-researched lessons learned on what has been successful in Shipbuilding/Combat Systems Acquisition as they relate to current programs. Newly selected leaders are required to go through the War Rooms. Further, DON offers an "Understanding Industry" course that arms participants with an understanding of the mindset of Industry leaders, better equipping participants to more effectively negotiate business arrangements. Additionally, I understand DON allows selected acquisition leaders to participate in the Secretary of Defense Corporate Fellowship Program, a year-long training opportunity with Industry to gain first-hand experience with corporate operations. Combined with existing acquisition experience, Defense Acquisition University training, and graduate education, these initiatives are intended to collectively develop well-rounded Program Managers.

Question. In your view do current general and flag officer assignment policies provide and incentivize qualified officers to serve in acquisition programs? Do tour lengths for those assignments enable and empower such officers to effectively manage acquisition programs? If not, what changes do you believe are necessary to improve the effectiveness of senior officers assigned those duties?

Answer. I am aware the DON has policy to ensure that acquisition officers promote at the same rate as those in non-acquisition positions. In addition, I understand the department has made efforts to incentivize those leading and executing acquisition programs. There are more than ten different awards recognized in the annual DON Acquisition Excellence Awards Ceremony, with multiple others submitted for recognition at the Under Secretary of Defense Acquisition, Technology and Logistics (USD (AT&L)) level. The department also recognizes leaders of acquisition programs in the USD (AT&L) magazine. DON policy requires tour lengths that are consistent with OSD policy, i.e., four years (or closest major milestone) for those leading major programs and three years for those serving as Program Executive Officers. Beyond that, DON's Program Review process attempts to ensure program leaders are empowered to make decisions to effectively manage their programs.

If confirmed, I will evaluate whether there is a relevant and sufficient match between acquisition education requirements and senior officer training and education.

GENERAL AND FLAG OFFICER NOMINATIONS

Question. Under DOD Instruction 1320.4, adverse and alleged adverse information pertaining to general and flag officers must be evaluated by senior leaders in the Services and in the Office of the Secretary of Defense prior to nomination.

Answer. [Noting that the guidance has been updated as DOD Instruction 1320.04 in January 2014]

Question. If confirmed, what role would you play in the officer promotion system, particularly in reviewing general and flag officer nominations?

Answer. The officer promotion system is governed by the Defense Officer Personnel Management Act and the Reserve Officer Personnel Management Act. If confirmed, I will review all flag and general officer nominations prior to approval by the Secretary of the Navy. If there are any concerns, I would consult with the Chief of Naval Personnel or the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs to discuss the issues prior to routing the nomination to the Secretary.

I understand that current regulations and procedures provide senior civilian oversight to ensure information relevant to prospective nominees is appropriately considered by promotion boards and officials within the recommending hierarchical chain. If confirmed, I will engage with and monitor these processes to preserve the integrity of the promotion system to ensure that the officers promoted are physically, mentally and morally qualified to serve at the highest levels.

Question. What is your assessment of the ability of the Services to timely document credible information of an adverse nature for evaluation by promotion selection boards and military and civilian leaders?

Answer. I believe that consideration of all information is critical to ensuring the reliability of selection board results. I consider this to be a vitally important responsibility. If confirmed, I would carefully review the selection process for military and civilian leaders to ensure information of an adverse nature is properly evaluated. It is my understanding that the Navy's process to identify credible information of an adverse nature for evaluation by promotion selection boards and military and civilian leaders provides sufficient information for these decisions. If confirmed, I will review and monitor these processes to determine if there are areas for improvement.

Question. If confirmed, what steps will you take to ensure that only the best qualified officers are nominated for promotion to general and flag officer rank?

Answer. I understand that a thorough screening process and review is conducted on convening orders for flag and general officer selection boards to ensure clear guidance is provided to all flag and general officer selection board members. While I am not fully aware of the existing process within the Department of the Navy for developing and promulgating selection criteria for general and flag officers, if confirmed I would examine this process closely. If confirmed, I will provide the Secretary my frank assessment of the existing processes and will make recommendations regarding any changes necessary to ensure the best qualified officers are nominated.

END STRENGTH REDUCTIONS

Question. In this year's budget request and Future Years Defense Program, the Department proposes making additional cuts to the Marine Corps active and Reserve component end strengths. The Department proposes reducing the marine Active component to 182,000 by 2020, and plans to keep the Marine Corps forces at 182,000 if sequestration continues.

In your view, can the Marine Corps meet national defense objectives at the strength levels proposed without sequestration? What about at the strength levels proposed with sequestration?

Answer. I understand the Commandant of the Marine Corps has testified that the Marine Corps can meet the requirements of the Defense Strategic Guidance today at the President's Budget levels, but there is no margin. Lowering end strength due to sequestration or enforcement of the Budget Control Act funding caps would not allow the Marine Corps to execute the current Defense Strategic Guidance. I understand a new strategy would need to be developed that would take into account fewer warfighting units available to deploy in defense of the Nation.

Question. If the Marine Corps must reduce its active component end strength to 182,000, where does the Marine Corps take risk with respect to the national defense strategy?

Answer. I understand the Commandant of the Marine Corps has testified that the Marine Corps has been forced to prioritize near-term readiness for forward deployed marines and assume risk in home station readiness, modernization, infrastructure sustainment, and quality of life programs.

If confirmed, I will work with Marine Corps leadership to minimize the risk to overall Service readiness.

Question. What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress has provided the past three years?

Answer. I understand Congress has given the Marine Corps the authorities necessary to accomplish its present drawdown. If confirmed, I will assess Departmental

processes and results to ensure the Marine Corps reduces end strength in a smart, measured way and identifies any additional legislative changes needed in a timely manner.

Question. In your view, should the number of general and flag officers in the Marine Corps and Navy be reduced commensurate with the drawdown of total Marine and Navy end strength?

Answer. I am aware that the Services recently conducted a Congressionally-directed review of active component general and flag officer billets. A similar review is underway now for the Reserve component. If confirmed, I will ensure that any recommendations regarding changes in the number of authorized flag and general officers are based on the needs of the Navy and Marine Corps, considering the nature of responsibilities associated with any specific position.

LESSONS LEARNED

Question. What do you believe are the major personnel lessons learned from Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) which you would seek to address if confirmed as Assistant Secretary of the Navy for Manpower and Reserve Affairs?

Answer. I am confident that there are valuable personnel lessons learned from OEF and OIF. The sacrifices of our sailors and marines, and their families in support of these operations, were made at great cost. It is impressive that all the Services have been able to maintain a high-quality all-volunteer force through more than a decade of combat operations. The continuous integration of Active Duty and Reserve forces throughout and since these Operations has been remarkable as well. I am aware that there have been many lessons from OEF and OIF about the impacts of stress on the force, and there is still more to learn and to do in support of the physical and mental resiliency of our sailors and marines, and for veterans seeking to reintegrate with their families and communities, to include transitioning from the uniform. If confirmed, I will seek out and review the hard-earned lessons learned with senior leaders within the Department of the Navy.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the services continue to be of great concern to the Committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Department of the Navy to prevent suicides and increase the resiliency of marines, sailors and their families?

Answer. I share the Department of the Navy view that every suicide is a tragedy, and that suicide is also a leadership issue. I understand that the Services have taken significant steps to improve suicide prevention efforts. If confirmed, I will support efforts to encourage strength and resilience among sailors, marines and their families, and to foster command climates supportive of psychological health and help-seeking behavior. It is critical that the Department continues to emphasize the importance of personal responsibility, peer-support and bystander intervention, and that it continues to emphasize that seeking help is a sign of strength.

FAMILY READINESS AND SUPPORT

Question. Marines, sailors and their families in both the active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for marines, sailors and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced, especially in light of current fiscal constraints?

Answer. Sailors, marines and their families are the Department of the Navy's greatest assets. Addressing their needs can be more challenging in times of war or contingency operations, particularly in a fiscally constrained environment. If confirmed, I will work with the Services to ensure that, to the greatest extent possible, the Department remains agile and responsive to the needs of servicemembers and their families, within fiscal realities. Whether assisting them in transitioning to civilian life, or providing financial education throughout their service, addressing their needs and desires will be essential to success.

MORALE, WELFARE, AND RECREATION

Question. Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for marines, sailors and their families, especially in light of deployments. These programs must be relevant and attractive to all eligible users, including active-duty and Reserve personnel, retirees, and families.

What challenges do you foresee in sustaining Navy MWR programs, particularly in view of the current fiscal environment and, if confirmed, are there any improvements you would seek to achieve?

Answer. It is vitally important not to marginalize MWR program contribution to readiness and retention. If confirmed, I will work with the Services to ensure program relevance and sustainability. I am aware that in a fiscally constrained environment, it is critical to optimize MWR's revenue generating capability and to protect the profitability of the military exchanges that help fund MWR programs.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. What is your assessment of the Navy's sexual assault prevention and response program?

Answer. In recent years, I understand over 150 program and policy initiatives have been implemented in an effort to provide a comprehensive approach to sexual assault prevention and response (SAPR).

I am aware that in Fiscal Year 2014 (FY14), reports of sexual assault in the Department continued to increase over previous years, though I understand that an increase in sexual assault reports may not necessarily represent increased incidents of sexual assault. For a crime that is universally underreported, the Department believes this trend may represent in part an improved command climate since when a sailor or marine trusts the command to respond appropriately, he or she is more likely to make a report. I understand that the DON is also committed to further efforts to address sexual assault through new training initiatives, such as bystander intervention training. Despite these efforts, however, I concur with the Department's view that there is more work to be done and that this issue requires continued focus at the highest levels.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. I understand that the system allowing both restricted and unrestricted reporting is valuable to ensure that all persons have access to support services.

If confirmed, I would be committed to ensuring that victims have the option whether to report and, if they decide to do so, they can report in a manner that respects their privacy, their rights, and their desire to participate in the military justice system.

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. Through their words and deeds, commanding officers set the tone for, and are ultimately responsible for, command climate. As a result, they are the lynchpin for establishing and maintaining a positive command climate.

Every commander must be held accountable for ensuring the well-being of each individual within the command. The chain of command is integral to providing compassionate care and support to victims. It is also fundamental to implementing command-wide training on how to support survivors and ensuring implementation of military policies regarding sexual assault prevention and response.

Question. What is your understanding of the adequacy of Navy resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. I am aware that the Department has placed a significant focus on providing support to victims. I have been informed that victims are offered a range of resources to provide them with the proper physical, emotional and legal support. I understand that newly established programs and positions such as Sexual Assault Response Coordinators (SARC), deployed resiliency counselors, and Victims' Legal Counsel (VLC) have afforded important guidance, support, and advocacy for victims. Meanwhile, I understand the medical community strives to provide individuals with compassionate, competent, and victim-centered care.

Question. What is your view of the steps the Navy has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. I understand that the Department is aggressively attempting to address the problem of sexual assault no matter where an offense is committed. Specifically, I understand that SARCs, deployed resiliency counselors, and VLCs are available worldwide. The Department has also established peer-to-peer training for every sailor and marine. Given the connection between alcohol use and sexual assault, the

Department has established alcohol sales policies on every Navy installation. In addition, I understand the Department has established new base security measures in resident housing. If confirmed, I will support continued efforts to eliminate all forms of sexual assault, in all locations, and will advocate for the continuous development of effective new approaches to combat the crime and to support victims.

Question. What is your view of the adequacy of the training and resources Navy has in place to investigate and prosecute allegations of sexual assault?

Answer. I understand there has been significant focus on ensuring sufficient resources and training for NCIS and Navy and Marine Corps judge advocates. I am aware that NCIS is required to investigate every allegation of sexual assault and I understand that changes have put into place specialists who handle investigations, courtroom litigation and provide victim support.

Adequacy of training and resources for investigation, prosecution, and defense of allegations of sexual assault is critical to ensuring a thorough investigation and fair trial of sexual assault cases while protecting both the victim's privacy interests and the constitutional rights of the alleged offenders. If confirmed, I will monitor the Department's training and resources closely to ensure that they sufficiently prepare and equip those who investigate and prosecute sexual assault allegations.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. I believe that preventing and responding to sexual assault is not just a legal issue—it is a leadership issue. The chain of command is responsible for the health and well-being of the servicemembers they have been entrusted to lead and plays a fundamental role in the Department of the Navy's (DON's) prevention and response efforts. As a result, the chain of command must practice, promote and reinforce these efforts at every level in order to create an environment and culture in which sexual assault is not tolerated.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. I believe that, in the military environment, the chain of command has a central role in ensuring the well-being of servicemembers, but I also understand concerns that have been expressed regarding the role of the chain of command in sexual assault prosecutions. If confirmed, I will closely examine this important question, and will keep an open mind regarding options for improving the system for prosecutions of sexual assault.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Navy?

Answer. If confirmed, I would continue ongoing work to implement statutory mandates, Secretary of Defense initiatives, and Service initiatives, and would monitor these new initiatives for effectiveness as they are implemented. I would consider any independent recommendations and would also continue collaboration with Congressional oversight committees; keeping an open mind regarding their concerns and suggestions for addressing this important issue. In addition, I would stress the importance of training as well as the significance of a commitment from leadership at all levels to create and sustain a climate that refuses to tolerate sexual assault or retaliation against survivors.

RELIGIOUS GUIDELINES

Question. In your view, do Department of Defense policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. I understand the Department of the Navy (DON) and the Department of Defense (DOD) take very seriously the Constitutional freedom expressed in the First Amendment for the free exercise of religion on the part of all citizens, including members in military service, and respects those who observe no religion. I am aware that commanders, leaders, and chaplains are responsible for ensuring those rights are afforded to all of our sailors, marines, their families, and DON civilians, and for striving to protect their civil liberties to the greatest extent possible, consistent with military requirements.

Question. In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. The Navy's Chaplain Corps provides religious support to the Navy, Marine Corps and the Coast Guard on the basis of the servicemembers' respective free exercise rights. Chaplains provide prayers on many occasions in both private and public settings, and I understand chaplains are never required to pray outside of their individual convictions, beliefs, religious traditions, or the tenets of the religious organization that provides their endorsement to DOD and DON. I understand that there are no Department policies that restrict prayers, either in manner or content, though chaplains are encouraged to be respectful of other faiths when praying during official ceremonies where attendance is mandatory.

Question. Section 533 of the FY13 National Defense Authorization Act (P.L. 112–239), as amended by section 532 of the FY14 National Defense Authorization Act (P.L. 113–66) protects rights of conscience of members of the armed forces and chaplains of such members, and prohibits, so far as possible, use of such beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment. Members of some religious denominations have sincerely held beliefs in opposition to same-sex marriage.

In your view, may a member of the armed forces who has a sincerely held belief in opposition to same-sex marriage be subject to adverse personnel action or similar other adverse action, if he or she shares those personal views on the subject in a personal capacity?

Answer. I understand that sailors and marines may express sincerely-held moral or religious views about same-sex marriage when speaking in a personal capacity, but must avoid any appearance that they are expressing an official position. DOD's Equal Opportunity policy (DODD 1020.02E) guarantees all servicemembers an environment free from harassment or discrimination on the basis of race, color, national origin, religion, sex, or sexual orientation. Having an environment free from discrimination helps ensure that sailors and marines reach their potential and contribute as much as possible to the mission. So while I understand the Department recognizes that some servicemembers may hold very sincere religious convictions in good-faith opposition to same-sex marriage, it nevertheless requires all sailors and marines to abide by DOD's Equal Opportunity policy in their official capacities.

OFFICER ACCESSIONS

Question. What, in your view, is the appropriate relative distribution from the sources of commission to meet the Navy's officer accessions requirements and sustain the viability of the Naval Academy, Reserve Officer Training Corps, and the Officer Candidate School?

Answer. My understanding is that each commissioning source brings different strengths in terms of prior military experience, academic background, diversity, and indoctrination into military culture. The existence of different commissioning sources likely makes naval service appealing to a wider range of young men and women than would be attracted by any single program. If confirmed, I would need to look at the reasons each Service relies on a particular source for a specific number of officer commissions each year, to determine whether the relative distribution is appropriately aligned with the skills and experiences necessary to meet the requirements of the force.

UNITED STATES NAVAL ACADEMY

Question. What is your assessment of the policies and procedures at the United States Naval Academy to prevent and respond appropriately to sexual assaults and sexual harassment and to ensure essential oversight?

Answer. My understanding is that the United States Naval Academy (USNA) possesses policies and procedures designed to prevent and respond appropriately to sexual harassment and sexual assaults and to ensure essential oversight. I believe it is critical at every level to promote a positive command climate that does not tolerate any form of sexual assault,or sexual harassment. I understand that the USNA recognizes this and that the highest levels of school leadership are engaged on this issue. Recently, the USNA has played an integral part in the launch of the "It's On Us" campaign that addresses prevention of sexual assault on college campuses and has participated in a number of civilian institutional forums designed to share best practices. If confirmed, one of my highest priorities will be to support the ongoing efforts to strengthen the USNA programs and policies that attempt to eliminate sexual assault and sexual harassment.

Question. What is your assessment of the policies and procedures at the United States Naval Academy to ensure religious tolerance and respect?

Answer. It is my understanding that the USNA follows Department of Defense and Department of the Navy policies on religious accommodation and has proce-

dures in place aimed at ensuring religious tolerance, respect, and support for midshipmen, faculty, and staff in their personal faith choices. I fully support this Constitutional right and recognize its importance to our Nation and the Department of the Navy. If confirmed, I will take all the necessary steps to ensure that the Department of the Navy's policies reflect religious tolerance for all faiths.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. The Department of Defense, in January, 2013, rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and gave the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services were tasked to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards and have submitted their reports and recommendations to the Military Departments who in turn provided their recommendations to the Secretary of Defense no later than 30 September 2015 for review and final decision.

If confirmed, what role will you play in the development of these standards?

Answer. If confirmed, I believe my role would be oversight and advice to the Secretary of the Navy regarding these standards.

Question. If confirmed, will you ensure that the standards are realistic and preserve, or enhance, military readiness and mission capability?

Answer. Yes, if confirmed, I will work closely with both the Navy and Marine Corps and seriously consider their respective input in development or implementation of the standards.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements? If so, what steps would you take to ensure that such decisions are made on this basis?

Answer. I understand the Department of the Navy is committed to evaluating the requirements of each position in order to select and train sailors and marines, who can meet the requirements of their military occupational specialties, regardless of the gender of the individual. My understanding is that decisions will not be based on which positions to open, but rather on what positions require an exception to remain closed. I understand that exceptions to policy (if any) would be subject to a very high bar and that military requirements would be the primary consideration for any such exceptions.

Question. If an exception to policy is requested, what criteria should be used to determine whether to grant or deny that exception?

Answer. It is premature for me at this time to offer my opinion on the appropriate criteria for granting exceptions to policy. However, I understand that criteria related to military requirements would play a central role if any exceptions are requested. I share the Navy and Marine Corps view that it is imperative to always maintain the high military standards that are necessary in defense of our Nation.

LEGISLATIVE FELLOWSHIP PROGRAM

Question. Each year, the Services assign mid-career officers to the offices of Members of Congress under the Legislative Fellows Program. Upon completion of their legislative fellowships, officers are required to be assigned to follow-on positions in their services in which they effectively use the experience and knowledge they gained during their fellowships.

What is your assessment of the process for the recruitment, selection, preparation, and assignment to Members of Navy officers in the Legislative Fellows program?

Answer. I understand that the Navy and Marine Corps Legislative Fellows programs are open to a wide variety of Line and Staff Corps officers permanent grades of O2 to O5 and some E–6 to E–9. Competition is keen, and the selection process focuses primarily on individual performance, promotion potential, career, timing, breadth of experience, academic and subspecialty qualifications, needs of the Navy and Marine Corps, and availability for follow-on assignment, as well as communication skills, aptitude, personality, and the general ability to adapt to a Capitol Hill work environment. I understand that Fellow selectees are provided with training within the Office of Legislative Affairs and in a Capitol Hill workshop, and that they are offered the opportunity to earn a Legislative Additional Qualification Designator (AQD).

Question. What is your assessment of the value of the Legislative Fellows program to the Navy and the utilization of officers who have served as legislative fellows?

Answer. I understand the Fellows program educates Navy personnel on the workings of the legislative branch of government, while enhancing Navy/Marine Corps' ability to fulfill its role in the national policy development process. I understand that the Navy/Marine Corps benefit from assignment of personnel to Congress by bringing a unique perspective to the process of drafting and passing legislation, and by affording the incumbent an opportunity to learn about the legislative process. Specifically, Fellows receive instruction and hands-on experience in a Congressional office through dedicated training and developmental activities; a full-time, one-year assignment to the staff of a Member of Congress who serves on a Defense-related subcommittee; and liaison with the Navy/Marine Corps Office of Legislative Affairs (OLA).

MANAGEMENT AND DEVELOPMENT OF THE SENIOR EXECUTIVE SERVICE

Question. The transformation of the Armed Forces has brought with it an increasing realization of the importance of efficient and forward thinking management of senior executives.

What is your vision for the management and development of the Navy senior executive workforce, especially in the critically important areas of acquisition, financial management, and the scientific and technical fields?

Answer. I am very interested in supporting the development and management of the senior executive workforce for the Department of the Navy. The quality and capabilities of the civilian executive leadership is vital to the functioning of the Department. If confirmed, I will work to ensure that senior executives have a diverse portfolio of experiences and strong leadership skills that support the Department's mission and organizational goals. I understand that the Department has an enterprise approach to senior executive management through an Executive Management Advisory Panel and an annual Talent and Succession Management process. My understanding is that these processes were designed to ensure the Department has the leadership and technical talent for the mission including acquisition, financial, scientific and technical capabilities. If confirmed, I will review the executive management process and ensure that the policies are in place to attract, retain, and develop the best senior executives for all positions.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. The Navy employs many civilian employees and contractors. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as federal employees. Both contractors and civilians make up an integral part of the Department's total workforce.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of the Navy?

Answer. I believe the Department of the Navy's best interests are served by achieving and maintaining the right balance of military, federal civil servants and contractor employees in each organization and set of functions. I am aware that for each function, the Department of the Navy must consider the most appropriate, effective, and cost-efficient source of labor to meet mission requirements. If confirmed, I would be committed to identifying and maintaining the optimal mix of military, federal civil servants, and contractor personnel and to practices that ensure the best stewardship of taxpayer resources.

Question. In your view, has the Department utilized contractors to perform basic functions in an appropriate manner?

Answer. For every function, the Department should consider the most appropriate and effective sources of labor, and apply scrutiny to processes at all levels to ensure that no inherently governmental functions are outsourced. It is also critical for the Department to examine mission requirements and best stewardship practices of existing resources when determining the most effective use of contractors. If confirmed, I am committed to working with the Secretary of the Navy, the Under Secretary, and other leaders to assess the extent of the Department's reliance on contractors and to ensure compliance with law and policy.

Question. Do you believe that the Navy should undertake a comprehensive reappraisal of "inherently governmental functions" and other critical government functions, and how they are performed?

Answer. I understand that the Federal Activities Inventory Reform (FAIR) Act, the Federal Acquisition Regulation (FAR), and the Total Force Management statutes of title 10 govern the proper sourcing of labor. It is always in our best interest

to carefully review the direct, indirect, and potentially unintended consequences of a decision to contract out functions, and to take precautions to ensure that inherently governmental functions are not outsourced. If confirmed, I am committed to enforcing the processes necessary to perform this analysis, and to ensuring Departmental compliance with the FAIR Act and the FAR.

Question. Are there non-monetary reasons why the Navy would need or desire one type of manpower over the other? If so, provide relevant examples where of those reasons? Under what circumstances should cost be used as the primary factor?

Answer. I understand there are multiple factors that contribute to workforce mix decisions, many of which are non-monetary. If the duties are deemed inherently governmental, (for example work that involves key fiduciary responsibilities) then the work must be sourced by military or federal civilian employees, without consideration for cost. Similarly, cost might not be the driving factor when sourcing a short-term project that requires highly specialized expertise not readily found in the federal workforce. However, cost would likely be used as a primary factor when filling requirements that are neither inherently governmental nor core business processes of the Department of the Navy. Additionally, in some cases, it may be desirable for certain positions to be used as shore rotation billets even if, narrowly considered, the positions might be filled by civilians at lower cost (since it is not reasonable to expect sailors and marines to spend their entire careers assigned to ships and other operational units). For every function, the Department should consider the most appropriate, effective, and cost-efficient source of labor to meet the mission requirement.

Question. If confirmed, will you work with other appropriate officials in the Navy to review the contractor and civilian force mix for cost and mission effectiveness?

Answer. Yes. If confirmed, I will work with other appropriate officials in the Department to review the contractor and civilian force mix. As required by statute, if confirmed, I will also work closely with the Under Secretaries of Defense for Personnel and Readiness, Comptroller, and Acquisition, Technology and Logistics, to ensure that the Department of the Navy continues to operate in a manner consistent with the Department of Defense guidance.

Question. Would you agree that the balance between civilian employees and contractor employees in performing Navy functions should be determined by the best interests of the Navy and its mission requirements?

Answer. Absolutely, and the Department of the Navy's continuous success in mission accomplishment hinges upon continuing to employ the most effective and appropriate workforce mix of available labor sources.

Question. If confirmed, will you work to remove any artificial constraints placed on the size of the Navy's civilian and contractor workforce, so that the Navy can hire the number and type of employees most appropriate to accomplish its mission?

Answer. If confirmed, I will support efforts to ensure that the Department of the Navy has the most appropriate, effective, and cost-efficient workforce to accomplish its many missions, within available resources. I will also support efforts to remove any inappropriate constraints on the size of the civilian or contractor workforce.

ACQUISITION AND TECHNOLOGY WORKFORCE

Question. The Department of Defense is in a global competition for the highest quality STEM professionals at the entry-level, mid-career, and senior levels. These individuals are charged with managing billions of dollars' worth of taxpayer resources in complex acquisition programs, directly providing technical support to military operations, supporting the development of technically informed policies and regulations in areas ranging from cybersecurity to use of drones; and performing world class research and engineering functions in in house labs and centers.

Do you feel that the Navy can currently compete with the private sector for the highest quality technical performers at the early career, mid-career, and senior levels?

Answer. I understand that the Department of the Navy is experiencing some success in regard to hiring the highest quality technical performers across the full career spectrum and, for the most part, is competitive with the private sector for the Nation's best and brightest talent. Our country's technical workforce is driven by the opportunity to practice hands-on science and engineering within one's chosen discipline. The Department continues to provide such opportunities for prospective candidates at generally competitive salary rates. However, I understand Departmental hiring managers face significant hurdles in the hiring process that are not shared by private sector employers. Streamlining the hiring process to overcome these hurdles would allow the Department of the Navy to increase its hiring success rate across early career, mid-career, and senior levels. I understand several current

Departmental proposals are aimed at broadening workforce talent recruitment (including STEM occupations) and retaining personnel by expanding career opportunities and developing talent management processes.

Question. How will you work to enhance policies and flexibilities necessary to allow the Navy to compete with the private sector for this talent?

Answer. I understand the Department of the Navy's ability to compete for and retain talented technical performers at all career levels is dependent upon streamlining the hiring process and ensuring that the technical workforce is engaged in hands-on research, development, test, and evaluation (RDT&E) initiatives. Specifically, I understand that direct hiring authority at the Navy Warfare Center and Laboratory levels would facilitate the Department's ability to compete for talent, as would providing technical hiring managers with the flexibility to identify and hire appropriate talent within a timeframe that is consistent with that of the private sector. In addition, I understand that the Department of the Navy's Task Force Innovation provides its workforce the opportunity to improve the DON through new and innovative ideas, to assist not only with mission execution, but also with workforce attraction and retention.

If confirmed, I will work very closely with the Assistant Secretary of the Navy (Research, Development & Acquisition), the Chief of Naval Operations, the Commandant of the Marine Corps, and other Departmental leaders to ensure that policies, practices, and new initiatives fully leverage the flexibility authorized by Congress to enable the Department of the Navy to remain competitive with the private sector in attracting talent.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of the Navy for Manpower and Reserve Affairs?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided in a timely manner to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY THOM TILLIS

WOMEN IN COMBAT INTEGRATION

1. Senator TILLIS. Mr. Parker, the Marines recently released the results of their major research study on combat integration. Before reviewing the report, Secretary Mabus indicated that he will not support any exceptions to policy to close any ground combat elements to women. Are you familiar with the Department of the Marine Corps' Ground Combat Element Integrated Task Force report?

Mr. PARKER. I am aware that the Marine Corps submitted a report internal to the Department of Defense on the Ground Combat Element Integrated Task Force, but I am not aware of any official release of that report.

2. Senator TILLIS. Would you have made the same decision as Secretary Mabus before conducting a thorough review of the report and understanding the rigorous research efforts done to prepare the report?

Mr. PARKER. My understanding is that Secretary Mabus thoroughly reviewed the Marine Corps report and submitted a consolidated Department of the Navy (DON) recommendation to the Secretary of Defense, as directed by Secretary Panetta and

Chairman Dempsey in their guidance on this policy. The official decision in this matter is currently with the Secretary of Defense.

3. Senator TILLIS. The Marine Corps' research demonstrated that women suffered higher injury rates among women than men when engaged in field combat exercises and training. Does that concern you?

Mr. PARKER. Injured sailors and marines always concern me regardless of the circumstances leading to the injury.

4. Senator TILLIS. Mr. Parker, Do you support the decision of Secretary Mabus not to allow the Marine Corps recommendation to go forward to the Secretary of Defense?

Mr. PARKER. I am aware that Secretary Mabus has submitted his recommendation to the Secretary of Defense and included in his submission all recommendations and supplemental materials provided by the Commandant of the Marine Corps and the Chief of Naval Operations.

5. Senator TILLIS. If yes, wouldn't it be best to allow the Secretary of Defense to review all recommendations and research materials and then make a decision?

Mr. PARKER. It is my understanding that Secretary Mabus thoroughly reviewed all provided materials before making his final recommendation to the Secretary of Defense and that Secretary Carter intends to carefully review all data and recommendations before making a final decision.

6. Senator TILLIS. Mr. Parker, Do you believe women should be required to register for the draft?

Mr. PARKER. I understand that the decision to rescind the 1994 Direct Combat Definition and Assignment Rule may require an analysis of the Military Selective Service Act. If confirmed, I will further review the Military Selective Service Act and work with Congress, if requested, on this issue.

GUANTANAMO BAY

7. Senator TILLIS. Mr. Parker, In the event that the President directed the transfer of detainees from Guantanamo to the United States, in your professional legal judgment, would officers of the Department of the Navy be at legal risk for a violation of the Anti-Deficiency Act if they were to execute a transfer of detainees from Guantanamo to the United States, contrary to the prohibition against use of appropriated funds for that exact purpose?

Mr. PARKER. If confirmed, this is an issue for which I would have to seek legal counsel. Generally, I understand that if an agency incurs an obligation in excess or in advance of amounts that are legally available, the agency has violated the Anti-Deficiency Act.

COMMAND CLIMATES

8. Senator SULLIVAN. Mr. Parker, how will you encourage strength and resilience and foster supportive command climates?

Mr. PARKER. Developing and maintaining resilient sailors, marines and families with effective fitness, readiness and transition programs while decreasing and deterring destructive behaviors through awareness, training, and accountability has been a priority in the Department of the Navy. If confirmed, I will continue the emphasis on core programs including physical readiness, substance abuse prevention, family readiness, suicide prevention, sexual assault prevention and response, sexual harassment prevention, equal opportunity, transition assistance and hazing prevention.

SUICIDE PREVENTION EFFORTS

9. Senator SULLIVAN. Mr. Parker, do you have any specific ideas for initiatives to prevent suicide in our military?

Mr. PARKER. Every death by suicide is a tragedy and an unacceptable loss to the Department of the Navy. Suicide is a difficult problem and despite diligent efforts by the Department of the Navy, DOD and the nation, we still do not know how to prevent all suicides. However, there are evidence-based practices that are known to reduce risk by improving protective factors, reducing risk factors, and reaching out and providing help and resources to those at risk. If confirmed, continuing robust suicide prevention programs in the Navy and Marine Corps will be a priority for me. I will ensure that the Navy and Marine Corps suicide prevention programs monitor the latest research on suicide prevention and implement procedures that show potential to reduce suicides.

10. Senator SULLIVAN. If so, what are your specific ideas?

Mr. PARKER. If confirmed, I will ensure that the Navy and Marine Corps suicide prevention programs monitor the latest research on suicide prevention and implement procedures that show potential to reduce suicides.

[The nomination reference of Mr. Franklin R. Parker follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 26, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Franklin R. Parker, of Illinois, to be an Assistant Secretary of the Navy, vice Juan M. Garcia III.

[The biographical sketch of Mr. Franklin R. Parker, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF FRANKLIN R. PARKER

Education:

- Yale University
  - 1992–1996
  - Bachelor of Arts, Sociology
- Stanford Law School
  - 1996–1999
  - Juris Doctor
- Harvard University, John F. Kennedy School of Government
  - 2002–2004
  - Master in Public Policy, Political Advocacy and Leadership

Employment Record:

- U.S. Department of Transportation, Maritime Administration (Washington, DC)
  - Chief Counsel
  - February 2012–Present
- U.S. Department of the Navy, Office of the General Counsel (Washington, DC)
  - Special Assistant (Attorney-Advisor) to the General Counsel
  - August 2009–February 2012
- Winston & Strawn LLP (Washington, DC)
  - Associate
  - January 2005–August 2009
- Catholic Charities, Archdiocesan Legal Network (Washington, DC)
  - Pro Bono Legal Clinic Volunteer
  - January–August 2009
- National Conference of State Societies (Washington, DC)
  - General Counsel (Volunteer)
  - March 2008–August 2009
- Taylor Business Institute (Washington, DC/Chicago, IL)
  - Member of the Board of Governors (Volunteer)
  - June 2005–August 2009
- Illinois State Society (Washington, DC)
  - Member of the Board of Directors (Volunteer)
  - June 2005–August 2009
- Obama for America (Washington, DC/Various States)
  - Volunteer
  - March 2007–December 2008
- Obama for Illinois (Chicago, IL)
  - Member of the Policy and Research Staff
  - July–December 2004
- AmericaSpeaks (Cambridge, MA/Washington, DC)
  - Volunteer
  - October 2003–April 2004

- Trust for Public Land (Boston, MA)
  - Summer Analyst/Summer Associate
  - June–August 2003
- Massachusetts Public Interest Research Group (Boston, MA)
  - Volunteer
  - February–May 2003
- Taylor Business Institute (Cambridge, MA/Chicago, IL/Washington, DC)
  - Ad hoc consulting assistance
  - August 2002–June 2005
- In-Common (Cambridge, MA)
  - Student Peer Counselor (Volunteer)
  - Approx. September 2002–January 2003
- Brobeck, Phleger & Harrison LLP (Palo Alto, CA)
  - Associate
  - August 2000–November 2001
- Big Brothers, Big Sisters of San Francisco and the Peninsula (East Palo Alto, CA)
  - Tutor and Mentor (Volunteer)
  - Approx. October 2000–May 2002
- San Francisco 49ers Academy (East Palo Alto, CA)
  - Tutor and Mentor (Volunteer)
  - Approx. October 2000–May 2002
- East Palo Alto Community Law Project (East Palo Alto, CA)
  - Pro Bono Legal Clinic Volunteer
  - Approx. August 2000–November 2001
- Pillsbury, Madison & Sutro LLP (San Francisco, CA)
  - Associate
  - October 1999–July 2000
- San Francisco Lawyer's Committee for Civil Rights (San Francisco, CA)
  - Pro Bono Legal Clinic Volunteer
  - Approx. October 1999–July 2000
- Pillsbury, Madison & Sutro LLP (San Francisco, CA)
  - Summer Associate
  - July–August 1998
- Mayer, Brown & Platt LLP (Chicago, IL)
  - Summer Associate
  - June–July 1998
- Pillsbury, Madison & Sutro LLP (San Francisco, CA)
  - Summer Associate
  - June–August 1997
- Street Law (Palo Alto/San Jose, CA)
  - Volunteer Instructor
  - Approx. October 1997–May 1998
- United States Senator Paul Simon (Washington, DC)
  - Judiciary Committee Intern
  - Approx. June–August 1996

Honors and Awards:

- Department of the Navy, Distinguished Public Service Award (2012)
- Department of the Navy, Meritorious Public Service Award (2011)
- Winston & Strawn LLP, Pro Bono Commitment to Service Award (2009)

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Franklin R. Parker in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Franklin R. Parker.

2. **Position to which nominated:**
Assistant Secretary of the Navy for Manpower and Reserve Affairs.

3. **Date of nomination:**
March 26, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
May 12, 1974 in Joliet, Illinois.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Anne Hong Nguyen.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
Providence Catholic Hiqh School (1988–1992): High School Diploma (June 4, 1992).
Yale University (1992–1996): Bachelor of Arts (May 27, 1996).
Stanford Law School (1996–1999): Juris Doctor (June 13, 1999).
Harvard University, John F. Kennedy School of Government (2002–2004); Master in Public Policy (June 10, 2004).

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
U.S. Department of Transportation, Maritime Administration (Washington, DC)—Chief Counsel (February 2012–Present).
U.S. Department of the Navy (Washington, DC)—Special Assistant (Attorney-Advisor) to the General Counsel (August 2009–February 2012).
Winston & Strawn LLP (Washington, DC)—Associate (January 2005–August 2009).

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
U.S. Senator Paul Simon (Washington, DC)—Judiciary Committee Intern (Approx. June–August 1996).
U.S. Congressman Mel Reynolds (Washington, DC)—Legislative Intern (Approx. June–August 1994).

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

- State Bar of California (admitted 1999).
- District of Columbia Bar (admitted 2004).
- United States District Court for the District of Columbia (admitted December 2006: not active).
- United States Supreme Court Bar (admitted 2011).

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

05/19/2010—$200.00 (Newell, Felton via Newell for Congress).
08/05/2012—$1,000.00 (Obama, Barack via Obama for America).
09/03/2012—$1,500.00 (Obama, Barack via Obama for America).
09/19/2012—$1,000.00 (Obama Victory Fund 2012).
09/29/2012—$1,500.00 (Obama Victory Fund 2012).

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Distinguished Public Service Award, U.S. Department of the Navy (2012).
Meritorious Public Service Award, U.S. Department of the Navy (2011).
Pro Bono Commitment to Service Award, Winston & Strawn LLP (2009).

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

Copies of representative speeches are provided with this questionnaire.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

FRANKLIN R. PARKER

This 6th day of April, 2015

[The nomination of Mr. Franklin R. Parker was reported to the Senate by Chairman McCain on December 7, 2015, with the recommendation that the nomination be confirmed The nomination was confirmed by the Senate on December 14, 2015.]

NOMINATIONS OF HONORABLE MARCEL J. LETTRE II TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE; MR. GABRIEL O. CAMARILLO TO BE ASSISTANT SECRETARY OF THE AIR FORCE FOR MANPOWER AND RESERVE AFFAIRS; MR. JOHN E. SPARKS TO BE A JUDGE ON THE COURT OF APPEALS FOR THE ARMED FORCES; AND VICE ADMIRAL KURT W. TIDD, USN TO BE ADMIRAL AND COMMANDER, UNITED STATES SOUTHERN COMMAND

WEDNESDAY, DECEMBER 9, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 2:14 p.m. in Room SD–106, Dirksen Senate Office Building, Senator John McCain (chairman) presiding.

Committee members present: Senators McCain, Fischer, Ernst, Reed, Gillibrand, Donnelly, and King.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. Good morning. We welcome all of our nominees here this afternoon, as well as members of your families. As is our tradition, at the beginning of your testimony, we welcome you to introduce any members of your family that are joining us today.

Admiral Tidd, you have been nominated to serve as the next Commander of U.S. Southern Command [SOUTHCOM]. If confirmed, you will be responsible for overseeing a region facing a daunting array of security and governance challenges. At the same time, however, you will be forced to confront those challenges without the support you require due to persistent resource shortfalls that plague our efforts in the region.

In testimony before this committee in March, General John Kelly, USMC, the outgoing SOUTHCOM Commander, framed the impact of these longstanding resource shortfalls in stark terms by stating: "This presents more than just risks to our national interests; U.S. Southern Command has accepted risk for so long in this region that we now face a near-total lack of awareness of threats

and the readiness to respond, should those threats reach crisis levels."

Of particular concern is the deteriorating situation in Central America, where feeble governance, endemic corruption, and weak security institutions are allowing transnational criminal organizations to operate with impunity. Despite our efforts to counter these ruthless groups and the drugs they traffic into our country, it is clear we are not winning the war.

Demand for the drugs, heroin, methamphetamine, and cocaine, is too high and the profits too great to dissuade these criminals from their illicit actions. We, of course, must improve and adequately resource our drug interdiction strategy, but we must also reduce demand here at home. To be clear, the threat posed by these groups extends beyond the drugs they smuggle into our communities. The smuggling routes they control are also used to traffic weapons, bulk cash, and even humans and pose a direct threat to our national security.

While the challenges within the SOUTHCOM area of responsibility [AOR] are significant, there are also opportunities. Colombia, once on the cusp of becoming a failed state, has emerged from decades of conflict as a remarkable example of what sustained U.S. support and engagement can achieve. Admiral, I look forward to your thoughts today on how you intend to approach both the enormous challenges and opportunities within the SOUTHCOM area of responsibility.

Mr. Lettre, if confirmed to be the Under Secretary of Defense for Intelligence, you would serve as the principal intelligence advisor to the Secretary of Defense. The position of Under Secretary of Defense for Intelligence was created in 2002 in the wake of the 9/11 attacks to better integrate, oversee, and prioritize intelligence resources and capabilities throughout the Department. This mission has never been more important.

Currently, the United States faces an increasingly complex global threat environment where terrorist organizations are metastasizing and now exercise state-like capabilities, and nation-state adversaries are increasingly asserting power, even through irregular and asymmetric means. Every component of our Defense Department must have timely intelligence to understand the varied threats we face, to prepare for potential conflict, and to respond swiftly, accurately, and decisively when necessary. In an age of decreasing budgets, accurate and timely intelligence becomes all the more vital. We look forward to discussing how Mr. Lettre plans to address his important mission.

Mr. Camarillo, you are nominated to serve as the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. You currently serve as the Principal Deputy Assistant Secretary of the Army for Acquisitions Logistics and Technology. If confirmed as Assistant Secretary of the Air Force, you would be responsible for the overall supervision of manpower and reserve component affairs of the Department of the Air Force.

The Air Force is challenged with implementation of congressionally mandated reductions in headquarters personnel to transform what is currently a bloated infrastructure into a lean and responsive organization. I hope your recent experience in the Army head-

quarters will also bring a new, fresh perspective to the Air Force's remotely piloted aircraft [RPA] personnel community. The Air Force must move away from legacy organizational structure in this vital area. The Air Force must also embrace the use of enlisted and warrant officer RPA pilots as it builds a viable career force. I look forward to hearing your views on this subject.

Mr. Sparks, you have faithfully served as Commissioner to the United States Court of Appeals for the Armed Forces for 14 years. You are a graduate of one of the finest educational institutions in the world, the United States Naval Academy, and you served with distinction as an officer in the United States Marine Corps. I cannot imagine a more able and qualified individual than you to serve as judge on the highest court in our military justice system.

Our committee has been at the vanguard of recent significant changes to the military justice system, establishing new protections for victims of sexual assault while preserving the rights of those military members accused of criminal activity and while empowering the vital and necessary ownership of good order and discipline by military commanders. As an individual nominated to serve as a judge, neither I nor any of my colleagues would expect you to comment on a matter that might cause you to be disqualified on any future case that may come before the court. However, I look forward to hearing your views on the state of military justice as they are informed by your wealth of experience.

We will begin with you, Secretary Lettre, and move down the list. As I said, please feel free to introduce your family members after Senator Reed predicts what will happen on Saturday.

Senator REED. I have only one question. Mr. Sparks, did you play football at Navy?

Mr. SPARKS. I did not, Senator.

Senator REED. Then you have the potential to be nominated to the position——

[Laughter.]

Senator REED. With that, Mr. Chairman, I have a statement that simply describes the expertise and the increasing level of responsibilities and service of these gentlemen, which makes them all in my view well qualified for the jobs. I would ask unanimous consent my statement be made part of the record and then allow you to continue.

[The prepared statement of Senator Reed follows:]

PREPARED STATEMENT BY SENATOR JACK REED

Thank you very much, Mr. Chairman. I join you in welcoming our nominees, and I thank you for holding this hearing to fill important military and civilian vacancies in the Department of Defense. The positions for which these individuals have been nominated involve significant and challenging duties. If confirmed, I am confident that these nominees are up to the challenge.

Mr. Lettre, who has been nominated for the position of Under Secretary of Defense for Intelligence, is well suited to serve as the principal staff advisor for the Secretary of Defense on intelligence matters. In addition to serving as the Principal Deputy to the previous Under Secretary for Intelligence or the last 2 years and Acting Under Secretary of Defense for Intelligence for the last 7 months, Mr. Lettre served as a Special Assistant to Secretaries of Defense Chuck Hagel, Leon Panetta, and Bob Gates, including serving as Deputy Chief of Staff to Secretary Panetta. He also served as Principal Deputy Assistant Secretary of Defense for Legislative Affairs. Prior to his executive branch service, Mr. Lettre was the Senior Defense and Intelligence Advisor and then Senior National Security Advisor to the Senate Major-

ity Leader. He also served on the staff of the House Permanent Select Committee on Intelligence from 2002 to 2005. As intelligence is a key factor in all of our critical operational challenges, I look forward to hearing Mr. Lettre's ideas for improvement and reform.

Mr. Camarillo, nominated for the position of Assistant Secretary of the Air Force for Manpower and Reserve Affairs, will face many challenges managing Air Force military and civilian personnel. Mr. Camarillo comes from the Army where he currently serves as Principal Deputy Assistant Secretary of the Army for Acquisition, Logistics & Technology. Prior to his Army experience, he practiced law in the private sector. We hope that Mr. Camarillo's broad and varied experience will bring fresh ideas and solutions to the challenges he will face.

Mr. Sparks has an extensive military and military justice background that makes him well-qualified to serve as a judge on the United States Court of Appeals for the Armed Forces. He began his military career as a Marine infantry officer, so he has experienced first-hand the need for good order and discipline in a combat unit. He also has extensive experience as a Marine judge advocate, and most recently has served as a Commissioner to the Court to which he has been nominated as a judge. With this extensive relevant experience, Mr. Sparks will bring a very valuable perspective to this court, which is sometimes referred to as the "Supreme Court for the military," a court consisting of civilian judges that is, in most cases, the final arbiter of the fairness and correct application of the UCMJ.

Vice Admiral Tidd, nominated for promotion to admiral and assignment as Commander, United States Southern Command, holds the title of the Navy's "Old Salt," the longest serving surface warfare trained officer on Active Duty. Vice Admiral Tidd has served in positions of distinction throughout his career, positions including the Assistant to the Chairman of the Joint Chiefs of Staff, the director for Operations for the Joint Staff, and the Commander of U.S. Naval Forces Southern Command and U.S. 4th Fleet. Particularly in this era of constrained resources, the next commander will need to leverage the capabilities of the interagency and of the international community in order to faithfully carry out SOUTHCOM's mission. Vice Admiral Tidd's knowledge and experience have equipped him well for this undertaking.

Again, I thank you Mr. Chairman for holding this hearing, and I look forward to hearing from our witnesses.

Chairman MCCAIN. Thank you.

Before we begin with the witnesses, we have standard questions for our civilian nominations, and that is Mr. Lettre and Mr. Camarillo and Mr. Sparks. If you will just respond to the questions. Admiral Tidd as well. All right. Admiral Tidd, you will have one last question.

For all four of you then, in order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information. Have you adhered to the applicable laws and regulations governing conflicts of interest? Just say yes or no.

Mr. LETTRE. Yes.

Mr. CAMARILLO. Yes.

Mr. SPARKS. Yes, I have.

Admiral TIDD. Yes.

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Mr. LETTRE. No.

Mr. CAMARILLO. No.

Mr. SPARKS. No.

Admiral TIDD. No.

Chairman MCCAIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Mr. LETTRE. Yes.

Mr. CAMARILLO. Yes.
Mr. SPARKS. Yes.
Admiral TIDD. Yes.
Chairman MCCAIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?
Mr. LETTRE. Yes.
Mr. CAMARILLO. Yes.
Mr. SPARKS. Yes.
Admiral TIDD. Yes.
Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?
Mr. LETTRE. Yes.
Mr. CAMARILLO. Yes.
Mr. SPARKS. Yes.
Admiral TIDD. Yes.
Chairman MCCAIN. Do you agree, if confirmed, to appear and testify upon request before this committee?
Mr. LETTRE. Yes.
Mr. CAMARILLO. Yes.
Mr. SPARKS. Yes.
Admiral TIDD. Yes.
Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a dually constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Mr. LETTRE. Yes.
Mr. CAMARILLO. Yes.
Mr. SPARKS. Yes.
Admiral TIDD. Yes.
Chairman MCCAIN. Admiral Tidd, do you agree, when asked, to give your personal views even if those views differ from the administration in power?
Admiral TIDD. Yes, I do.
Chairman MCCAIN. All right.
Mr. Secretary, please begin.

STATEMENT OF HONORABLE MARCEL J. LETTRE II, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

Mr. LETTRE. Chairman McCain, Senator Reed, members of the committee, I am honored——
Chairman MCCAIN. By the way, could I just interrupt? Your complete statements will be made part of the record.
Go ahead, please.
Mr. LETTRE. I am honored to be here with you this afternoon as you consider my nomination as Under Secretary of Defense for Intelligence.
I would like to begin by introducing my family and guests in attendance today. I am privileged to introduce my wife Simmons; my daughters, McKinley, age 13, and Amelia, age 11; my brother, Peter Lettre, who has come down from Brooklyn, New York; my mother-in-law, Millie Ravenel, who has come up from Raleigh, North Carolina; my mother from Fredericksburg, Virginia, Mary

Lettre, a proud Army wife and former teacher; and my father, Marcel Lettre, Sr., a retired Army colonel, Airborne Ranger and Vietnam combat veteran, who I might add successfully avoided a Pentagon tour during his 27 years of service.

[Laughter.]

Chairman MCCAIN. Miraculous. Congratulations to all the family members, and we are very pleased that you would take the time to be here. I know this is a proud time for you.

Mr. LETTRE. Thank you, Mr. Chairman.

I am also pleased that a number of other friends and colleagues are here, including two college friends and former colleagues, Jason Forester and Andrew Williams. Thanks, guys.

Chairman MCCAIN. Thank you.

Mr. LETTRE. Finally, I would like to thank the defense leaders I have had the privilege to work with over the last 7 years, including Secretary Carter, Deputy Secretary Bob Work, former Secretaries Bob Gates, Leon Panetta, and Chuck Hagel, and former Under Secretaries Mike Vickers, Michele Flournoy, and Jim Miller.

I am honored that President Obama has nominated me as Under Secretary of Defense for Intelligence.

If confirmed, I will be proud to serve the men and women of the U.S. military and the defense intelligence enterprise. Our people, their dedication to mission, their skills, their integrity, and innovative spirit are our true strategic advantage.

Mr. Chairman, I believe we are facing one of the most complex geostrategic landscapes we have seen in several decades, and the need for integrated, informed, cutting-edge intelligence has never been greater. If confirmed, I intend to focus on three priorities.

First, fostering jointness and integration across defense intelligence, a critical source of our strategic advantage. In this regard, I look forward to a continued partnership with Director of National Intelligence Jim Clapper and the leaders of the 17 organizations that make up the Intelligence Community. I also applaud this committee's efforts to review the record of defense and intelligence reforms spurred by the 1986 Goldwater-Nichols Act and other subsequent reform initiatives. I welcome a dialogue on further initiatives that we can undertake to enhance the efficiency, effectiveness, and agility of defense intelligence.

Second, providing intelligence support to current operations. We must bring the powerful capabilities of defense intelligence to bear on a range of pressing current operational challenges, most notably, countering ISIL [the Islamic State of Iraq and the Levant], countering Russian aggression, operationalizing the Asia-Pacific rebalance, providing intelligence support to cyber defense, countering proliferation of weapons of mass destruction, and ensuring stability in Afghanistan.

Third, investing in innovative future capabilities. As the Department pursues technologies and operational concepts that will ensure a strong advantage over adversaries for decades to come, what Bob Work has called the "third offset," five investment areas are particularly important for ensuring an enduring and innovative defense intelligence advantage: capabilities that ensure global coverage; operating in anti-access, area-denial environments; counterterrorism and counterproliferation; cyber defense; and countering

insider threat. Even as resources remain constrained, we must sharpen the impressive capabilities that keep America's superior technological edge.

This committee's oversight and guidance steer these efforts. I look forward to contributing to a close partnership shaped by strong and regular dialogue between defense intelligence leaders and this committee in order to further the committee's oversight responsibilities.

We must implement our priorities in defense intelligence while being ever vigilant about the need for vigorous protection of the principles, rights, and freedoms from which America gains its strength.

Our intelligence analysts must always hear from our leaders that we expect them to speak truth to power, to call it as they see it.

Above all, those of us privileged to serve in these positions of responsibility recognize that we owe our citizens and our families our full focus and our full energy on keeping the Nation safe and secure.

Thanks, Mr. Chairman.

[The prepared statement of Mr. Lettre follows:]

STATEMENT BY THE HONORABLE MARCEL J. LETTRE II

Chairman McCain, Senator Reed, Members of the Committee, I am honored to be before you here this afternoon as you consider my nomination as Under Secretary of Defense for Intelligence.

To begin, I'd like to introduce my family and guests in attendance today and recognize several individuals who shaped my life toward a role in public service.

I'm privileged to introduce:

- My *wife* Simmons;
- My *daughters* McKinley, age 13, and Amelia, age 11;
- My *brother,* Peter Lettre;
- My *mother-in-law,* Millie Ravenel, who drove up from Raleigh, North Carolina;
- My *mother,* Mary Lettre, a proud Army wife and teacher;
- And my *father,* Marcel Lettre, Sr., a retired Army Colonel, Airborne Ranger and Vietnam combat veteran—who, I might add, successfully avoided a Pentagon tour during his 27 years of service.

I am also pleased that a number of other friends and colleagues are in attendance today—thank you for being here.

And, finally, I would like to thank the *defense leaders* I have had the privilege to work for over the last seven years—including Secretary Ash Carter, Deputy Secretary Bob Work, former Secretaries Bob Gates, Leon Panetta, and Chuck Hagel, and former Under Secretaries Mike Vickers, Michele Flournoy, and Jim Miller.

I am honored that President Obama has nominated me as Under Secretary of Defense for Intelligence.

If confirmed, I will be proud to serve the men and women of the U.S. military and the defense intelligence enterprise. *Our people*—their dedication to mission, their skills, their agility and innovative spirit—are our true strategic advantage.

Mr. Chairman, I believe we are facing *one of the most complex geostrategic landscapes* we have seen in several decades, and the need for integrated, informed, cutting edge intelligence has never been greater. If confirmed, I intend to focus on three priorities.

First, fostering jointness and integration across defense intelligence—a critical source of our strategic advantage. In this regard, I look forward to a continued partnership with Director of National Intelligence Jim Clapper and the leaders of the 17 organizations that make up the Intelligence Community. I also applaud this committee's efforts to review the record of defense and intelligence reform spurred by the 1986 Goldwater-Nichols Act and other subsequent reform initiatives. I welcome a dialogue on further initiatives that we can undertake to enhance the efficiency, effectiveness, and agility of defense intelligence.

Second, providing intelligence support to current operations. We must bring the powerful capabilities of defense intelligence to bear on a range of pressing current

operational challenges—most notably, countering ISIL, countering Russian aggression, operationalizing the Asia-Pacific rebalance, providing intelligence support to cyberdefense, countering proliferation of weapons of mass destruction, and ensuring stability in Afghanistan.

Third, investing in innovative future capabilities. As the Department pursues technologies and operational concepts that will ensure a strong advantage over adversaries for decades to come—what Bob Work has called the "Third Offset"—five investment areas are particularly important for ensuring an enduring and innovative defense intelligence advantage—capabilities that ensure: global coverage; operating in anti-access, area-denial environments; counterterrorism and counterproliferation; cyberdefense; and countering insider threat. Even as resources remain constrained, we must sharpen the impressive capabilities that keep America's superior technological edge and protect its advantages over its adversaries.

This committee's oversight and guidance steers these efforts. I look forward to contributing to a close partnership shaped by strong and regular dialogue between defense intelligence leaders and this committee in order to *further this committee's oversight responsibilities.*

We must implement our priorities in defense intelligence while being ever vigilant about the need for *vigorous protection of the principles, rights and freedoms* from which America gains its strength.

Our intelligence analysts must also always hear from our leaders that we expect them to speak truth to power, to *call it as they see it.*

And, above all, those of us privileged to serve in these positions of responsibility recognize that we owe our citizens and our families our full focus and our full energy on *keeping the Nation safe and secure.*

Thank you and I look forward to your questions.

Chairman MCCAIN. Thank you.

Mr. Camarillo?

STATEMENT OF MR. GABRIEL O. CAMARILLO, TO BE ASSISTANT SECRETARY OF THE AIR FORCE FOR MANPOWER AND RESERVE AFFAIRS

Mr. CAMARILLO. Mr. Chairman, Senator Reed, members of the committee, I am grateful for the opportunity to appear before the committee today, and I also appreciate the confidence that President Obama, Secretary Carter, and Secretary James have placed in me by supporting my nomination as Assistant Secretary of the Air Force Manpower and Reserve Affairs.

I begin by thanking my family for their love and support. I am joined today by my wife Nicole and my two children, which include my 12-year-old son Ethan and my 7-year-old daughter Natalie. They are equally grateful to this committee for providing them with the basis for an excused absence from school.

Chairman MCCAIN. Is it the one with the bow in her hair?

Mr. CAMARILLO. Yes, Senator.

Chairman MCCAIN. You certainly look beautiful today. Thank you.

Mr. CAMARILLO. I would be remiss if I did not thank my parents, my siblings, and countless colleagues and mentors who have enabled me to succeed. Working with the dedicated airmen, soldiers, sailors, marines, and Department civilians that I have encountered remains the highest honor of my career. Their talent and dedication sets an example for our Nation, and their enduring contributions remain our greatest asset.

Over the past 5 years, I have been extremely privileged to serve with Army soldiers and civilians in support of the Army's acquisition efforts. This experience has underscored the vital importance of our people, the talent they contribute, and the expertise that they provide. As Secretary James has stated, the Air Force's great-

est strength is its people. If confirmed, I will dedicate my efforts to ensuring that Active Duty, National Guard, Reserve, and civilian airmen receive the support that they need as they work selflessly to defend our country.

Thank you again for considering my nomination, and I look forward to your questions.

[The prepared statement of Mr. Camarillo follows:]

PREPARED STATEMENT BY MR. GABRIEL CAMARILLO

Mr. Chairman, Senator Reed, Members of the Committee,

I am grateful for the opportunity to appear before the Committee today. I also appreciate the confidence that President Obama, Secretary Carter and Secretary James have placed in me by supporting my nomination as Assistant Secretary of the Air Force.

I begin by thanking my family for their love and support. I am joined by my wife, Nicole, and my two children, which include my 12 year-old son Ethan and my 7-year old daughter Natalie. They are equally grateful to this Committee for providing them with the basis for an excused absence from school.

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Thank you again for considering my nomination, and I look forward to your questions.

Chairman MCCAIN. Thank you.

Mr. Sparks?

STATEMENT OF JOHN E. SPARKS, TO BE A JUDGE ON THE COURT OF APPEALS FOR THE ARMED FORCES

Mr. SPARKS. Chairman McCain and Senator Reed, members of the committee, thank you all for having me here today. I would like to thank as well the President for his expression of confidence in me today.

I am joined here by my wife of 40 years Wendy, my daughter Adrianne, my son Casey, and my sister, Mrs. Constance Williams from Philadelphia. And a number of colleagues in the back I believe.

Chairman MCCAIN. Welcome.

Mr. SPARKS. Senator, I have been involved with military justice in one aspect or another for over 30 years now. This is an area of the law that I often refer to as my second great love. My first great love, of course, is seated behind me. I have been passionate about public service, and of the 44 years of public service I have behind me, I would not trade a single day of it for anything.

For the 14 years prior to my recent retirement from Federal civilian service, I had the privilege of working at the U.S. Court of Appeals for the Armed Forces. It was truly a pleasant and professionally rewarding experience and one that I will forever treasure.

Although many members of the public may not be familiar with this particular court, in my view it is the centerpiece of the mili-

tary justice system. Established in 1950, it has more than fulfilled Congress? intent to establish a specialized, independent civilian appellate court for the review of courts martial. If confirmed for a seat on the court, I pledge to uphold its reputation for integrity, intellectual honesty, and independence. I hope to join a long line of respected jurists who have, indeed, made this an honorable court.

Thank you, and I am prepared, as well as the others, for questions from the committee.

[The prepared statement of Mr. Sparks follows:]

PREPARED STATEMENT BY MR. JOHN E. SPARKS

Good afternoon Senator McCain and members of the committee. I thank you for having me here today and I would like to take this opportunity, as well, to thank the President for his expression of confidence in me. I am joined by my wife Wendy and several other members of my family.

I have been involved with military justice in one aspect or another for over 30 years now. So, this is an area of the law that has always been my great passion. I am passionate about public service as well, and of the 44 years of public service I have behind me, I would not trade a day of it for anything.

For the 14 years prior to my recent retirement from federal civilian service, I had the privilege of working at the U.S Court of Appeals for the Armed forces. It was truly a pleasant and professionally rewarding experience, and one that I will forever cherish.

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Thank you, and I am prepared for any questions the committee may have for me.

Chairman MCCAIN. Thank you.

Admiral?

STATEMENT OF VICE ADMIRAL KURT W. TIDD, USN, TO BE ADMIRAL AND COMMANDER, UNITED STATES SOUTHERN COMMAND

Admiral TIDD. Chairman McCain, Ranking Member Reed, Senators, I am honored to meet with you today as the President's nominee to command U.S. Southern Command. I am excited by the opportunities and the challenges accompanying this position, and I am humbled by the enormous shoes that I will fill if you confirm this nomination.

I know General John Kelly is held in high regard by this body as an absolutely candid combatant commander and as a leader of unquestioned integrity, enjoying your full trust and confidence. If confirmed, I am committed to being as candid and forthright as General Kelly and will work closely with this committee to build the same bonds of trust and confidence.

Before introducing two family members with me today, I would like to mention several who were unable to be here. My dad served 34 years in the Navy. He is a combat veteran of World War II, Korea, and Vietnam. He is my mentor and role model, the single most influential person I look to for advice on how to lead and guidance on how to serve.

That said, like most service families, my mother was the real unsung hero, raising two sons and moving households over a score of times while Dad was at sea.

Dad's health prevents him from being here today, but he is watching on C–SPAN.

We lost Mom this time last year, but her impact lives on in our extended family and in all the families whose lives she touched.

My parents inspired my brother, Mark, and me to serve in the Navy. Mark took a slightly different path. Spending over 3 decades as a Navy chaplain, including multiple combat tours, he recently retired as the Navy's 25th Chief of Chaplains. As I like to tell people, my big brother Mark is the good Admiral Tidd.

My wife and partner of 24 years, Eileen, is here today, along with our youngest daughter Jacqueline, a high school senior. Our oldest daughter Katherine is a college freshman and hopefully is studying for exams right now.

Like all of my family, Eileen has spent a lifetime in service of our Nation. She is a retired military physician with 7 years in the Army where she earned a 1st Armored Division combat patch and a bronze star during Desert Shield and Desert Storm, followed by 13 years as a Navy physician. As a retiree, she continues to serve as a volunteer physician at Walter Reed National Military Medical Center.

Eileen is the guiding force in our family. She holds everything together at home and allows me to pursue this Navy adventure. Her continued dedication and personal sacrifice are the real reason that I sit here today.

U.S. Southern Command contrasts real security challenges with plentiful opportunities. Within our shared Americas, we have partners who welcome our presence, who are eager to work together to confront the challenges posed by unequal prosperity, imperfect governance, and pervasive insecurity. Unlike other geographic regions, in the Americas we have no nation able or interested in posing a credible threat to our way of life. But we do have transnational criminal organizations that prey upon this region and we have external nations and non-state actors who are competing for influence and threatening our shared interests.

If confirmed, I will work with this committee to ensure that SOUTHCOM's requirements continue to be relentlessly articulated and that innovative means are identified to deal with them.

In closing, I would like to thank the members of this committee for the support you provide the men and women who protect our Nation. In an era characterized by self-promotion and instant fame, they remain motivated by notions of duty, honor, courage, and selflessness. They calmly confront fear and terror because they value the love and the trust of their teammates. Thank you for supporting them and for recognizing the irreplaceable role that they play safeguarding our uniquely blessed Nation.

If confirmed, I look forward to serving alongside these men and women in U.S. Southern Command, to partnering with our interagency teammates safeguarding the defense of the United States. I look forward to continuing the dedicated work of previous SOUTHCOM commanders who built a solid team with partner nations who shoulder the responsibility of safeguarding our shared

Americas. I am honored and humbled to have been nominated for this position, and I look forward to your questions.

Chairman MCCAIN. Thank you, Admiral.

Mr. Sparks, I will have no questions for you except to say thank you for your many years of outstanding service, and we are glad you are going to be able to continue it as a member of the Court of Appeals. Thank you.

Mr. SPARKS. You are welcome, sir.

Chairman MCCAIN. Mr. Lettre, let me give you a quote from Secretary Gates, the one favorite of many of us on both sides, Republican and Democrat. "In the 40 years since Vietnam, we have a perfect record in predicting where we will use military force next. We have never once gotten it right." Does that have something to do with intelligence?

Mr. LETTRE. Mr. Chairman, it absolutely has everything to do with intelligence. I am familiar with the quote. I know that even in the recent hearings that you chaired here at the committee, former Secretary Gates mentioned that as a way of pointing out that we need to be agile and innovative. That is certainly true in intelligence where we can expect to be surprised all the time. In that regard, we also need to recognize that that surprise can come from places where we do not expect it. It can also come from adversaries who are trying to move faster than we are.

As we look at the responsibilities that we all have to invest in defense intelligence capabilities, if confirmed, my focus would really be on building the kind of capabilities for the future that allow for global coverage, that allow us to be able to adapt when surprise has occurred and react rapidly and outpace our adversaries with the strategic advantages that we bring to bear with the broader military capability.

Chairman MCCAIN. Mr. Secretary, I just want to point out to you—and I am sure you are aware—that there have been significant allegations about distortion of intelligence information as it comes up through Central Command [CENTCOM] to the President of the United States. This committee has been looking at it and we will continue looking at it. There have been whistleblowers and others. We have reached no conclusion on this situation, but we will be continuing to look at it. I suggest that you also make yourself aware of these allegations and can help us resolve them one way or the other. It is very disturbing—these kinds of allegations, as I am sure you understand.

Mr. LETTRE. Senator, I take those allegations and I view them very seriously. As I said in my opening statement, analysts need to be able to know they can speak truth to power and to call it like they see it. As you know, one of the most rigorous investigative capacities that we have is the Department's IG [Inspector General], and it is currently investigating that. We are, as you are, awaiting the IG's results and look forward to taking swift actions as appropriate once the IG is done with its work.

Chairman MCCAIN. Thank you.

Mr. Camarillo, you are stepping into a situation where we have just fundamentally in the 2016 defense authorization bill changed the retirement system. We have mandated a 7 and a half percent reduction in staffs over 4 years to 30 percent. One of the major

areas that we are working on is the unfortunate tooth-to-tail trend that has continued to cause us to have bloated staffs, too many senior officers. It is going to be one of the major areas of our hearings and investigation in the coming year. It is a consensus on this committee, as well as from the witnesses we have had in our series of hearings of outside individuals with many years of experience, both in and out of the Pentagon, that we need to do something about it. I hope you understand and appreciate that.

Mr. CAMARILLO. Senator, I do. Certainly the Department, as I understand it, is working right now to come into compliance with those requirements established under the Defense Authorization Act. Secretary Carter I think announced today he looks forward to working with the committee on a broad review of the headquarters and Goldwater-Nichols issues that you have identified. Certainly if I am confirmed, I look forward to doing the same as part of that effort in collaboration with this committee.

Chairman MCCAIN. Thank you.

Finally, Admiral Tidd, you mentioned General Kelly in your testimony, and we agree. He did an outstanding job and did speak truth to power.

But more disturbing is what he noted in his testimony that frankly because of sequestration, which has nothing to do with you or him—it was an action taken by Congress—that in the maritime domain, he said he has been forced to sit and watch nearly 75 percent of illicit trafficking pass through his AOR into the United States. Have you had a chance to authenticate or look at that? It is a pretty alarming fact that he has cited in is testimony before this committee. Do you have a view on that?

Admiral TIDD. Yes, Mr. Chairman, I do. I have seen the figures that he cited, and I think, if anything, they may understate the gravity of the challenge. That said, I think what he has done is taken advantage of opportunities to work with partners to try to mitigate some of those shortfalls.

But with regard specifically to sequestration, I would have to agree with the words that he used, which is that it would be catastrophic, that the effects of sequestration specifically with regard to the U.S. Southern Command would be catastrophic. That is simply because of the difficulty that it poses in terms of being able to plan effectively, the inability to take advantage of long-term planning to have the right forces in place, and recognition that as the theater that probably is the last in terms of priority of resources because of very valid considerations in other parts of the world, if there are fewer forces available to be able to meet the challenges, that will affect SOUTHCOM most. I think it is a very serious consideration.

Chairman MCCAIN. Thank you.

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman.

I will follow the chairman's lead by saying, Mr. Sparks, thank you very much for your service in so many different capacities and I look forward to your continued service.

Let me ask Secretary Lettre. One of the areas which is increasingly disturbing I think not only to myself but to the committee is our inability to counter the information campaign of ISIL, which has many effects both in the region and globally. This is a com-

plicated interagency process. The State Department probably has as big a lead as you might.

Can you talk about in your prospective role what you would be doing to help this effort not only to get information from their social contacts, et cetera, but also to disrupt their ability to communicate and attract adherents?

Mr. LETTRE. Senator, there really are two areas where I would be most interested in seeing, if confirmed, how I could contribute by catalyzing effort in the defense intelligence enterprise.

One is in support of the interagency efforts. Clearly, there are parts of our government who have the lead responsibility for either in diplomatic channels or here in the homeland with respect to the responsibilities of DHS [the Department of Homeland Security] and FBI [the Federal Bureau of Investigation] to look at effective ways to counter the violent extremist message, and the extent to which we can contribute to that appropriately with defense intelligence capability, I would like to do so.

The second area gets back to the point made earlier about innovation. This is an area where our adversaries are able to leverage—I think it was mentioned in the hearing earlier this morning that sometimes you see as many as 90,000 Twitter comments or individuals on Twitter echoing the comments of violent extremists and the savages associated with ISIL. This is something that they are capable of doing on a very rapid and immediate timescale, and as a government, we have not found the right formula for being able to respond to that.

This really does require focused innovation within government. Within the defense intelligence enterprise, it requires us to look at how to better leverage our understanding of open source information and how to better understand social media and its role.

The final piece is this is a very good example of where the best and brightest minds of the U.S. industry can be brought to bear to help us with solutions here, whether it is in Silicon Valley or other parts of the region where creativity and innovation is occurring. Outreach to those communities is essential on this score.

Senator REED. Thank you, Mr. Secretary.

Secretary Camarillo, the chairman made this comment in his opening remarks, and I second it, which is that there is an acute shortage of Air Force personnel that are flying UAVs [unmanned aerial vehicles]. In situations in the past, particularly in Vietnam with the Army, when we needed a huge increase in helicopter pilots, we went to warrant officers. Are you going to embrace that notion, I hope?

Mr. CAMARILLO. Senator, there is no question that 15 years of sustained high demand for ISR [intelligence, surveillance, and reconnaissance] capabilities has created some significant challenges for the Air Force. I know for a fact that Secretary James and General Welsh and others are looking right now at a variety of courses of action to address this ongoing demand, one of which includes increasing the throughput of training programs for pilots. I think some of the statistics were 190 pilots a year to about 300 pilots a year. These and other efforts—I certainly know that they are looking at all of those. If confirmed, I certainly would want to examine

those options and work with Secretary James and General Welsh to get a result that addresses the shortfall.

Senator REED. I think the chairman and I share the same view, which is this is a highly specialized occupation, which you do not really have to put someone through the process of flying and then commanding and then doing a staff job, et cetera. Again, my best analogy would be the numerous and incredibly effective warrant officers that flew in Vietnam, in fact, were the backbone of the Army aviation elements in Vietnam.

Admiral Tidd—and this alluded also to I think comments you responded to with the chairman. You have an AOR that is always under-resourced, but also one that requires, more than any other perhaps or as much, interagency cooperation. You need DEA [the Drug Enforcement Administration] because a lot of that illicit traffic is drugs. It is not anything else. You need FBI to help you. You need CDC [the Centers for Disease Control and Prevention], for example, to be able to partner with you in terms of health in the region, which is an important part. It goes back to the point also the chairman made about sequestration, how it hampers your ability to respond.

But more broadly, just a sense of how you want to work on this interagency process, bring all these entities together in a more effective way.

Admiral TIDD. Senator Reed, the interagency is absolutely critical to the activities and the operations of U.S. Southern Command. I think as you know, they are very well represented down there within the headquarters with senior capable members who are able to draw directly upon their organizations. The role of the military commander, frankly, is to act as the enabling platform to be able to pull together and help support and coordinate the activities. In most cases, as you have recognized, it will not necessarily be a military end game to deal with the kinds of security threats that we will be working with down there. Oftentimes it may be a partner nation, a law enforcement agency, a partner nation military or a U.S. law enforcement activity, and probably in the last instance does it end up being a U.S. military. But the role of the combatant commander to be able to pull together, synchronize all of those activities and focus some of the efforts, particularly taking advantage of the experience that we have in understanding networks and being able to orchestrate an effective strategy to detect, illuminate, and ultimately to take apart networks.

Senator REED. Thank you.

Thank you very much, Mr. Chairman.

Chairman MCCAIN. Senator Ernst?

Senator Ernst: Thank you, Mr. Chair.

Thank you, gentlemen, for appearing in front of us today, and I want to thank your beautiful families for being here as well. I know they are very proud of you.

Secretary Lettre, I would like to start with you. I am concerned about military intelligence support to our warfighters and our current military intelligence force structure.

As we are facing complex and growing threats at home and abroad, the work of our intelligence professionals in answering tactical, operational, and strategic level intelligence requirements in

support of the warfighter and national decision-makers remains vital to defending our country.

I was informed that you did have a very good discussion with my staff yesterday. Thank you for taking time to do that. I do look forward to working with you on ways that we can enhance our Nation's military intelligence capabilities.

Now, in your statement, you list as one of your top priorities to ensure that current operations receive necessary intelligence support. I do believe there is a need to enhance our efforts against ISIL and other terrorist groups not only in the CENTCOM areas of responsibility but also in Africa where they are making headway in expanding the so-called caliphate.

In Europe, both General Philip Breedlove, USAF and General Benjamin Hodges, USA have told me they need more military intelligence capacity to counter Russian and transnational terrorist groups. Considering the past intelligence failures that we have had on anticipating Russian actions since 2008, we really cannot afford to be surprised by our adversaries again.

Will you commit to me that if you are confirmed, you will examine DOD military intelligence capabilities, their force structure and command relationships as INSCOM [U.S. Army Intelligence and Security Command] plays a role in that as well and seriously consider those reforms which could enhance our intelligence support to the warfighter?

Mr. LETTRE. I will, Senator. As the committee considers its review of Goldwater-Nichols and defense reform, I think there are a number of areas within defense intelligence that would make sense to look at. One of the questions is the roles of Service intelligence and how it can be best postured and optimized across each of the Services, the Army, the Navy, the Air Force, and the Marine Corps, in support of the warfighter, and I think that is a reasonable area to be looking at over time as the committee considers these reform efforts.

Senator Ernst: Thank you, Secretary.

Are there any specific examples that you would give or any specific intelligence capabilities that you believe we should be doing better, investments that should be made which could enhance those capabilities? Any specific examples?

Mr. LETTRE. A couple that immediately come to mind, Senator, reference the previous question about open source information in social media. We are in a world where vast amounts of information are available in an unprecedented way, and being able to ensure that our warfighters and our analysts who are supporting the warfighters are able to leverage that to maximum extent is one.

A second area is around the theme of integrated effort, jointness essentially for defense intelligence. We have a tremendous opportunity to use different intelligence disciplines to tip and cue each other. A human intelligence report tipping from the Army perhaps, tipping a signals intelligence capability that then provides us imagery in a very rapid way to get at an operational mission in support of an operational mission. There is much more opportunity to leverage that than we have been able to in past. With technology and big data analytics heading where it is, if we can marshal those

capabilities and harness them, that can bring powerful strategic effect to the United States military.

Senator Ernst: Fantastic. I look forward to working with you on that.

Mr. Chair, that is all I have. Thank you.

Chairman MCCAIN. Senator King?

Senator KING. Thank you, Mr. Chairman.

Before beginning my questions, I think one of the most important things that should be brought before this committee is that Mr. Lettre and his dad and brother through-hiked the Appalachian Trail from Maine to Georgia, which to me indicates a high level of perseverance, stamina, and I do not know about the intelligence parts.

[Laughter.]

Chairman MCCAIN. And insanity.

[Laughter.]

Senator KING. Yes, well, okay. It is quite an achievement, and my hat is off to you. Starting in Maine, of course, was a good decision.

You mentioned 17 agencies, and we are talking about a total intelligence budget of $70 billion a year. I just plead with you to be aware and try to find areas of overlap and duplication where we can save the taxpayers some money and yet still be effective in terms of what you are doing is critically important. We heard this morning from Secretary Carter and General Selva about the importance of intelligence in this war with ISIL. But to the extent that you see areas of overlap, I hope that is something you will bring to us, bring to the Intelligence Committee, and bring to Jim Clapper so that we can try to do this as effectively as we can.

Mr. LETTRE. It will remain a focus for me, if confirmed, Senator, based on directions so far from this committee and from the Secretary of Defense, to look for areas to reduce headquarters, for example, across the Department of Defense at the 25 to 30 percent level. The same thing is being looked at across defense intelligence in order to lean out headquarters where we can.

But I would say that one of the main purposes of my office, in parallel with Director Clapper and his team, is to look for both efficiencies and effectiveness so that those 17 organizations increasingly are working in a joint way so that the whole is greater than the sum of its parts operationally but also from a good stewardship of the taxpayer dollar perspective as well.

Senator KING. Thank you.

One of the great challenges and very recent challenge in terms of intelligence is the going dark phenomenon, worldwide encryption, which means that unless some solution is found which is very difficult, as you know, signals intelligence is not going to be as important as it once was. Do you see or do you believe it should be a priority to rebalance toward human intelligence in order to compensate for this loss of capacity?

Mr. LETTRE. That is one piece of the response that is necessary, Senator. We need to pursue excellence in all of our intelligence disciplines, human intelligence, signals intelligence, geospatial intelligence, and so forth.

But within the confines of the going dark problem, I think it is important to underscore it is, unfortunately, the case that adversaries are learning from the amazing operations that our military and our intelligence and law enforcement community are able to conduct and learning how to avoid the watchful eye. That is a troublesome dynamic. It certainly puts at risk our ability to successfully interdict terrorist plots.

Senator KING. I just want to be sure we are reacting to this changed intelligence battlefield in an agile manner and in a quick manner, not saying, well, we have always done it this way for the last 15 or 20 years. I think the landscape is changing significantly just in the past 6 months, and we have to really react to that.

One final, not really a question, but the issue of analytic integrity. The chairman mentioned this. This is something that is of the gravest concern because if our leaders, if the President is not getting good intelligence, good, straight information, it can have disastrous results and I mean disastrous results. Not only do we look forward to the Inspector General's report, but I think as a leader of an intelligence agency, you have to continually—continually—work on the issue of analytic integrity. There is always a human tendency to tell the boss what they want to hear, and I hope that that will be a priority for you.

Mr. LETTRE. It will remain a priority, Senator. This is also an area where the Secretary of Defense and other defense leaders have made a point of repeating how important it is that their expectations are met, that analysts know they can and should speak truth to power.

Senator KING. There are expectations for good data. That is the expectation that we want to meet.

Mr. Camarillo, I have used up my time. I would like for the record if you could give us your thoughts. We did a piece on retirement in the Defense Authorization Act, as you know. What other areas of attention should we be making in terms of personnel focusing on efficiency but also retention and recruitment? I would like very much to have your thoughts on that.

Mr. Sparks, I think the issue that is of grave concern to all of us on sexual assault is the issue of how do we deal with retaliation. That seems to be one of the major stumbling blocks to a successful culture change in this area. Again, for the record, if you could——

Chairman MCCAIN. If I could ask—we have sufficient time if you would rather just get verbal responses.

Senator KING. Okay. That would be fine.

Mr. Camarillo, do you have any thoughts on this issue of what else should we do other than what we have done on retirement in order to ensure that we have sufficient recruitment and retention to maintain the high level of professionalism that the Air Force has now achieved?

Mr. CAMARILLO. Senator, I would want to first have the opportunity to examine the current tools and incentives that the Air Force employs and how effective they are in retaining the talent they need for their airmen moving forward before I would give you that assessment.

However, I will say that I think the Department is conducting—and the Air Force is part of it—a comprehensive review right now

of what those incentives need to be, whether we are looking at military compensation, retirement, in conjunction with the efforts taken by this committee, as well as some of the incentives that were provided in the recent Defense Authorization Act in the area, for example, going back earlier to the RPA [remotely piloted aircraft] pilots.

I think we would have to look systematically at all of these options in conjunction with the other areas explored by this committee in defense reform to give you a complete answer. If confirmed, I look forward to working with you on that.

Senator KING. I certainly hope so because I think as we move out of the recession and the economy improves, the retention and recruitment could prove more difficult. I think it is something we need to attend to before it becomes a serious problem.

Mr. Sparks, your thoughts on retaliation and how we criminalize it or punish it or discourage it. It seems to me that is at the core of part of the problem of not reporting sexual assaults in the military.

Mr. SPARKS. Thank you, Senator, and I agree.

I will say this about sexual assault and specifically sexual assault victims, that the good work that has been done up to this point by Congress, the media, and others, the attention they have focused on this issue is welcomed and, quite frankly, long awaited.

I was heartened by the provisions in the most recent authorization act dealing with sexual assault victims and their ability to report and the provisions that actually prevent or are designed to prevent retaliation against those who support sexual assault victims or report on their behalf. I believe that time will tell whether or not this is enough. But I would only hope that the good work done in Congress and elsewhere will continue.

Senator KING. I appreciate that, and I am not entirely sure of what the proprieties are in terms of your interaction with Congress, if and when you are confirmed, but to the extent you can provide us with some of your accumulated wisdom as we continue to work on this problem, I think that would be very helpful to the committee. I appreciate that.

Mr. SPARKS. Yes, sir.

Senator KING. Admiral, we have talked about this, the idea that we are, at this moment in time when we are suffering from literally a heroin epidemic all over the country, including tragically in my State of Maine. What is it you need in order to interdict more of those ships? Is it intelligence? Is it ships? Is it manpower? What is the shortfall? I mean, we are spending a lot of time here talking about the threat of ISIL, and in the meantime, we have this other threat that is killing in my State 200 or 300 people a year.

Admiral TIDD. Senator, I think all of the elements that you have identified are critical. It takes the putting together of a comprehensive network to be able to understand the network that is currently moving drugs. But as we have seen, these transnational criminal networks are also capable of moving weapons, bulk cash. They are engaged in human trafficking. It is an entity that is a network out there, and we have to understand that network. We have to be able to illuminate it and dismantle it. That is going to take the efforts

of the elements of our intelligence community, our law enforcement community, ultimately pieces of our military, not the high-end pieces of the military frankly, but enough to be able to support that end game of interdiction.

Senator KING. Because you are where you are, assuming you are approved at SOUTHCOM, you are going to be in the point of this. To the extent you can tell us what you need, not necessarily in terms of military assets, but comprehensively, because this is a true crisis in this country today, and supply is part of the problem. Obviously, we need to talk about treatment, prevention, and all of those issues. But supply is part of it. My understanding is a great deal of this heroin particularly is coming up from south of our borders.

Admiral TIDD. That is correct. My understanding is that all of the heroin that comes into the United States is coming from countries just to the south of our border.

It is for that reason that, if confirmed, I would absolutely look forward to working with you to try to describe in a compelling manner just exactly what the force elements might be. But I would caution that there will be no single-source, single-point solution to this problem. If there was, it would have been discovered and implemented a long time ago.

As you have pointed out and as we have discussed, the supply reduction is only a piece of the problem. The demand reduction is the part that an equal degree of effort will, obviously, have to be devoted to. If we cannot really make a dent in that demand side, it is akin to having the best bilge pump in the world in your boat, but if you cannot repair that hole in the hull by solving the demand side, then the boat is going to sink.

Senator KING. I agree. Thank you.

Thank you, Mr. Chairman.

Chairman MCCAIN. I think you will see, Admiral, that a great deal of that, an overwhelming majority of that heroin is coming across the Sonora-Arizona border, which is obviously very disturbing to all of us who live in the State. It has reached—"epidemic" is not the word, but there has been a dramatic increase in drug overdose deaths in both the Midwest and Northeast as a result of this, including Maine when it gets really cold.

Senator Ayotte is on her way here. I would just like to say that we will move your nominations as quickly as possible. If, unfortunately, we are in next week, I will see if we cannot get it to the floor of the Senate. If you receive written questions from any of the members, please return the answers as rapidly as you can.

You are coming to these positions in what most experts believe are the most challenging times in our history since the end of World War II. I do not think there is much argument about that. It will probably require long hours and time away from your families, and we regret that. We are very honored that your family is here today in support of you.

If Senator Ayotte does not show up, I am going to have to let her ask another day, do you think, Jack?

Senator REED. That is why they pay you to be chairman, Mr. Chairman.

[Laughter.]

Chairman MCCAIN. The only other request I would have of you, Mr. Sparks and Vice Admiral Tidd, you might work up a condolence note to be delivered to Senator Reed sometime late Saturday afternoon.

[Laughter.]

Chairman MCCAIN. This hearing is adjourned.

Senator REED. Thank you, Mr. Chairman. Go Army.

[Whereupon, at 3:09 p.m., the hearing was adjourned.]

[Prepared questions submitted to the Honorable Marcel J. Lettre II by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. What is your understanding of the role, duties, and functions of the Under Secretary of Defense for Intelligence (USD(I))?

Answer. My understanding is that the Under Secretary of Defense for Intelligence (USD(I)) is responsible for supporting the Secretary of Defense in discharging his intelligence-related responsibilities and authorities under title 10 and title 50 of the United States Code (U.S.C.).

This includes: serving as the principal intelligence advisor to the Secretary of Defense; exercising authority, direction, and control on behalf of the Secretary of Defense over all intelligence organizations within the Department of Defense; ensuring that intelligence organizations in the Department of Defense are manned, organized, trained, and equipped to support the missions of the Department; ensuring that the DOD Components, which are also elements of the Intelligence Community, are responsive to the Director of National Intelligence (DNI) in the execution of the DNI's authorities; ensuring that the combatant commanders, the Joint Chiefs of Staff, and the civilian leadership of the Department are provided with appropriate intelligence support; ensuring that counterintelligence activities in the Department are conducted and managed efficiently and effectively; ensuring that other sensitive activities which the Department conducts or supports are conducted and managed efficiently and effectively; overseeing Defense Department personnel, facility, and industrial security to ensure efficiency and effectiveness; serving as the Program Executive for the Military Intelligence Program, and ensuring that the DOD Components funded by the National Intelligence Program are robust, balanced, and in compliance with the guidance and direction of the DNI; and ensuring that the Department provides the U.S. Congress with intelligence-related information sufficient to execute its oversight responsibilities.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. If confirmed, I believe I have the proper background and experience to effectively perform the duties of the Under Secretary of Defense for Intelligence. I have had the privilege of serving as the Acting Under Secretary since May of this year, performing all of the functions of the office. Prior to that, I served as the Principal Deputy Under Secretary of Defense for Intelligence under Michael G. Vickers. In both positions, I have had the opportunity to develop strong working relationships with other senior leaders across the Intelligence Community along with pursuing key initiatives in operational support to policy makers and warfighters, intelligence capabilities development, and integration for the Defense Intelligence Enterprise.

Additionally, I have been honored to serve as Special Assistant under three Secretaries of Defense. In that capacity, I advised the Secretary of Defense on a range of matters pertaining to U.S. national security, including intelligence-related matters. With functional responsibilities as the civilian deputy chief of staff to Secretary Panetta, I supported the Secretary of Defense on defense strategy, budget development, acquisition oversight, national security policy initiatives, and crisis management. I also led two Secretary of Defense transition teams. For my work in support of Secretary of Defense priorities, I am honored that Secretary Panetta presented me the Defense Distinguished Public Service Award.

As Principal Deputy Assistant Secretary of Defense for Legislative Affairs, I had responsibilities on a team executing legislative programs on Departmental priorities including the defense budget and policy; Iraq, Afghanistan and Pakistan; strategic nuclear arms control matters, including the ratification of the New START Treaty; acquisition and export control reforms; information operations, and Secretary Gates' efficiencies initiative. For my work on strategic nuclear arms control matters, Secretary Gates awarded me the Exceptional Public Service Award.

As Senior Defense and Intelligence Advisor and then as Senior National Security Advisor to the U.S. Senate Minority and then Majority Leader, I handled all "Gang of Eight" intelligence matters for the Leader, and shaped legislation and policy initiatives in areas including: Iraq and Afghanistan strategy; counterterrorism; enhancing foreign intelligence collection and sensitive intelligence operations; countering proliferation of weapons of mass destruction; and assisting in securing passage of defense and intelligence authorization bills, appropriations bills, and war supplementals.

As a Professional Staff Member on the U.S. House of Representatives Permanent Select Committee on Intelligence, I supported the intelligence after-action reviews on the 9/11 terrorist attacks and on Iraqi weapons of mass destruction, and advised on the 2004 Intelligence Reform and Terrorism Prevention Act which created the Director of National Intelligence.

Prior to these positions, I served in the private sector, the foreign policy research sector, and on a congressional commission examining the organization and efficiency of the U.S. Government regarding intelligence and programs to counter Weapons of Mass Destruction (WMD).

Serving in both the Legislative and Executive Branches of the government has given me a multi-faceted appreciation for the role of intelligence. I have served as an intelligence consumer, ensuring the nation's senior decision makers are supported with intelligence products on important decisions. I have gained an appreciation of the statutory roles of the Secretary of Defense, the Director of National Intelligence, and other senior leaders in ensuring effective intelligence capabilities. I have familiarity with a range of intelligence operations and capabilities. I have experience working intelligence resourcing issues through the National Intelligence Program and Military Intelligence Program, knowledge of key trajectories for our acquisition and investment programs, and awareness of key counterintelligence and security priorities. I am personally committed to supporting the Secretary of Defense in focusing on the needs of the warfighter, particularly in intelligence support.

Finally, my experience has given me a deep appreciation for the important role of oversight, from within the executive branch as well as by the legislative and judicial branches of government.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the USD(I)?

Answer. If confirmed, I believe the most significant action that I would need to take would be to assist the Secretary of Defense in executing his priorities by ensuring that he receives timely and accurate intelligence to support Presidential decision-making. Additionally, in accordance with the Secretary's priorities, I would ensure that our Defense Intelligence Enterprise is postured to both adequately support our warfighting combatant commanders with current operations and to tackle the challenges of the future. That said, I believe that I need to more deeply understand the challenges posed by the new fiscal environment, the resource constraints that will be faced ahead, and the opportunities for further efficiencies across the Defense Intelligence Enterprise, as we sustain and strengthen OUSD(I)'s budgetary oversight.

Question. What major challenges do you foresee in fulfilling these duties and functions?

Answer. If confirmed as the USD(I), the major challenges that are likely to confront me are the continued unprecedented scope and pace of global operations and unmet demand for intelligence in an era of intelligence-driven operations; the need to adapt to a rapidly changing intelligence environment; the need to address longer-term challenges to prevent strategic surprise while fully supporting ongoing operations; and the need to do all this in a more constrained fiscal environment. Additionally, we must improve on protecting intelligence sources and methods and preventing unauthorized disclosure of information. The next USD(I) will need to overcome these challenges while ensuring Defense Intelligence is postured with the IC to continue to provide world-class intelligence.

GOLDWATER-NICHOLS DEPARTMENT OF DEFENSE REORGANIZATION ACT OF 1986

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

However, the global environment has changed a great deal since Goldwater-Nichols was enacted, while the relationships and responsibilities of DOD's various components have not. This Committee has begun a comprehensive review of the United States' defense organization to identify challenges and potential reforms to the Department of Defense and the armed forces.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. My present duties have not yet afforded me an opportunity to systematically review and address any potential modifications to the Goldwater-Nichols Act provisions that would improve the Department's defense intelligence enterprise performance, but I am prepared to work with this committee and other stakeholders to pursue any initiatives that will improve the effectiveness of the Defense Intelligence Enterprise.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I look forward to contributing to the dialogue ahead on whether potential modifications to the Goldwater-Nichols Act provisions might further advance the performance of defense intelligence. Reform efforts of the last thirty years under Goldwater-Nichols, and intelligence reform efforts since 9/11, have achieved tremendous gains in ensuring jointness and integrated effort across intelligence organizations, pursuing operational speed and agility, and spurring innovation and adaptation in the face of major strategic and technological change. I look forward to continuing to work with the committee to pursue initiatives that would continue to advance this integration, agility, and innovation in defense intelligence.

RELATIONSHIPS

Question. In carrying out your duties, how will you work with the following:

The Secretary of Defense.

Answer. Pursuant to statute, departmental directives, and direct guidance from the Secretary of Defense, if confirmed as USD(I) I will serve as the Principal Staff Assistant and advisor to the Secretary of Defense on all matters concerning intelligence, counterintelligence, and security, and exercise SecDef authority, direction and control over the Defense Intelligence Enterprise.

Question. The Deputy Secretary of Defense.

Answer. If confirmed as USD(I), I will provide support to the Deputy Secretary consistent with that which I would provide to the Secretary, as described above, in support of the Deputy Secretary's responsibilities and priorities.

Question. The other Under Secretaries of Defense.

Answer. If confirmed as USD(I), I will work closely with each of the Under Secretaries, their Principal Deputies, and senior teams, as I have while serving as the Acting USD(I). A close relationship between the Under Secretary of Defense for Policy and the USD(I), and their Principal Deputies, is particularly important, so I intend to fully support those relationships. In my former positions within the Department, as Special Assistant to the Secretary of Defense, Principal Deputy Assistant Secretary of Defense for Legislative Affairs, and Principal Deputy USD(I), I had positive relationships with the Under Secretaries, which I would continue to develop if confirmed as USD(I).

Question. The Chief Information Officer.

Answer. The Chief Information Officer (CIO), like its predecessor the Assistant Secretary of Defense for Networks and Information Integration, has had oversight of enabling capabilities which are central to the conduct of intelligence and security-related activities. If confirmed, I will work closely with the CIO to ensure that this support remains robust.

Question. The Deputy Assistant Secretary of Defense for Detainee Policy.

Answer. If confirmed, I will work closely with the DASD for Detainee Policy on the intelligence aspects of detainee policy and operations.

Question. The Assistant Secretary of Defense for Special Operations/Low Intensity Conflict (ASD SOLIC).

Answer. USD(I) and the ASD SO/LIC work closely together in several areas, and this close partnership has grown substantially in recent years. If confirmed as the USD(I), I will contribute to ensuring that this close partnership continues.

Question. The Service Secretaries and the Service Intelligence Directors.

Answer. If confirmed as USD(I), I will serve as the Program Executive for the Military Intelligence Program. As appropriate, I will work with the Secretaries of the Military Departments and the Service Intelligence Directors to ensure their intelligence requirements are met, that the Military Departments and Services develop intelligence capabilities appropriate for the current and future security environment, and that the intelligence organizations contribute to meeting the intelligence needs of their respective Military Department/Service, the Joint Force, the Department, and the Nation.

Question. The General Counsel of the Department of Defense (DOD).

Answer. In my previous positions in DOD, I have worked closely with the General Counsel and his staff. If confirmed as USD(I), I will continue to closely collaborate with the General Counsel and seek his advice on the legal issues that impact USD(I)'s duties and functions.

Question. The Chairman and Vice Chairman of the Joint Chiefs of Staff.

Answer. In my previous positions in DOD, I have worked closely with the Chairman and Vice Chairman of the Joint Chiefs of Staff, and other senior leaders on the Joint Staff, on a range of issues. If confirmed as USD(I), I will seek to continue this close relationship to ensure that Defense Intelligence and the Intelligence Community meet the requirements of the Joint Staff and Combatant Commands.

Question. The commanders of the Combatant Commands, including U.S. Special Operations Command (USSOCOM) and U.S. Cyber Command.

Answer. If confirmed as USD(I), I will seek to ensure that the intelligence needs of the commanders of the Combatant Commands, including the commanders of U.S. Special Operations Command and U.S. Cyber Command, are met.

Question. The Directors of the Defense intelligence agencies.

Answer. If confirmed as USD(I), I will exercise the Secretary of Defense's authority, direction, and control over NSA, NGA, NRO, and DIA. I will also help sustain the deep relationship shared with the DNI by working with the Office of the DNI to ensure clear and consistent guidance is provided to the Defense intelligence agencies.

Question. The Director of National Intelligence.

Answer. Since serving as the Acting USD(I), I have sought to maintain a strong relationship with the DNI. If confirmed as USD(I), I intend to continue my full support of our mutual goal of greater Intelligence Community integration. Because the USD(I) is dual-hatted as the DNI's Director of Defense Intelligence, if confirmed, I will advise the DNI on Defense Intelligence capabilities.

Question. The Director of the Central Intelligence Agency.

Answer. If confirmed as USD(I), I will work to sustain the relationship I have developed as the Acting USD(I) with the Director and Deputy Director of the Central Intelligence Agency (CIA) and their senior team.

Question. The Director of the National Counterterrorism Center.

Answer. If confirmed as USD(I), I will work to bolster the already close relationship I have developed as the Acting USD(I) with the Director of the NCTC.

Question. The Director of the National Counterproliferation Center.

Answer. If confirmed as USD(I), I will work to maintain the relationship I have developed as the Acting USD(I) with the Director of the NCPC.

Question. The Deputy and Assistant Directors of National Intelligence.

Answer. If confirmed as USD(I), I will fully support and cooperate with the Principal Deputy, Deputy and Assistant Directors of National Intelligence to ensure integration and unity of effort in the direction and oversight of the Defense Intelligence Enterprise.

Question. Officials in the Department of Homeland Security with intelligence responsibilities.

Answer. If confirmed as USD(I), I will serve as the Secretary of Defense's focal point for intelligence, counterintelligence, and security matters for senior officials from the Department of Homeland Security (DHS) and will seek to ensure a strong working relationship with the Under Secretary for Intelligence and Analysis.

PRIORITIES

Question. How would you anticipate developing priorities for allocating your time and resources as the USD(I)?

Answer. If confirmed, I would develop priorities for allocating my time consistent with priorities set by the Secretary of Defense and Director of National Intelligence.

In general, I would anticipate dividing my time broadly between oversight of current intelligence operations, the development of future intelligence capabilities, and the integration of intelligence across the Department of Defense and with the full range of national security partners, as well as internal management of OUSD(I) operations and other duties the Secretary may assign. In what will continue to be a resource-constrained environment, I will seek to ensure that resources are strategically allocated to, and across, the Defense Intelligence Enterprise.

Question. If confirmed, what would be your priority issues to be addressed by the OUSD(I)?

Answer. If confirmed, I would continue to execute the priorities of our organization during my tenure as the Acting USD(I), including: (1) ensuring that the full weight of Defense intelligence capabilities are brought to bear to disrupt, dismantle, and defeat al-Qaeda and the Islamic State in Iraq and the Levant, creating and sustaining stability in Afghanistan and Iraq, countering Russian aggression, bolstering our national cyber defense, preventing the proliferation of weapons of mass destruction, operationalizing the Asia-Pacific Rebalance, and supporting other ongoing operations in which the Department is engaged or may be engaged; (2) ensuring that intelligence operations conducted by the Department of Defense are effective and in compliance with all relevant statutes, authorities, directives, and policies; (3) ensuring that the Defense Intelligence Enterprise is postured to prevent strategic surprise, fully exploit emerging opportunities, and pursuing innovative future capabilities; and (4) ensuring that the Defense Intelligence Enterprise is as efficient as possible. I would expect to pay particular attention to ensuring that: we have the right collection and analytical priorities; that we have a robust ISR architecture (both space and airborne), today and in the future; that the Department's clandestine operations are fully integrated with those of the CIA and National Clandestine Service; that the President's highest priority intelligence programs are fully resourced; that analysis addresses the needs of policy makers and operational commanders; that intelligence is timely, accessible, and independent; and, where appropriate, that we aggressively exploit advances in technology to improve our intelligence capabilities.

Question. If confirmed, how would you balance the need to provide intelligence support to the war-fighter with the need to provide intelligence support to policy makers?

Answer. In support of the Secretary's own commitments to both ensure the strength of today's fighting force and provide the President with his best national security advice, if confirmed, I would work to ensure the Defense Intelligence Enterprise continues to satisfy intelligence requirements foremost in support of current military operations and planning but also in collaboration with Interagency partners to inform political-military decision-making by our national leaders. In the USD(I)'s dual-hatted capacity as both a Defense and National Intelligence official, if confirmed I would seek to consistently identify and communicate the critical intelligence needs of the war-fighter.

Question. If confirmed, how will you ensure that the Geographic Combatant Commands are adequately assessing and prioritizing their intelligence needs?

Answer. If confirmed as USD(I), I would seek to strengthen integration and collaboration between the Geographic Combatant Commands and components of the Defense Intelligence Enterprise to inform the allocation of tools and expertise to efficiently assess and prioritize intelligence needs suited to their respective missions. These intelligence needs should be continually assessed and prioritized in consideration of those of each other Combatant Command and the fluidity of the threat environment in some areas of operations, given current resource constraints. If confirmed as USD(I), I also would work to ensure fruitful communication with the Defense Intelligence Enterprise and between the Combatant Commands to support intelligence integration in functional and topical areas where their needs cross the geographic boundaries from one command to another.

Question. If confirmed, how would you ensure intelligence activities carried out by special operations forces are adequately coordinated and deconflicted with other activities carried out by the intelligence community?

Answer. Special Operations Forces coordinate their intelligence activities with the Intelligence Community as required by applicable law, policy, and agreements. My understanding is that USSOCOM liaises with members of the Intelligence Community in the Washington, D.C. area, at the Headquarters in Tampa, Florida, and on the battlefield. If confirmed as USD(I), I would work to ensure the demonstrable gains achieved in intelligence coordination with the interagency and international partners during the past several years are not only sustained but continue to improve. If confirmed, I also would welcome a continued dialogue with the committee to ensure clear, coherent and regular reporting to the congressional oversight com-

mittees of these activities, consistent with critically important committee oversight responsibilities.

CYBER AND INFORMATION OPERATIONS

Question. In the Advance Policy Questions for your recent confirmation as Principal Deputy Under Secretary of Defense for Intelligence, the committee noted that "Information operations, as currently defined by DOD, include electronic warfare, operational security, computer network operations, psychological operations, and military deception. Each of these lines of operations is unique and complex, and, in some cases, they are interwoven. The establishment of U.S. Cyber Command organizationally separated cyber operations from the other elements making up 'information operations.'"

The committee asked you how this separation complicates integration across these elements, and what is your understanding of the Department's efforts to mitigate its impact?

You responded at that time as follows: "If confirmed, I look forward to studying this question further. My current understanding is that Information Operations as currently defined refers to the integration of various information activities to achieve effects across the information environment, which includes the cyber domain. The establishment of U.S. Cyber Command does not change the relationship of cyberspace operations to the other capabilities necessary for DOD to conduct information and cyber-related operations. It will, however, enhance our ability to conduct information operations in the cyber domain."

Have you studied this question further? What is your current view of how well the Department is integrating across the elements of "information operations," and especially across electronic warfare and cyber?

Answer. As PDUSD(I) and Acting USD(I), I have continued to engage in this set of issues, working in collaboration with and in support of the broader Defense Department team of stakeholders, under guidance from the Secretary and the Principal Cyber Advisor.

The April 2015 DOD Cyber Strategy has set a framework for guiding planning, programming, and budgeting, as well as strategy, capability development, and operations, regarding the cyber domain. We are using this strategy to support DOD's ability to build and maintain ready Cyber Mission Forces and their capability to conduct cyberspace operations. In implementing this strategy, particular emphasis is being placed on integrating cyberspace operations to enable information operations and electronic warfare. Implementation efforts to date have revealed the requirement for further study on how best to integrate electronic warfare effectively within all DOD capabilities.

I view the establishment and continued buildout and adaptation of U.S. Cyber Command as a positive development to meeting the challenges of effectively operating within the cyber domain. If confirmed as USD(I), I look forward to continuing to participate in refining organizational relationships and authorities within the Department to improve integration of cyber efforts without compromising the agility necessary for success in this domain.

EFFICIENCIES IN HUMAN INTELLIGENCE COLLECTION

Question. In signals intelligence (SIGINT), imagery intelligence (IMINT), and space reconnaissance, the Department of Defense (DOD) and the Intelligence Community (IC) decades ago consolidated national-level activities into single agencies—the National Security Agency, the National Geospatial Intelligence Agency, and the National Reconnaissance Office, respectively. However, in the sole area of human intelligence (HUMINT) collection, DOD and the IC maintain separate, stand-alone programs in the CIA and the Defense Intelligence Agency (DIA).

Twenty years ago, the Aspin-Brown Commission, led successively by two former Secretaries of Defense, catalogued the historical problems that limited the effectiveness of clandestine HUMINT operations conducted by DOD, and recommended that HUMINT operations be consolidated in the CIA, with DOD maintaining a cadre of military case officers for assignment to CIA.

The problems that the Aspin-Brown Commission described 20 years ago persist to the present day.

In the *Advance Policy Questions for your recent confirmation as Principal Deputy Under Secretary of Defense for Intelligence,* the committee asked you what the justification is for maintaining two organizations in this mission area in a time of severe budget austerity?

You responded that "the Department of Defense maintains organic human intelligence (HUMINT) collection capabilities because it operates under different authori-

ties than the CIA and also responds to different customers, priorities, requirements, and targets."

To clarify, the committee's question was aimed at the Department's national-level HUMINT program conducted under title 50, U.S.C., and funded by the National Intelligence Program (NIP), and not the Department's tactical HUMINT activities. The National Clandestine Service administered by the CIA also operates under title 50, U.S.C. and NIP budget, and is charged with providing HUMINT support to the Defense Department.

Question. In this era of reduced budgets, manpower pressures, and interest in reducing duplication and overhead in DOD, do you think the Aspin-Brown Commission's recommendation should be reconsidered today?

Answer. I have an open mind to exploring any ideas the Committee believes should be explored that may improve the effectiveness of defense HUMINT capabilities. DOD has unique customers, priorities, requirements and targets that need to be met. At the same time, it is important not to have unnecessary redundancy and wasteful duplication in any mission area. In my experience to date, the recent evolution of defense HUMINT capabilities, including those in the Defense Clandestine Service, has been a sound, efficient, and effective approach to meeting defense intelligence requirements and has strengthened capabilities. In order to ensure successful efforts in this regard, strong leadership, clear guidance, rigorous standards and effective operational concepts are needed. Under any model, close CIA and DOD relationships and collaboration are critical. Recent modernization efforts launched at CIA also require us to continue to review how to optimize our close partnership and collaboration. I welcome a continued dialogue with the committee on this important capability area.

RESPONSIVENESS OF DEFENSE INTELLIGENCE AGENCIES TO COMBATANT COMMAND OPERATIONAL REQUIREMENTS

Question. This committee and some current and former senior officers and officials in DOD are concerned that DOD intelligence Agencies are not sufficiently responsive to DOD operational, wartime requirements.

Are you aware of these concerns and do you think they have a valid basis?

Answer. I am aware of these views. The need for continuous improvement of our support to the warfighter is not only valid, it is essential. If confirmed, meeting the requirements of the warfighter will be central to my decisionmaking.

The support that DOD Intelligence Agencies provide to the warfighter during times of war or threat to national security have been a longstanding oversight concern to Congress, the Chairman, and the Secretary of Defense. As one manifestation of this concern, in the Goldwater-Nichols DOD Reorganization Act of 1986, Congress directed the Chairman to conduct biennial assessments of the Combat Support Agencies (CSA)– including DIA, NGA and NSA—to assess this crucial facet of their operations. These, and other reviews, have yielded regular reports on how best to posture, and adapt, the support of DOD intelligence agencies for responsiveness to DOD operational, wartime requirements. If confirmed, I look forward to working with the committee to seek to implement any adjustments and refinements that can be identified that will strengthen agency responsiveness to operational, wartime requirements.

Question. How would you address these concerns?

Answer. When the biennial assessments and CSA review teams identify systemic areas of concern that may impact optimizing support to the warfighter—such as communications, information technology, foreign disclosure, and foundational intelligence—these insights need to drive additional emphasis on resolving them through the operational oversight and resource allocation systems. Doing so will require innovative solutions and collaboration across the Defense Intelligence Enterprise. If confirmed, I will seek to ensure that the CSAs continue to address these shortcomings to the satisfaction of the warfighter they support.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE (ISR) TASK FORCE

Question. In 2008, Secretary of Defense Robert Gates established the ISR Task at the most senior levels of the Department to address acute shortfalls in intelligence support to military operations in Iraq and Afghanistan. The establishment of this Task Force reflected the failure of the existing ISR planning and programming process in the military departments and across the Office of the Secretary of Defense (OSD).

The ISR Task Force was an effective expedient solution to an immediate problem, but since it by-passed established processes and organizations, it responded only to symptoms and did not fix the underlying causes of the problems.

What is your perception of the underlying causes of the failure of the Services and OSD to recognize and respond to the demand signal from battlefield commanders, and how would you propose to correct them?

Answer. If confirmed, I will remain committed to ensuring the Nation does its best to meet warfighter requirements, particularly in terms of ISR support. Many of the underlying issues associated with the challenge of providing timely and effective ISR support to the warfighters highlighted in 2008 still exist today. USDI, in coordination with other elements of the Department, CCMDs, and Services, are actively seeking methods to improve this situation. The successor to the ISR Task Force, the ISR Operations Directorate, has now been successfully integrated into the OUSDI. Its charter includes developing solutions to warfighter ISR requirements ahead of the Future Years Defense Program, within 18–24 months of the identification of the warfighters' requirements. These rapid acquisition efforts streamline the acquisition process. While accepting risk, this approach maximizes innovation to match emergent ISR requirements with capability residing in industry. These activities, conducted under close oversight of USDI and the USD AT&L, are a necessary complement to the traditional program of record acquisition process.

ALLOCATION OF INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE (ISR) ASSETS THROUGH THE GLOBAL FORCE MANAGEMENT PROCESS (GFMAP)

Question. In the Senate version of the National Defense Authorization Act (NDAA) for Fiscal Year 2015, and the accompanying report (S. Rept. 113–176), the Committee voiced strong concerns about the process and underlying analysis supporting the allocation of ISR assets to the combatant commands under the Global Force Management Process (GFMAP). While these GFMAP problems are numerous, the Committee noted in particular that, since the events of September 11th, U.S. Central Command (CENTCOM) has received the overwhelming share of ISR assets, to the point where the Committee expressed doubt that "a rigorous analysis would consistently rank the lowest priorities of one combatant command higher than the highest priorities of other combatant commands." While CENTCOM's ISR needs remain extremely high, there are serious and growing requirements in Africa, Europe, and the Pacific.

What actions, if any, have been taken by the Office of the Under Secretary of Defense for Intelligence to respond to these concerns and the direction in section 1058 of the NDAA for Fiscal Year 2015?

Answer. Balancing ISR requirements across the combatant commands remains a challenge, and I share the committee's concern about the shortfalls that exist for ISR in regions like Africa, Europe and the Pacific. With the ongoing operations to counter ISIL in Iraq and Syria, urgent operational needs continue to drive high demand in USCENTCOM for ISR, while serious and growing requirements exist in Africa, Europe and the Pacific. In my tenure, OUSDI has focused its efforts to provide the warfighter with ISR in three core areas: ensuring a rigorous review of requirements in order to allocate available ISR as optimally as possible across CCMDs; seeking to gain more efficiency out of available ISR through efforts such as dynamic reallocation of platforms; and seeking to grow the number of ISR platforms and associated capabilities.

Question. What further actions would you recommend?

Answer. I remain open to the possibility that automated and operational research and systems analysis tools can help improve the acquisition and GFM processes. I am also open to continuing to explore the option of supporting unfulfilled ISR requirements with contract capability when and where it makes sense. Lastly, improving coordination and cooperation with key allies who may possess identical or complementary ISR resources can augment our capabilities.

IMPROVING THE INTEGRATION OF INTELLIGENCE OPERATIONS AND OF INTELLIGENCE SYSTEMS AND STRIKE ASSETS

Question. Success in modern warfare will depend on synchronizing the operations of different types of satellites and diverse airborne intelligence, surveillance, and reconnaissance (ISR) platforms, and the rapid sharing of data with and among strike assets. Today, however, imagery systems are tasked separately from signals intelligence systems, and satellites are controlled separately from airborne systems. The ability to share information from intelligence systems directly with strike assets, and even between the strike platforms themselves, is poor.

The Under Secretary of Defense for Intelligence is the one official in the executive branch with strong direct oversight authority over both National Intelligence Program and Military Intelligence Program budgets and programs.

What changes do you think are necessary in operational tasking processes and program planning to achieve synchronized support to strike operations?

Answer. Synchronizing the diverse satellite and airborne ISR collectors and shrinking the timeline to targeting is a difficult challenge but is increasingly important in the threat environments we face now and projected in the future, including in high-end anti-access area-denial warfighting scenarios. This is a challenge with no single solution and thus requires constant advancements in standardizing data, developing advanced ISR analytics, improving interoperability, and refining processes to receive, analyze, and push data from our ISR processing, exploitation and dissemination (PED) nodes to strike assets. At the same time, many of our latest generation assets such as the F–35 are ISR nodes themselves, allowing us to expand our collection network. While a positive development, this adds to the complexity of synchronizing ISR and combat operations.

In order to address this challenge, USDI has been working across the Department to mature the Defense Intelligence Information Enterprise (DI2E) to improve intelligence data standards, sharing, and interoperability. Likewise, we are taking steps to factor in intelligence support considerations much earlier in the acquisition process. I believe we can improve the common operating picture capability for our future weapons systems by identifying upfront in the acquisition process requirements associated with linking the entire ISR constellation of programs to the tactical user.

INTELLIGENCE SUPPORT TO CYBER MISSION FORCES

Question. The Department of Defense (DOD) is establishing Cyber Mission Teams (CMTs) to support the war plans of the combatant commands. Among these units' missions is to create effects on the battlefield in integrated operations with electronic warfare and traditional weapons systems engaged in kinetic operations. Having the ability to affect adversary weapons systems and battlefield command and control will require special and focused intelligence collection.

What guidance and direction have been given to the national intelligence agencies to support the Department's needs for intelligence support to offensive cyber operations?

Answer. Planning for cyber operations and capability development is generally informed by the DOD Cyber Strategy released in April 2015. The development of options for DOD offensive cyber operations, like military operations within other domains, receives intelligence support from the national intelligence and combat support agencies consistent with the relative prioritization of the specific combatant commander requirements and guidance and direction from the Secretary of Defense and the Director of National Intelligence.

Question. Are the intelligence community and DOD's foreign material acquisition and exploitation (FMA/E) programs today properly prioritizing the collection of intelligence needed to support the CMTs?

Answer. I believe CMT needs are appropriately prioritized but that this requires regular attention, review, and refinement. The Department annually incorporates national and defense foreign materiel priorities in providing strategic guidance to the Military Departments, Combatant Commands, and the Test and Evaluation community through the DOD Foreign Materiel Annual Plan. Since at least 2013, strategic guidance has included advancing U.S. understanding of foreign military capabilities in several priority areas, including cyber capabilities. This past year, DIA and USCYBERCOM supported ranking DOD cyber requirements, resulting in more than two dozen prioritized cyber-specific requirements. For next year, USCYBERCOM is expected to not only provide unique cyber requirements but to also support ranking the overall DOD top priorities list for foreign materiel.

Question. Does the National Security Agency (NSA) provide adequate insight into the data it collects that could be useful for the Cyber Mission Teams and FMA/E programs?

Answer. Based on analysis I have been provided so far, it appears that NSA provides relevant insight and the Department has improved the coordination process across key stakeholders to ensure the exchange of intelligence information and provision of support to cyber mission forces and FMA/E programs.

Question. Is there an effective process in place to task NSA collection?

Answer. The Department continues to use the established collection requirements process to drive collection supporting the CMF and cyber requirements, and based on analysis that I have been provided so far, it appears effective.

Question. What priority would you assign to providing such support, and how would you propose to shift resources to this task?

Answer. The previous USD(I) established development of intelligence support to cyber operations as one of his five long-term capability development priorities for

the Defense Intelligence Enterprise. If confirmed, I intend to continue these prioritized efforts in alignment with the Department's overall Cyber Strategy. Given the current state of the CMF build out, the Department continues to study the high priority need for intelligence support to the CMF and cyberspace operations. Studies identify a continued strong demand signal for intelligence analysis. If confirmed, I will continue to refine cyber intelligence priorities as more of the CMF becomes fully operational.

RELATIONSHIP WITH RESPECT TO THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT (ASD SOLIC)

Question. How are responsibilities for the oversight of the activities and programs of special operations forces delineated between the USDI and ASD SOLIC?

Answer. The Secretary of Defense has assigned oversight responsibility for intelligence and intelligence-related activities to various officials in DOD, consistent with law and executive order. Primarily, the Secretary of Defense has assigned oversight of intelligence and intelligence related activities to the Under Secretary of Defense for Intelligence (USD(I)), and oversight of special operations and low intensity conflict policy to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)) in their respective charter directives.

The Department oversees SOF intelligence and intelligence-related activities during: (1) the conduct of the activity, (2) the capability development and approval process, (3) the funding and budgeting processes for both capabilities and activities, and (4) the reporting of clandestine activities to Congress. This oversight requires collaboration and partnership between USDI and ASD/SOLIC across a range of mission areas.

The USD(I) is responsible for oversight of all intelligence and intelligence related activities, development and execution of the Military Intelligence Program (MIP) and oversight of MIP-funded intelligence-related capabilities, programs, and production of the clandestine quarterly activity reports to Congress. The OUSD(I) staff conducts these functions in concert with the ASD (SO/LIC) staff.

As the acting USD(I), one of my priorities has been to increase integration between OUSDI and DOD components and staff. We work daily and closely with ASD (SO/LIC) to identify shortfalls in intelligence support to SOF as we develop plans, programs, or activities that support SOF capability to conduct their assigned missions. I will continue to foster this collaboration.

Question. Are there any programs that are currently overseen by the USDI that would be more appropriately overseen by ASD SOLIC?

Answer. In response to the National Defense Authorization Act for Fiscal Year 2015, OUSDI and ASD (SO/LIC) staff are reviewing USSOCOM intelligence and intelligence-related programs. The review is still being conducted. Should the review identify potential programs whose oversight could properly change from current arrangements, we will work together with ASD (SO/LIC) to develop appropriate proposals and would consult with the Armed Services committees.

PERSONNEL SECURITY AND INSIDER THREATS

Question. The Committee has enacted significant legislation in recent National Defense Authorization Acts mandating and guiding urgent reforms in personnel security processes and insider threat detection and prevention. The recent severe breach in personnel security records held by the Office of Personnel Management has now also driven a re-evaluation of which element or elements of the government should conduct background investigations (BIs) and be responsible for protecting the information that such investigations produce.

What are your views about the pace of this reform effort?

Answer. I support the need for personnel security process reform. With regard to the pace of these efforts, a sense of urgency is needed—recognizing the complexity of the system architecture and the amount of interagency coordination which must be accomplished to achieve the desired reforms. Recent National Defense Authorization Act provisions increase and improve the Department's ability to prevent, deter, detect, and mitigate actions by any DOD personnel who represent a threat to DOD personnel, facilities, operations, or resources.

Question. What are your views about whether the Department of Defense should be responsible for conducting BIs and protecting that sensitive data?

Answer. As a member of the Suitability and Security Performance Accountability Council (PAC), the Department has been participating in the on-going Office of Management & Budget (OMB)-led review of the background investigation process that began in July 2015. A key focus area of this review is to prioritize the security of sensitive personnel data. If confirmed, I will continue to work with the PAC and

our interagency partners to implement the OMB review recommendations, to include ensuring that any entity conducting investigations has sufficient cybersecurity protections.

DUPLICATIVE INTELLIGENCE OVERSIGHT

Question. The Office of the Under Secretary of Defense for Intelligence (OUSD(I)) oversees all aspects of the large Department of Defense (DOD) intelligence agencies, the service components of the National Intelligence Program, and the Military Intelligence Program-funded activities and programs of the military services and U.S. Special Operations Command. This oversight covers policy, budgets, acquisition programs, personnel, information technology (IT), and operations. OUSDI maintains staff to oversee all these activities even though functional expertise for policy, acquisitions, personnel, and IT resides in the Offices of the Under Secretaries of Defense for Policy; Acquisition, Technology and Logistics; and Manpower and Readiness; and the Office of the Chief Information Officer (CIO), respectively. In addition, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict ASD(SOLIC) oversees all aspects of U.S. Special Operations Command, including its intelligence activities and programs.

In the Advance Policy Questions for your recent confirmation as Principal Deputy Under Secretary of Defense for Intelligence, the committee asked you whether the OUSD(I) staff should continue to duplicate the functions and resources of these other Under Secretaries, the CIO, and ASD(SOLIC), and if so, why?

You responded as follows: "In support of the USD(I), I look forward to assessing this in more detail, if confirmed, as the current fiscal environment does require a careful look to ensure inefficiencies and unnecessary duplication are eliminated across headquarters elements."

Have you assessed this matter since you began serving as Principal Deputy? Could efficiencies and more effective oversight be achieved by jointly leveraging these existing pillars of functional expertise for oversight of intelligence programs, personnel, policy, and IT issues?

Answer. If confirmed, I will continue to place a priority on eliminating inefficiencies and unnecessary duplication across headquarter elements. I have an open mind to ideas the Committee might wish to explore for continuing to refine effectiveness and efficiency of intelligence programs, personnel, policy and IT issues.

In my experiences to date, each of the Under Secretaries, the CIO, and ASD(SOLIC) bring unique capabilities and expertise to bear. Joint, integrated approaches to oversight and management across these key functions and organizations are effective in ensuring complex strategic challenges are comprehensively addressed. This approach takes best advantage of the complementary nature of the expertise arrayed across OSD, including the unique intelligence, counter-intelligence and security expertise resident in the OUSDI staff. For example, USD(I)'s close partnership with the DOD CIO in responding to the Office of Personnel Management breach leverages both organizations' unique areas of expertise while ensuring that defense intelligence and defense information responses to the breach are fully coordinated and not duplicative.

U.S. SPECIAL OPERATIONS COMMAND INTELLIGENCE OPERATIONS

Question. In your view, how are intelligence operations carried out by special operations personnel different from those carried out by others in the intelligence community?

Answer. In my view, Special Operations Forces (SOF) intelligence activities and capabilities are consistent with how other DOD service components execute and develop intelligence activities. SOF organic intelligence capabilities focus on the SOF Commander's mission critical information needs, which enable SOF to accomplish missions assigned by the Geographic Combatant Commander (GCC). Intelligence Community components do not typically focus on these tactical intelligence requirements due to capacity limitations or the short timelines associated with supporting ongoing GCC operations.

In my view, the unique set of SOF missions range from enduring, current, to emergent, all of which require very precise and detailed intelligence to ensure their operations achieve national security objectives. The range of missions unique to SOF also requires agile and flexible intelligence capabilities in order to meet operational timeline requirements. This allows our most sensitive operations, such as hostage rescue operations, to take advantage of opportunities as they arise and/or respond sufficiently to emergent needs or crises.

Lastly, SOF intelligence activities are expected to be coordinated fully with the IC partners to ensure the necessary de-confliction and to avoid redundancy. Also,

any intelligence discipline specific activities must follow the relevant intelligence coordination processes, for instance the Intelligence Community Directive 304 coordination process for any human intelligence activities.

Question. If confirmed, how would you ensure intelligence activities carried out by special operations forces are adequately coordinated with other activities carried out by those in the intelligence community?

Answer. If confirmed, I would continue to work to advance efforts to integrate SOF intelligence capabilities with those of the Intelligence Community. These efforts have strengthened coordination among and between SOF and the Intelligence Community. In my intelligence oversight role, I would ensure SOF intelligence activities adhere to the appropriate coordination process and provide visibility of these activities to Congress through the clandestine quarterly reporting process.

NEED FOR INDEPENDENT INTELLIGENCE ANALYSIS

Question. Intelligence analysis should be independent and free of command chain and political pressure that it reach a certain conclusion, including a conclusion that fits a particular policy preference.

If confirmed, how would you ensure that all intelligence analysts within the DOD, including those who may be seconded to offices that are not part of the defense intelligence structure, are free from such pressure?

Answer. It is imperative that DOD intelligence analysis be objective and free from pressure of any kind. Analysts are expected to "speak truth to power" and to call it as they see it. If confirmed, I will make the necessity of protecting the analytic integrity within their organizations a point of emphasis in my interactions with the senior leadership of the Defense Intelligence Enterprise, as I have done in the past. I will also seek to ensure that DOD intelligence training emphasizes analytic integrity requirements as established in Intelligence Community Directive 203 (Analytic Standards) and Joint Publication 2–0 (Joint Intelligence)—safeguarding analytic objectivity, integrity, and independent of political consideration.

Finally, I will look for opportunities to support analytic ombudsman programs across the enterprise. My intent is to make sure that our analytic leadership and workforce are fully knowledgeable of the required integrity standards and that analysts have effective recourse available to them if they believe that the independence of their analysis is being hindered in any way.

Question. Has your office investigated the charges that intelligence assessments in U.S. Central Command of the emergence of the Islamic State terrorist group and the failure of the Iraqi Army were altered inappropriately? If so, what was the result of the investigation?

Answer. The allegations involving the U.S. Central Command are being thoroughly and impartially investigated by the DOD Inspector General. As such, it is neither necessary nor appropriate for my office to conduct a separate, parallel investigation. If confirmed, I will review and implement as appropriate recommendations developed by the IG that protect and strengthen the integrity of our analytic processes.

ANALYTIC CAPABILITIES AND CAPACITY

Question. In the Advance Policy Questions for your recent confirmation as Principal Deputy Under Secretary of Defense for Intelligence, the committee noted that the DOD Inspector General (IG) had recently issued an assessment of DOD long-term intelligence analysis, which concluded that the Department has significant problems in three areas. One is broadly termed "non-traditional support" to the combatant commands in such areas as shaping the environment and deterring potential adversaries, partner engagements, long-term analysis for campaign planning, and evaluation of cyber threats. A second is scientific and technical intelligence support to the acquisition process. A third problem area is lack of in-depth expertise in the analytic workforce.

The committee asked you whether you agreed with the IG's assessment, and, if so, how do you believe the Department can address these problems despite declining budgets and personnel levels, while sustaining support for counterterrorism and other transnational requirements, and the pivot to the Pacific?

You stated that "I am not familiar with this assessment, but if confirmed, I will review it and discuss the IG's observations with Dr. Vickers to ascertain the best way to address the issues raised."

What have you done to follow up on this issue since your confirmation?

Answer. I have reviewed the referenced IG report and believe that fully addressing its findings are challenged in that, as the Committee notes, the Department is

in an era of budgetary constraints. Nevertheless, a number of initiatives are underway to mitigate the concerns raised.

In the current global environment, the Department's intelligence requirements (traditional, non-traditional, acquisition support, cyber, and others) are expanding, while our analytic budgets are constrained. This limits the ability to fully satisfy our intelligence requirements. The enterprise must instead maximize efficiencies, and effectively prioritize our Defense Intelligence Enterprise operations to ensure that we are applying our available resources against the Department's highest needs. As Acting USD(I), and at the direction of Congress, I have directed my staff to develop the Integrated Defense Intelligence Priorities (IDIP) framework as a means to appropriately integrate the full range of Department customer intelligence requirements into one tool. If confirmed, I will continue to make the IDIP development a high-emphasis effort to effectively allocate and manage our analytic efforts against our highest priority requirements.

I believe that one way to significantly bolster our analytic capacity is to leverage and integrate the intelligence capabilities of our foreign partners to the maximum extent possible. Accordingly, as PDUSD(I) and Acting USD(I) I have made the strengthening and proactive expansion of our defense intelligence partner engagement program a priority effort. I believe these engagement initiatives, along with continued advances in information technology and intelligence sharing via capabilities such as Battlefield Intelligence Collection & Exploitation System (BICES) can achieve significant benefits in enhancing our collective intelligence capacity and detecting and preventing threats. If confirmed, I will continue to place significant emphasis in this area.

Regarding analytic workforce expertise, the Department is beginning implementation of a skills certification program for all-source analysts that will better enable it to assess analyst capabilities and to guide future hiring and development of the analyst cadre. If confirmed, I will work with the Service and agency leadership to look for resource-neutral opportunities to increase our analysts' expertise.

The demand for Intelligence Mission Data (IMD) is outstripping the Department's ability to meet the operational requirements of advanced weapons systems, both those fielded and still being acquired. IMD, providing the foundation for operational mission data, is the result of scientific and technical intelligence (S&TI) analysis, and is used to define the capabilities of these advanced weapon systems. There are many simultaneous National and DOD efforts underway to better support integration of intelligence into the capability development and acquisition process to address S&TI support to the acquisition process. From policy changes to significant resource reallocation, the enterprise has established and is refining a governance structure to identify, prioritize, and address resourcing and prioritization of cradle-to-grave IMD requirements.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of Defense for Intelligence?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

GAO SATELLITE OVERSIGHT

1. Senator MCCAIN. Mr. Lettre, I understand the Director of National Intelligence (DNI) has been aggressively opposed to allowing the Government Accountability Office (GAO) to review satellite acquisition programs at the National Reconnaissance Office (NRO). As you know, the GAO serves an important oversight role and provides critical insight into Department of Defense's (DOD) unclassified space programs. Do you believe NRO programs should be exempted from the same level of waste, fraud, and abuse scrutiny?

Mr. LETTRE. If confirmed, I will fully support congressional oversight of the Defense Intelligence Enterprise and continuously improve the responsiveness of the Defense Intelligence Enterprise to congressional oversight.

Intelligence Community Directive 114, effective June 30, 2011, establishes the Intelligence Community (IC) policy to cooperate "to the fullest extent possible" with the GAO. DOD Instruction 7650.01, of January 27, 2009 sets out the DOD policy to cooperate with the GAO and to "allow the GAO full access to all records that are not exempt from disclosure to the GAO." I fully support these policies, and their appropriate application to the DIE as a whole, including the NRO. Since the Defense Intelligence Enterprise is charged to protect some of the nation's most sensitive national security information, we must take into account established protections for this information in the context of the full breadth and scope of GAO reviews.

INTELLIGENCE AGAINST ISIL

2. Senator MCCAIN. Mr. Lettre, in your opening statement, you list as one of your top priorities "ensuring that current operations receive necessary intelligence support". We have been surprised to hear, during our recent trips to the bases conducting operations against the Islamic State of Iraq and the Levant (ISIL), that there remains a strong demand for more intelligence support, particularly from defense support agencies and interagency partners. What steps will you take in your position, if confirmed, to review whether operations against ISIL are getting sufficient intelligence support and how can you help reallocate resources if needed?

Mr. LETTRE. While serving as Acting Under Secretary of Defense for Intelligence, I have sought to ensure that current operations receive necessary intelligence support, which I would continue to pursue, if confirmed. I have traveled in the United States Central Command (USCENTCOM) area of operations to seek the perspectives and insights from our front line forces and commanders, particularly from our special operations forces. Within the Department, my staff has supported deep-dive intelligence and operations studies to better scope the threat posed by ISIL. I have asked all Defense Intelligence Enterprise components to participate in these assessments in order to look for any disconnects between headquarters-level views and the warfighter, and to better focus the Defense Intelligence Enterprise against the global and expanding ISIL threat. A particular area of focus has been the need to continuously improve support to targeting, enhancing both the capacity and timeliness of reach-back and forward-based support. While USCENTCOM is leading the Department's response against ISIL in Syria and Iraq, the Department recognizes that ISIL is a global threat which requires a global, federated response. At Secretary Carter's direction, we are reviewing the level of intelligence support to counter-ISIL operations and will be ready to adjust resource allocation as circumstances dictate.

3. Senator MCCAIN. Mr. Lettre, why do you think it took so long for the Intelligence Community and the military to view ISIL as a terrorist entity with state-like capabilities?

Mr. LETTRE. ISIL is a threat to the United States, and it is a multi-dimensional one, continuing to undermine security and stability in Iraq and Syria, posing a growing challenge transregionally as it seeks to solidify a presence in as many as eight other areas in Africa and other regions, and posing a serious threat of conducting external attacks in Europe and against U.S. interests and the U.S. homeland, including through inspiring lone actors.

The Intelligence Community has been monitoring ISIL, its predecessor organizations, and its evolution for some time, but remains very challenged by the difficulty of collection against the ISIL network. ISIL remains an adaptive and rapidly moving organization, with leaders who appear to aspire to govern territory and establish a caliphate while also conducting terrorist activities.

I am not satisfied with our knowledge of this enemy. The Intelligence Community has done impressive work to continue to improve our collection and build our analytic expertise in understanding ISIL, its centers of gravity, and its vulnerabilities,

but we need to continue to focus efforts on further improving our intelligence posture, and providing support to all of the lines of effort focused on degrading and defeating ISIL. If confirmed, I intend to continue to seek to catalyze these intelligence efforts within the defense intelligence enterprise.

4. Senator MCCAIN. Mr. Lettre, what steps will you take to ensure that the defense intelligence enterprise is more nimble and capable of supporting operations from the moment those operations begin?

Mr. LETTRE. In today's environment, it is more important than ever for the Defense Intelligence Enterprise to adapt rapidly to changing conditions. An important part of our responsibilities is ensuring the best possible support to warfighters. This means being prepared to adjust the level and the type of support as quickly as circumstances demand. For established contingency plans (CONPLANs), the Department has a process that identifies Combatant Command (CCMD) priorities for intelligence support, evaluates current capabilities, and identifies shortfalls and knowledge gaps. Each CONPLAN has a National Intelligence Support Plan (NISP) in which Combat Support Agencies (CSA) provide a detailed concept of support. My staff reviews the NISPs and works with the CSAs to ensure the CONPLAN is realistic, executable, and nimble in delivering capabilities to support CCMD operations. For unanticipated contingencies, an abbreviated version of this process can be applied to ensure optimized intelligence support to CCMD priorities.

Through this process, we strive to ensure that the combatant commanders have the right mix of intelligence assets they require, including support from National Technical Means.

For high priority operations, senior leader involvement is essential to provide oversight at all levels in order to expedite allocation of assets to address identified shortfalls. Intelligence support is a limited commodity, and difficult allocation decisions are necessary to mitigate risk as much as possible. If confirmed, I will seek to drive the kind of constant dialogue essential to ensuring that urgency of support is well understood, and to focus all members of the Defense Intelligence Enterprise toward consistent and strategic priorities.

5. Senator MCCAIN. Mr. Lettre, if you believe a combatant commander is not properly allocating resources within the command, and perhaps not providing the right support to the warfighter, how can your office address or influence that misallocation of resources?

Mr. LETTRE. The Department has established approaches and management systems by which we constantly reassess and readjust resource allocation based on our priorities and changing world circumstances. My office is directly involved in the process run by the Joint Staff that results in the Secretary's orders allocating resources to combatant commanders. There are multiple points throughout the process where USD(I) provides input on appropriate resource allocation. We also partner with the combatant commanders, multiple agencies within and outside the Department of Defense, and many foreign counterparts to help develop and improve methods to share information between the United States and its friends and allies. Our efforts to assist the combatant commanders also include seeking innovative methods to develop and field new capabilities where and when it makes good sense to do so to support the force of the future. If analysis indicates that senior-level attention is warranted to address significant reallocation needs, I can, and if confirmed, will engage at my level with combatant commanders, defense intelligence leaders, and other key stakeholders to assess the needs and bring senior-level attention to critical resource allocation matters.

6. Senator MCCAIN. Mr. Lettre, how can your office encourage more timely and robust interagency support to the warfighter during the beginning phases of a conflict?

Mr. LETTRE. If confirmed, a priority will be to extend integration and by extension, foster agility, across National and Defense Intelligence programs. The OUSD(I) has established relationships throughout the DOD, particularly with the Defense Intelligence Enterprise, as well as our interagency partners. In the beginning of a crisis or conflict, we leverage these relationships to respond to the emergent needs. In my experience, the beginning phases of a conflict surface two kinds of needs: surge support of existing resources—collection and analysis—for new operational activity and senior decision-making; and new resource and capacity needs, based on new strategic, operational, and tactical challenges. We therefore need to continue leveraging mechanisms for rapidly reallocating intelligence resources and fulfilling new urgent operational needs. If confirmed, I will continue to work closely with the

entire intelligence enterprise to ensure the warfighter receives the appropriate level of timely support.

DETENTION POLICY

7. Senator AYOTTE. Mr. Lettre, Operation Inherent Resolve spokesman, Colonel Steve Warren, recently said that "certainly it's our preference to capture in all cases. It allow[s] us to collect intelligence." If we were to capture Ayman al-Zawahiri or Abu Bakr al-Baghdadi tonight, where would we detain them for long-term law of war detention and interrogation?

Mr. LETTRE. The appropriate disposition for a detainee, consistent with U.S. domestic law and international law, is determined on the basis of all the facts and circumstances, including the national security interests of the United States and its allies and partners, and the actions that the detainee has engaged in. Depending on the circumstances, detainees may be prosecuted in the United States, detained in their home countries, or detained in a third country. The U.S. Government makes assessments regarding the appropriate disposition of detainees on a case-by-case basis.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

INTELLIGENCE CAPABILITIES

8. Senator GILLIBRAND. Mr. Lettre, earlier this year, I asked Assistant Secretary of Defense Michael D. Lumpkin about our intelligence, surveillance, and reconnaissance (ISR) capabilities and he said we have an ISR shortage for all of our operations. Do we currently have the appropriate amount of ISR for each combatant command?

Mr. LETTRE. No. One of the greatest challenges the Department faces in the ISR domain is meeting the warfighter demand for ISR. The Department addresses this challenge through a continuous process of ISR asset allocation where we carefully balance defense priorities against risk. We also seek opportunities to cultivate and enhance information sharing agreements with our allies which can help bring partner capabilities to bear. Lastly, we explore innovative ways of fielding ISR capabilities to support the force of the future. To give one example, the Department is actively pursuing an effort to increase its unmanned MQ–1/9 ISR combat air over the next four years.

9. Senator GILLIBRAND. Mr. Lettre, in a situation where transnational terrorism and non-state actors can pose as much of a threat as hostile nations, how do we prioritize ISR resources?

Mr. LETTRE. The Department has established processes by which we constantly reassess and readjust resource allocation based on our priorities and changing world circumstances. This process addresses threats to the Nation and its interests posed by state and non-state actors alike. If I am confirmed, one of my highest priorities will be to drive intelligence operations and activities to satisfy national security requirements and shape intelligence efforts to best support current operations and political-military decision making. The United States must remain vigilant against the threat posed by adversaries while aggressively pursuing ISR capabilities to achieve success in counter-terrorism and related operations.

10. Senator GILLIBRAND. Mr. Lettre, I was dismayed to hear allegations that senior officials at U.S. Central Command (CENTCOM) were altering the analysts' reports on ISIL to make these reports appear more favorable. Not only is this unethical, but our leaders cannot make smart decisions if those decisions are not based on fact. What can be done to ensure that unethical practices such as these are prevented and that those who do so are held accountable?

Mr. LETTRE. The Department shares your concerns about the allegations involving the U.S. Central Command. The Department of Defense Office of the Inspector General (DOD IG) is currently conducting an investigation of the allegations to determine whether there was any falsification, distortion, delay, suppression or improper modification of intelligence information; any deviations from appropriate intelligence analysis processes, or internal controls regarding the intelligence analysis; and any misconduct or failure to follow established processes. Pending the outcome of the DOD IG investigation into the matter, it still remains unknown whether the allegations regarding senior officials at CENTCOM are valid or not.

The Secretary of Defense and the Director of National Intelligence recognize the need to ensure the analytic integrity of defense intelligence. They have made a point

of restating how important it is that analysts know they can and should provide their honest analysis and are truly expected to call it as they see it. The Defense Intelligence Enterprise adheres to a distinct set of standards and processes concerning analytic integrity. I am committed to emphasizing the importance of analytic integrity in defense analysis; and if confirmed, I will seek to ensure these standards are clearly understood at all levels across the enterprise.

[The nomination reference of the Honorable Marcel J. Lettre II follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
August 5, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Honorable Marcel John Lettre II, of Maryland to be the Under Secretary of Defense for Intelligence, vice Michael Vickers, resigned.

[The biographical sketch of Honorable Marcel John Lettre II, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF HONORABLE MARCEL JOHN LETTRE II

Education:

- Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts
  - o 1998–2000
  - o Masters in Public Policy Degree awarded June 2000
- University of the South, Sewanee, Tennessee
  - o 1990–1994
  - o Bachelor of Arts Degree awarded June 1994

Employment Record:

- Office of the Secretary of Defense
  - o Principal Deputy Under Secretary of Defense (Intelligence)
  - o As of 1 May 2015, Acting Under Secretary of Defense (Intelligence)
  - o 2013–2015
- Office of the Secretary of Defense
  - o Special Assistant to the Secretary of Defense
  - o 2011–2013
- Office of the Secretary of Defense
  - o Principal Deputy Assistant Secretary of Defense (Legislative Affairs)
  - o 2009–2011
- Office of Senate Majority Leader Harry Reid (Minority Leader 2005–2006)
  - o Senior National Security Advisor
  - o 2007–2009
  - o Senior Defense and Intelligence Advisor
  - o 2005–2007
- U.S. House of Representatives Permanent Select Committee on Intelligence
  - o Professional Staff Member
  - o 2002–2005
- Booz Allen Hamilton
  - o Associate
  - o 2000–2001
- Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction
  - o Senior Policy Analyst
  - o 1998-1999
- Office of the President, American University
  - o Senior Staff Assistant

- o 1995-1997
- Carnegie Endowment for International Peace
  - o Junior Fellow/ Program Associate, Nuclear Non Proliferation Project
  - o 1994-1995

Honors and Awards:

Department of Defense Recognitions

- Department of Defense Medal for Distinguished Public Service (2013)
- Office of the Secretary of Defense Medal for Exceptional Public Service (2011)

Academic Recognitions

- Award for Excellence in Student Teaching (2000)
- Nominee for Best Policy Analysis Exercise (2000)
- Phi Beta Kappa (1994)
- Bachelors Degree awarded Magna Cum Laude, with Honors (1994)
- Pi Sigma Alpha Political Science Honor Society (1994)
- Order of the Gown Academic Honor Society (1991-1994)
- Wilkins Scholarship (1990-1994)
- Eagle Scout (1989)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by the Honorable Marcel J. Lettre II in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Marcel John Lettre II.

2. **Position to which nominated:**
Under Secretary of Defense for Intelligence.

3. **Date of nomination:**
August 5, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
August 9, 1972.
Gainesville, Georgia.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Simmons Covington Lettre ("Simmons").
(Maiden name: Renee Fitzsimmons Covington).

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Terry Sanford Senior High School
Fayetteville, North Carolina
1987–1990
High School Diploma (June 1990)

University of the South
Sewanee, Tennessee
1990–1994
Bachelor of Arts in Political Science (June 1994)

American University
Washington, DC
1995–1996
Non-Degree Coursework (2 classes in economics)

Harvard University John F. Kennedy School of Government
Cambridge, Massachusetts
1998–2000
Masters in Public Policy (June 2000)

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

November 2013–Present.
Principal Deputy Under Secretary of Defense for Intelligence,
(Acting Under Secretary, May 2015–Present),
Office of the Secretary of Defense,
Department of Defense,
The Pentagon, Washington, DC.

April 2011–November 2013.
Special Assistant to the Secretary of Defense,
Office of the Secretary of Defense,
Department of Defense,
The Pentagon, Washington, DC.

April 2009–April 2011.
Principal Deputy Assistant Secretary of Defense (Legislative Affairs),
Office of the Secretary of Defense,
Department of Defense,
The Pentagon, Washington, DC.

October 2007–April 2009.
Senior National Security Advisor,
Office of Senate Majority Leader Harry Reid,
U.S. Senate,
The Capitol, Washington, DC.

April 2005–October 2007.
Senior Defense and Intelligence Advisor,
Office of Senate Majority Leader Harry Reid (2007),
Office of Senate Minority Leader Harry Reid (2005-2006),
U.S. Senate,
The Capitol, Washington DC.

March 2002–April 2005.
Professional Staff Member,
Permanent Select Committee on Intelligence,
U.S. House of Representatives,
The Capitol, Washington, DC.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member, Council on Foreign Relations

Member, Appalachian Trial Conservancy

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

Contribution to Obama Victory Fund, October 2012, $2,500.

Contributions to Friends for Harry Reid, October 2010, $500.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

University and Earlier

Eagle Scout

Phi Beta Kappa

Bachelors Degree awarded Magna Cum Laude, with Honors

Wilkins Scholarship

Pi Sigma Alpha Political Science Honor Society

Order of the Gown Academic Honor Society

Graduate School

Award for Excellence in Student Teaching

Nominee for Best Policy Analysis Exercise

Department of Defense Recognitions

Department of Defense Medal for Distinguished Public Service

Department of Defense Medal for Distinguished Public Service, Bronze Palm

Office of the Secretary of Defense Medal for Exceptional Public Service

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Interview with Marcel Lettre, "Transformation Manager: Making Defense Intel More Responsive to Today's Threats," KMI Media Group, May 5, 2015, *http://www.kmimediaaroup.com/topics/424-articles-qif/q-a-marcel-lettre/6678-q-amarcel-lettre*

Ashton B. Carter, with Marcel Lettre and Shane Smith, "Keeping the Technological Edge," Chapter 6 in Keeping the Edge: Managing Defense for the Future. Cambridge, MA: Preventive Defense Project, Belfer Center for Science and International Affairs, Harvard Kennedy School, 2001.

Marcel Lettre, "Observations During the Early Response to the World Trade Center Incident, September 11th, 2001," Personal narrative available on the internet, September 2001.

Marcel Lettre and James Anderson, eds. Passing the Torch: Recommendations to the Next President on Emerging National Security Issues, New York, NY: Council for Emerging National Security Affairs, November 2000.

Marcel Lettre, ed. Former-Soviet Nuclear Weapon and Sensitive Export Status Report, Washington, DC: Carnegie Endowment for International Peace and Monterey Institute, July 1995.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

"Persistence, Resilience and Innovation: Driving Defense Intelligence Transformation in GEOINT." U.S. Geospatial Intelligence Foundation, Washington DC, June 25, 2015.

"Succeeding in the Open—The Military Dimension." George T. Kalaris Intelligence Conference, Washington DC, September 24, 2015.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No (Currently serving as the Acting Under Secretary of Defense, Intelligence).

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

MARCEL J. LETTRE II

This 13th day of November, 2015

[The nomination of the Honorable Marcel J. Lettre II was reported to the Senate by Chairman McCain on December 15, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 16, 2015.]

[Prepared questions submitted to Mr. Gabriel O. Camarillo by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

What modifications to Goldwater-Nichols Act provisions, if any, do you believe are necessary for the readiness of the Armed Forces?

Answer. Goldwater-Nichols constituted a historic and important effort to modernize the military for the late 20th century comprised of an all-volunteer force. It is also an excellent example of Congress' important role in overseeing the Department of Defense and promoting reform as means to ensure our national security. As the threats the Nation faces continue to evolve, however, it is important to continually reassess our organizational structure and processes to ensure we are best prepared to defend the country from these threats. Accordingly, if confirmed, I am fully committed to working with Air Force leadership, my counterparts throughout the Department of Defense and Congress to evaluate the success of Goldwater Nichols and whether any modifications are prudent.

DUTIES

Question. Section 8016 of title 10, United States Code, provides that the Assistant Secretary of the Air Force for Manpower and Reserve Affairs shall have "as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Air Force."

If confirmed, what duties do you expect that the Secretary of the Air Force will prescribe for you?

Answer. As you have indicated, the principal duties of the Assistant Secretary of the Air Force are to support and execute the tasks assigned by the Secretary of the Air Force. It is my understanding that these duties include providing guidance, direction, and oversight for Air Force military and civilian manpower/personnel programs; medical readiness and health care; and Reserve Component affairs. The Assistant Secretary is also responsible for oversight of the operation of the Air Force Review Boards Agency and its component boards. If confirmed, I will work hard to execute these duties to the best of my abilities, as well as any other duties or tasks assigned to me by the Secretary.

Question. What actions will you take to enhance your ability to perform the duties of the Assistant Secretary of the Air Force for Manpower and Reserve Affairs?

Answer. If confirmed, I will conduct a thorough review of current Air Force organizations, programs and personnel dedicated to the support of airmen and their families to better understand the specific challenges, resources and efforts needed to support the Total Force. If confirmed, I will seek input from a broad array of internal and external stakeholders committed to the well-being of our airmen, to include Congress, and work to maintain open and continuous engagement regarding matters affected by my performance of the duties associated with this office.

RELATIONSHIPS

Question. In carrying out these duties, what would be your relationship with the following officials:

The Secretary of the Air Force.

Answer. If confirmed, I will maintain regular communication and engagement with the Secretary of the Air Force. I will provide the Secretary with my honest assessment and advice and support the Secretary in the implementation of her decisions and policy.

Question. The Under Secretary of the Air Force.

Answer. If confirmed, I will work closely with the Under Secretary, including communication on a regular basis.

Question. The other Assistant Secretaries of the Air Force.

Answer. If confirmed, I will establish and maintain close and professional relationships with each of the Assistant Secretaries and seek to foster collaboration, working together to support airmen and their families in the day-to-day management and long-range planning efforts of the Air Force.

Question. The General Counsel of the Air Force.

Answer. The Air Force General Counsel has a significant role to play in virtually all policy decisions in the Air Force. If confirmed, I expect to have a strong relationship with the General Counsel to obtain consistent and sound legal advice in the execution of my duties as an Assistant Secretary.

Question. The Inspector General of the Air Force.

Answer. If confirmed, I will establish and maintain a constructive relationship with the Inspector General as this office has an important role in inquiring into and reporting on matters that directly affect Air Force readiness (such as efficiency, training, discipline, and morale).

Question. The Chief of Legislative Liaison of the Department of the Air Force.

Answer. If confirmed, I will establish and maintain a close and professional relationship with the Director of Legislative Liaison who to help the Director ensure that the Air Force maintains positive relations with Congress while coordinating the Air Force's legislative strategy.

Question. The Under Secretary of Defense for Personnel and Readiness.

Answer. If confirmed, I intend to maintain a productive and effective working relationship with the civilian leadership in the Office of the Secretary of Defense, including the Under Secretary of Defense for Personnel and Readiness. I will communicate openly and directly with the Under Secretary of Defense for Personnel and Readiness to articulate the views of the Department of the Air Force, the needs of airmen and their families, and their impact on readiness.

Question. The Principal Deputy Under Secretary of Defense for Personnel and Readiness.

Answer. If confirmed, I would maintain the same productive and effective relationship with the Principal Deputy that I intend to establish with the Under Secretary of Defense for Personnel and Readiness.

Question. The Assistant Secretary of Defense for Manpower and Reserve Affairs.

Answer. If confirmed, I would expect to establish the same productive and effective relationship with the Assistant Secretary of Defense for Manpower and Reserve Affairs that I intend to establish with all civilian leadership in the Office of the Secretary of Defense.

Question. The Assistant Secretary of Defense for Readiness.

Answer. If confirmed, I would expect to establish the same type of harmonious relationship with the Assistant Secretary of Defense for Readiness that I intend to establish with all civilian leadership in the Office of the Secretary of Defense.

Question. The Chief of Staff of the Air Force.

Answer. The Chief of Staff of the Air Force, except as otherwise prescribed by law, performs his duties under the authority, direction and control of the Secretary of the Air Force and is directly responsible to the Secretary. If confirmed as the senior civilian charged with supervision and direction of policy for manpower and reserve affairs, I would work closely with the Chief of Staff to carry out the duties prescribed by the Secretary of the Air Force.

Question. The Deputy Chief of Staff of the Air Force for Manpower and Reserve Affairs.

Answer. I understand that many of the functions and operations relating to Air Force personnel are executed by the Deputy Chief of Staff for Manpower, Personnel, and Services. If confirmed, I would work in concert with the Deputy Chief of Staff for Manpower and Reserve Affairs to ensure that such execution is consistent with policies approved by the Office of the Secretary of the Air Force.

Question. The Surgeon General of the Air Force.

Answer. If confirmed, I will work closely with the Surgeon General of the Air Force to ensure the Air Force medical system supports a medically ready force and strives to maintain quality medical support to airmen.

Question. The Chief, National Guard Bureau.

Answer. If confirmed, I expect to maintain a close working relationship with the Chief of the National Guard Bureau on matters relating to the National Guard and the Air National Guard. Among my priorities, if confirmed, will be ensuring that our National Guard is capable of meeting mission requirements.

Question. The Director of the Air National Guard.

Answer. If confirmed, I would maintain close collaboration and clear communication with the Air National Guard. The Reserve Components are a critical part of the Total Force and contribute significantly to Air Force mission success. If confirmed, one of my priorities will be to work hard to understand and address Air National Guard issues and challenges.

Question. The Chief of Air Force Reserve.

Answer. If confirmed, I expect to also maintain close collaboration and clear communication with the Chief of Air Force Reserve. I recognize, however, that due to the title 10 mission associated with the Air Force Reserve, the specific issues and concerns would be distinct.

Question. Airmen and their families.

Answer. Airmen and their families form the backbone of Air Force readiness and are therefore essential to the success of its missions. If confirmed, my top priority will be to promote the interests and well-being of airmen and their families in the development of policies, programs and procedures under the purview of the Assistant Secretary of the Air Force for Manpower and Reserve Affairs.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I believe that my combined policy, business and management experience, including the past five and half years in the Department of Defense, has prepared me to contribute directly to the success of the Air Force through the development of policies, programs and processes to address the needs of airmen and their families.

In my current position as Principal Deputy Assistant Secretary of the Army (Acquisition, Logistics & Technology), I help oversee the acquisition functions of the Army, including research and development, procurement, logistics and sustainment across a significant investment portfolio that spans over 600 programs and $72 billion in contracting actions for goods and services in fiscal year 2015. This position has provided me keen expertise regarding the Department's programming, budgeting and execution processes, the impacts of equipment training and readiness on title 10 missions, the significant challenges associated with talent management and retention as it relates to the Army acquisition workforce, and the equipping needs of the Army National Guard.

I have also proudly committed much of the rest of my career to public service, having previously served as legislative staff in the House of Representatives, as a civil servant in local government, and for five and a half years as a civilian appointee in the Department of Defense. The needs of our Service men and women have shaped virtually every position I held in public service, to include support for quality of life programs and base housing at Lemoore Naval Air Station while I worked for Rep. Calvin Dooley, the impact of Fort Bliss and Army soldiers on the local economy of El Paso, TX, and the equipping needs of soldiers for nearly six years in the Department of the Army. During my career, I've gained a deeper appreciation for the needs of soldiers, sailors, airmen and marines and the vital mission they fulfill in defense of our Nation.

Moreover, as a lawyer in the private sector, I have been involved in the development and management of personnel policies and have been active in the recruiting, mentoring and talent management efforts. If confirmed as Assistant Secretary of the Air Force, I look forward to applying this experience in support of the Air Force, airmen and their families, and Total Force readiness.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Assistant Secretary of the Air Force for Manpower and Reserve Affairs?

Answer. In my view, the most significant challenge facing the Assistant Secretary of the Air Force for Manpower and Reserve Affairs is ensuring that the Air Force continues to recruit, train, develop and retain talented professionals. In a rapidly changing world that presents unique challenges to the Department of Defense and our Armed Forces, the foundation of success for the Air Force is and will continue to be the airmen—Active Duty, guard, reserve, civilians and civil air patrol—that carry out the Air Force's many missions. Making sure the Air Force continues to recruit, develop, and retain the best of our Nation's diverse talent is critical for the future and a major focus for the Office of the Assistant Secretary of the Air Force for Manpower and Reserve Affairs.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I would look to build on the Air Force's Total Force construct to explore innovative approaches to attracting and developing talented professionals in the Air Force.

Similarly, if confirmed, I would consider new approaches to recruit, attract and retain an All-Volunteer Force of agile and inclusive airmen. Today's labor market dynamics require flexible, modern approaches to make sure the Air Force of the future has the numbers, talents, and diversity to needed to remain the best Air Force in the world.

Also, if confirmed, I would carefully review the many current and proposed authorities the Services have for managing and developing the tremendous talent across the force to make sure they provide maximum capability for the Air Force to continue developing and retaining the airmen needed for the future.

SYSTEMS AND SUPPORT FOR WOUNDED SOLDIERS

Question. What is your assessment of the progress made by the Air Force to improve the care, management, and transition of seriously ill and injured airmen?

Answer. It is my understanding there has been steady progress improving the care of Wounded, Ill and Injured (WII) Airmen as result of combined efforts across the Air Force. My understanding is that the Air Force has established Care Management Teams to guide WII Airmen through their recovery and transition and to ensure they have appropriate primary, specialty and mental health care by monitoring their access and utilizing clinical case managers. I understand that the Air Force currently evaluates WII Airmen through the Disability Evaluation System (DES) to ensure those unable to continue serving receive their full benefits.

If confirmed, are there additional strategies and resources that you would pursue to increase the Air Force's support for wounded airmen, and to monitor their progress in returning to duty or to civilian life?

If confirmed, I will assess the effectiveness of these programs and their resources to determine which adjustments or strategies are needed to ensure that wounded airmen receive the best support and care possible.

OFFICER MANAGEMENT ISSUES

Question. As the Assistant Secretary of the Air Force for Manpower and Reserve Affairs you would have significant responsibilities with regard to officer management policies, the promotion system, and recommending officers for nomination to positions of authority and responsibility.

If confirmed, what modifications would you make to provide the Air Force the force management tools necessary to meet the needs of the 21st century joint, all-volunteer force?

Answer. A strong emphasis on force management is critically important to the long-term development of a Total Force capable of meeting current and future Air Force missions and requirements. If confirmed, I would review the set of management tools applied toward this critical function and develop strategies to address any needed changes, as appropriate.

Question. Do you believe the current Air Force procedures and practices for reviewing the records of officers pending nomination by the President are sufficient to ensure the Secretary of the Air Force, the Secretary of Defense, and the President can make informed decisions?

Answer. I have not had the opportunity to conduct a detailed review of the processes and procedures used in the Air Force to review officer records prior to nomination. If confirmed, I would conduct a review of these procedures to ensure that they facilitate informed decisions regarding the best qualified officers selected for promotion.

Question. In your view, are these procedures and practices fair and reasonable for the officers involved?

Answer. If I am confirmed, it is my understanding that one of my responsibilities, delegated by the Secretary of the Air Force, would be to interview Board Presidents, members and recorders to ensure boards follow all applicable laws, instructions and administrative directives. If confirmed, this will provide me a great opportunity to interact with individuals directly involved with these procedures and practices and directly assess their effectiveness and impacts.

Question. What modifications, if any, to the requirements for joint officer qualifications are necessary to ensure that military officers are able to attain meaningful joint and service-specific leadership experience and professional development?

Answer. It is my understanding that the requirements for joint officer qualifications are currently under review. If confirmed, I will carefully evaluate the results to determine their effect on the Air Force.

Question. In your view, what is the impact of joint qualification requirements on the ability of the services to select the best qualified officers for promotion and to enable officer assignments that will satisfy service-specific officer professional development requirements?

Answer. I believe there are benefits to joint qualifications and assignments as officers develop experience that is useful for broad professional development and future service assignments. I have not had a chance to make an assessment of any impacts associated with joint assignments on Air Force officer professional development. It is my understanding that the Air Force is currently undertaking a review of joint officer qualifications and if confirmed, I will study this review when completed and engage with the Secretary of the Air Force on any changes or modifications deemed appropriate in the area of professional development.

Question. Do you recommend changes to the Defense Officer Personnel Management Act (DOPMA) to recruit and retain the best and brightest Air Force officers?

Answer. My understanding is our talent management systems may need to be more permeable to attract and retain the Force of the Future. I look forward to Sec-

retary Carter's announcement on the Force of the Future initiatives. If confirmed, I will assess these initiatives and recommendations before engaging with Secretary James on any potential changes for the Air Force.

Question. Do you agree with recent testimony before the Committee that the military services should significantly reduce the size and number of the officer corps?

Answer. If confirmed, I will work with Air Force senior leadership to review and ensure that our force (Active and Reserve Components), our military (officer and enlisted) and civilians, as well as contracted support, are sized both effectively and efficiently to meet Air Force requirements and missions. Technical Training and Assignment of General Officers

Question. In your view, do a sufficient number of general officers have advanced training and degrees in scientific and technical disciplines?

Answer. Although I cannot answer this question definitively at this time, if confirmed, I will be in a better position to assess the Air Force's needs regarding advanced training and degrees in scientific and technical disciplines for general officers.

Question. Are the career paths for officers with technical skills appropriate to ensure that the services can execute complex acquisition programs, adapt to a rapidly changing technological threat environment, and make informed investment decisions on DOD and Air Force resources? If not, what will you do to address this deficiency?

Answer. I understand that the Air Force goes to great lengths to manage its officer corps to ensure it develops a talented, professional acquisition workforce to manage investment in critical warfighting capabilities for the Air Force. One of my priorities as Principal Deputy Assistant Secretary of the Army has been to ensure that talent management and training in the Army acquisition workforce enables us to respond to a rapidly evolving threat environment calling for expertise in key technical areas. If confirmed, I will work with Air Force leadership to assess the needs of the Air Force acquisition workforce and work collaboratively to address any needed changes in policies or programs.

Question. In your view do current general officer assignment policies provide and incentivize qualified officers to serve in acquisition programs? Do tour lengths for those assignments enable and empower such officers to effectively manage acquisition programs? If not, what changes do you believe are necessary to improve the effectiveness of senior officers assigned those duties?

Answer. I have not had an opportunity to review the effect of current Air Force officer assignment policies on the management of Air Force acquisition programs. If confirmed, this is certainly an area I will review in collaboration with Air Force leadership.

GENERAL OFFICER NOMINATIONS

Question. Under DOD Instruction 1320.4, adverse and alleged adverse information pertaining to general officers must be evaluated by senior leaders in the Services and in the Office of the Secretary of Defense prior to nomination.

If confirmed, what role would you play in the officer promotion system, particularly in reviewing general officer nominations?

Answer. I have been informed that both the Secretary of the Air Force and the Chief of Staff are directly involved in the General Officer nomination process. If confirmed, I look forward to supporting them through the duties assigned to the Assistant Secretary of the Air Force for Manpower and Reserve Affairs.

Question. What is your assessment of the ability of the Services to timely document credible information of an adverse nature for evaluation by promotion selection boards and military and civilian leaders?

Answer. My understanding is that the Department of the Air Force gathers information from multiple organizations to document and present adverse information to promotion selection boards. If confirmed, I will be in a better position to assess the timeliness of this process and its effect on promotion selection boards.

Question. If confirmed, what steps will you take to ensure that only the best qualified officers are nominated for promotion to general officer rank?

Answer. As previously stated, both the Secretary of the Air Force and the Chief of Staff are involved in this matter. If confirmed, I will provide my best advice and counsel to the Secretary of the Air Force to ensure the Air Force continues to nominate the best and most qualified officers for promotion to the rank of General Officer.

CREWING FOR REMOTELY PILOTED AIRCRAFT SQUADRONS

Question. The Air Force has been experiencing problems with manning its fleet of remotely piloted aircraft (RPA), specifically Predators and Reapers. A recent internal Air Force email from the head of Air Combat Command to the Air Force Chief of Staff said these fleets are being strained to the breaking point because of overstressing air crews in trying to maintain 65 RPA orbits. This has been continuing issue since demand for UAV services has outstripped capacity to produce aircrews from the beginning of UAV deployments.

Air Force budget documents indicate that the Air Force is planning to add 434 personnel authorizations to the MQ–9 force structure in fiscal year 2016. Increased authorizations, however, do not equate to additional personnel in the squadrons. The Air Force has proposed increases to the RPA community in the past that did not result in the similar increases in air crews.

We understand that the fiscal year 2017 Department of Defense (DOD) budget request will increase the demand for RPA orbits well beyond 65 orbits, although the Air Force will not be asked to shoulder the responsibility for the additional orbits.

What steps do you believe the Air Force and DOD should take to improve the Air Force's ability to sustain the current force?

Answer. I have been informed that in response to the current shortage of remotely piloted aircraft pilots, the United States Air Force has launched several initiatives to improve total manning to 100 percent within the existing organizational construct. I understand that these initiatives will require some time to accomplish and utilize Active Duty, Reserve, Guard, Department of the Air Force Civilians, and where appropriate, contracted support, operational, training, and mission support functions throughout the Intelligence Surveillance and Reconnaissance (ISR) Enterprise.

The RPA Enterprise has grown exponentially, while conducting surge operations, over the past 15 years of conflict to support warfighter demands. The resourcing for this critical enterprise has occurred within the existing personnel and programming constraints of the AF which has limited the ability to develop a fully sustainable weapon system. If confirmed, I will conduct a review of current and planned efforts to address the manning requirements for RPA aircrews and work with the Secretary of the Air Force to address any additional steps required to meet this demand.

Question. How would the Air Force deal with additional demand if it had to provide aircrews for the additional orbits?

Answer. My understanding is that the Air Force will continue to provide combatant commanders with ISR, situational awareness and strike capability. I have been informed that the Air Force would prioritize warfighter requirements and explore a range of options to meet the additional demand with a mix of Total Force resources, to include potential Reserve and Guard mobilization. If confirmed, I would review and assess the effect of these strategies before determining whether any additional or modified approaches are necessary or appropriate.

Question. Do you see a need for any changes in legislation to enable the Department to solve these RPA crew problems?

Answer. It is my understanding the National Defense Authorization Act for Fiscal Year 2016, Congress included flight, bonus and incentive pay provisions for RPA aircrew personnel. If confirmed, I would assess the effect of these statutory authorities before making any recommendations for additional legislative action.

AIR FORCE END STRENGTH REDUCTIONS

Question. In the National Defense Authorization Act for Fiscal Year 2016, Congress authorized an Active Duty end strength for the Air Force of 320,715.

In your view, can the Air Force meet national defense objectives at this strength level?

Answer. Based on information I have received, it is my understanding that an Active-Duty workforce of approximately 321,000 would likely be sufficient to meet today's national defense objectives and operational requirements. If confirmed, however, I look forward to conducting a review and assessment of the Air Force's end strength requirements in coordination with the Air Force leadership.

Question. If budget caps effective in current law remain in place, how will the Air Force's active- and reserve component end strengths be impacted?

Answer. My understanding is that budget caps will drive the Air Force to evaluate/re-prioritize its various programs and missions and those choices will directly influence Air Force end-strength requirements. It is likely that the Air Force would be required to divest or trim back missions and explore a corresponding reduction in our Total Force workforce. That said, if confirmed, I will have an opportunity to

further assess the Air Force Total Force requirements and will advocate for an active-reserve force mix of the future the remains both effective and efficient.

Question. What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress has provided the past three years?

Answer. I have not yet had an opportunity to review the effects of current force shaping tools available to the Air Force. If confirmed, I would conduct an assessment of all force shaping tools available to the Air Force, including recent authorities provided by the Congress, and make recommendations for additional force shaping tools as necessary.

Question. In your view, should the number of general officers in the Air Force be reduced commensurate with the drawdown of total Air Force end strength?

Answer. I have not had the opportunity to review the processes and analysis used by the Air Force to right-size the General Officer corps. I am aware that the Air Force has implemented reductions required across the Department of Defense consistent with the Air Force drawdown. If confirmed, I would review these efforts and work with the Secretary of the Air Force to determine whether further efforts are required.

LESSONS LEARNED

Question. What do you believe are the major personnel lessons learned from the last fifteen years of sustained combat operations which you would seek to address if confirmed as Assistant Secretary of the Air Force for Manpower and Reserve Affairs?

Answer. Prolonged combat operations have taken a significant toll on airmen, who continue to meet unplanned mission requirements creating a normalized surge environment while resources continue to decrease. Having the resources to maintain a deliberate and steady force structure and end-strength that can adapt to emerging threats is imperative to success. The unique skills grown through military service need a steady and consistent budgeting process to maintain readiness as well as the modernization of weapon systems to carry out the mission. A stable and predictable balance of investment between readiness, modernization and manpower is required to allow the Air Force to adequately train, develop, and equip airmen to meet the demands of a complex security environment.

NATIONAL GUARD ORGANIZATION, EQUIPMENT, AND READINESS

Question. Legislative proposals introduced in recent years and recommendations of the Commission on the National Guard and Reserves have proposed numerous changes to the roles and responsibilities of the National Guard and Reserves. Several of the proposed changes have been implemented, and numerous others are under consideration.

How do you assess the changes in the role and authorities of the Chief of the National Guard Bureau?

Answer. From my perspective, the changes to the roles, mission and authorities of the Chief of the National Guard Bureau elevated the National Guard to a level of visibility needed to ensure it is properly equipped and resourced to carry out its dual-role mission.

Question. How do you assess the changes in the roles and mission of the Air National Guard?

Answer. The Air National Guard is engaged across all Air Force mission sets. Like the Regular Air Force, they have undergone significant transformation to increase their roles in cyber, space, remotely piloted aircraft and other emerging missions our combatant commanders need for today's operating environment. While I have not been involved in the recent analysis efforts the Air Force has undertaken regarding the mission mix between components, I look forward to participating and engaging in that effort.

Question. In your view, do the current Air Force processes for planning, programming, and budgeting sufficiently address the requirements of the Air National Guard? What is the appropriate role of the Chief of the National Guard Bureau and the Director of the Air National Guard in this regard?

Answer. My understanding is that the Air Force planning, programming and budgeting process is managed as a Total Force activity with full participation from the Air National Guard and the Air Force Reserve. The Director of the Air National Guard, as a full member of the CNGB staff plays a dual role of participating in the overall Air Staff budgeting process while concurrently keeping the CNGB apprised of relevant issues. If confirmed, I look forward to engaging with the Air National Guard and Air Force Reserve to ensure that a Total Force approach is maintained.

Question. In your view, what should be the Chief of the National Guard Bureau's role, if any, in the assignment of Directors and Deputy Directors of the Air National Guard?

Answer. It is my understanding the Directors and Deputy Directors of the ANG are appointed by the Secretary of the Air Force in consultation with the Chief of Staff of the Air Force and the Chief of the National Guard Bureau. I believe this consultative role played by the CNGB is appropriate.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the services continue to be of great concern to the Committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Department of the Air Force to prevent suicides and increase the resiliency of airmen and their families?

Answer. Even one suicide in the Air Force is too many, and I understand that the Air Force has responded to this problem through a comprehensive approach focusing on airmen fitness, resiliency, care and support. It is my understanding that the Air Force Suicide Prevention Program employs evidence-based methods and consists of a leadership-driven, Coordinated Community Approach. I fully support this strategy as consistent with a Comprehensive Airman Fitness and Wingman Culture. Airmen are impressively resilient but are also subject to many challenges. If confirmed, I will work to ensure that the Air Force continues to provide a wide range of quality services to support airmen and families while firmly establishing a culture of positive support where airmen seeking assistance is seen as a sign of strength. If confirmed, I will also work with the Secretary of the Air Force to implement efforts to reduce suicides by providing oversight and assuring that this issue is appropriately prioritized and addressed. I will work collaboratively with our sister Services, DOD, VA and other stakeholders to optimize our effectiveness, promote resilience and ensure that our Airman and families receive the best medical and support services.

FAMILY READINESS AND SUPPORT

Question. Airmen and their families in both the active and reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for airmen and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced, especially in light of current fiscal constraints?

Answer. Taking care of people is the Air Force's number one priority. The most important family readiness issues for airmen and their families is investment in airmen and family programs and the MWR Portfolio. MWR and family programs have a direct impact to retention, resiliency, and readiness. These programs contribute directly to building a "community" of airmen and families. Support for airmen family readiness is one of my priorities, as it is vital to the long-term success of the Air Force. If confirmed, I look forward to reviewing and identifying any needs in this area.

MORALE, WELFARE, AND RECREATION

Question. If confirmed, what challenges do you foresee in sustaining Air Force MWR programs in the future fiscal environment of the Air Force?

Answer. Robust and successful MWR programs contribute significantly to mission success while reinforcing the sense of community among airmen and their families. Constrained resources present tough challenges to the Air Force's efforts to sustain MWR programs. I understand that the Air Force leadership recognized the importance of MWR programs and recommended funding in the fiscal year 2016 budget and out-years consistent with this priority. In the coming years, retaining adequate resources for these programs in an uncertain fiscal environment presents the greatest challenge. MWR Programs are the right investment for airmen and their families; even in times of scarce resources as they are directly tied to resilience, morale and ultimately readiness/mission performance.

MILITARY HEALTH CARE

Question. In your view, what should the Air Force Medical Service do to improve access to care in its medical facilities?

Answer. In my view, to improve access for our airmen and their families, the Air Force Medical Service must identify, validate, standardize and implement the best access-related practices from across the Air Force, the military health system, as well as civilian medicine. Additionally, the enhanced care delivery venues the Air Force Medical Service already employs should continue to be developed and leveraged to ensure that patients receive the right care from the right provider, at the right time and in the right setting.

Question. If confirmed, how would you work with the Surgeon General of the Air Force to improve the healthcare experience for airmen and their families?

Answer. Providing excellent healthcare to airmen and their families is a paramount objective and if confirmed, I will work with the Surgeon General to review current and planned efforts to maintain and improve the highest quality and safest care possible.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. In 2014, there was what the Department described as an "unprecedented 53 percent increase in victim reports of sexual assault. In fiscal year 2014, victims made 4,660 Unrestricted Reports and 1,840 initial Restricted Reports of sexual assault. Also in fiscal year 2014, the Department saw the number of victims who converted Restricted Reports to Unrestricted Reports increase from an average of 15 percent to 20 percent. According to the 2014 RAND Military Workplace Study approximately 72 percent of servicemember victims who indicated they made a sexual assault report said they would make the same decision to make a report if they had to do it over again. The Rand Study also indicated the percentages of Active Duty personnel who experienced unwanted sexual assault declined in 2014, from 6.1 percent to 4.3 percent for women and from 1.2 percent to 0.9 percent for men. The Department also concluded the estimated gap between reporting and prevalence of sexual assaults was at the narrowest point since the Department began tracking this data.

What is your assessment of the Air Force's sexual assault prevention and response program?

Answer. It is my understanding the Air Force is making progress in preventing and responding to this crime with support and funding from Congress. Since fiscal year 2012, reports of sexual assault in the Air Force have risen, while estimated prevalence trends have fallen, indicating the program's progress in both preventing sexual assault and increasing airmen's confidence in the program. Another indication of airmen's confidence is the increase in the percentage of unrestricted reports,

However, the emphasis on these and other Air Force-wide efforts must continue and there is still much work to be done. For example, I've been informed the Air Force will introduce newly enhanced service-wide prevention training in January 2016 to continue to further combat the problem of sexual assault in our service. If confirmed, improving the Air Force's prevention and response efforts will be one of my top priorities and I eagerly look forward to the opportunity to work with Air Force leadership to further address this crime.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. I believe giving victims the ability to choose between filing a restricted or unrestricted report allows access to services that are unmatched in the civilian community. In addition, this allows victims to seek care confidentially, if they prefer, and to mitigate concerns regarding career impact or retaliation. A victim may need care, but be reluctant to report an assault because they do not want a formal investigation. Until the Air Force instituted restricted reporting, these victims were unable to see a SARC and obtain the services they so desperately needed to heal. Now victims are able to start the healing process and engage in all the support SARC and the Air Force provide without being required to participate in a formal investigation. This also allows the Air Force to preserve evidence from victims who come forward to support future investigations, should they later decide to change their report to unrestricted.

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. Commanders actively support sexual assault prevention and response programs and are responsible for supporting victims, as well as for conducting the criminal justice procedures that enable the accused to be held appropriately accountable. Commanders notified of a sexual assault must take immediate steps to ensure the physical safety, emotional security and medical treatment needs of a victim are met, and that the appropriate investigative agency and sexual assault response coordinator is notified. Furthermore, the commander's role is to protect sex-

ual assault victims, witnesses, bystanders, first responders and other parties to the incident from coercion, ostracism, maltreatment, discrimination, reprisal and retaliation.

It is my understanding that every commander in the Air Force is provided training prior to taking command to ensure that he or she is fully informed of all the available resources to support a victim of sexual assault. Through their training and support from their sexual assault response coordinator, a commander is made aware of the array of personnel actions, to include expedited transfers, which are available and may be appropriate.

Question. What is your understanding of the adequacy of Air Force resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. I understand that the Air Force provides a multitude of resources to assist victims of sexual assault. Regarding legal support, the Special Victims' Counsel (SCS) program provides holistic legal representation to victims, ranging from advising victims on all aspects of the military justice process to traditional legal assistance. Victims who do not desire SVC representation can still seek traditional legal assistance at the legal office for issues that may stem from a sexual assault, such as breaking a lease, divorce or other personal legal matters. Further, Victim Witness Assistance Program personnel in the legal office assist victims and witnesses through the military justice process and assist Sexual Assault Prevention and Response personnel and SVCs in providing care to victims.

My understanding is that victims also have a variety of medical and psychological resources available to them. The Air Force Medical Service has trained Sexual Assault Nurse Examiners available to every Military Treatment Facility to serve as the medical point of contact post-assault when medical care for the purposes of collecting forensic evidence or assessing and treating medically-related injuries is necessary. Victims are offered mental health support by providers who are expertly trained to deliver both crisis-counseling services and ongoing care often needed when overcoming trauma events.

If confirmed, I look forward to the opportunity to closely review these programs and resources to determine whether any modifications or augmentations are needed or appropriate.

Question. What is your view of the Air Force's Special Victim Counsel Program?

Answer. I've been informed that since the Program's groundbreaking establishment in 2013, the Air Force's Special Victims' Counsel Program has served 2005 clients, including 58 child clients. In my view, the Program has been successful assisting victims of sexual assault navigate the military justice process and resolve legal issues associated with their sexual assault, to include retaliation and privacy concerns. If confirmed, I look forward to supporting the Special Victim Counsel program as part of the Air Force's comprehensive efforts to address and prevent sexual assault.

Question. What is your view of the steps the Air Force has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. In my view, the decrease in prevalence and the increase in reporting are strong indicators that the Air Force's efforts are making progress. I understand that the Air Force has built a robust response system that's unmatched in the civilian community and will continue expanding its prevention strategy designed to eliminate sexual assault from its ranks. If confirmed, I am committed to supporting these efforts.

Question. What is your view of the adequacy of the training and resources Air Force has in place to investigate and prosecute allegations of sexual assault?

Answer. I have not yet had an opportunity to assess the adequacy of training and resources employed by the Air Force for investigation and prosecution of cases. I am aware that the Air Force established a worldwide special victim's investigation and prosecution capability. These prosecutors and investigators received specialized training in investigating and prosecuting sexual assault cases and currently assist other agents and judge advocates across the Air Force in the investigation and prosecution of sexual assault cases. If confirmed, I will assess the adequacy of these programs and their required resources to determine whether any recommended changes are needed.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. I believe that the chain of command is vital in creating and maintaining a professional and respectful climate in every military unit. The ability to set standards and enforce them through judicial and non-judicial punishment is critical to ensuring that all airmen reflect Air Force values and standards of conduct.

Question. Surveys report that up to 62 percent of victims who report a sexual assault perceive professional or social retaliation for reporting. If confirmed, what will you do to address the issue of retaliation for reporting a sexual assault?

Answer. Addressing fears of retaliation is critical to any efforts to encourage greater reporting of sexual assault and providing care for victims. Climate surveys and other research indicate, airmen have a high level of trust and confidence in their commanders. What is becoming more apparent is that the "retaliation" that is often discussed is in the form of negative responses or a perceived stigma from their fellow airmen.

Retaliation not only harms the lives and careers of victims, bystanders, witnesses and first responders, but it also undermines military readiness and weakens the culture of dignity and respect. Without question, retaliation has no place in the Air Force. If confirmed, I intend to work closely with the prevention and response professionals to institute education for commanders and airmen at all levels about the impact of sexual assault on an individual and proper ways to care for one another.

As part of these efforts, commanders must be prepared and trained to understand the immense trauma that accompanies any sexual assault, to include the behavioral and mental health issues that may arise in connection with these crimes. If confirmed, I will work to ensure that in-depth training and guidance on sexual assault trauma is assists commanders in their efforts to support victims in recovery.

Additionally, I understand that a recent change to Air Force policy requires airmen be advised of their right to request review by a general officer if they believe the Commander's recommendation for involuntary (administrative) discharge was initiated in retaliation for having made an unrestricted report of sexual assault within the previous twelve months. I look forward to further reviewing the effects of these and other policies and programs if confirmed.

Question. Sexual assault is a significantly underreported crime in our society and in the military. If confirmed, what will you do to increase reporting of sexual assaults by military victims?

Answer. I believe the key to increased reporting is a two part message: First we must to continue emphasize that sexual assault and sexual harassment have no place in the Air Force. However, should a sexual assault occur, we should encourage victims to select a reporting option and get the care they need. To sustain these efforts, we must properly resource efforts across the spectrum of reporting, response and prevention.

The most under-reporting group in the Air Force is male victims. In the last year, the Air Force specifically focused on the subject of "male victimization" during annual Sexual Assault Prevention and Response training. In a further effort to increase reporting, the Air Force led the DOD by offering Sexual Assault Prevention and Response services to civilian employees. This important effort has opened the door for ALL airmen to be treated with dignity and respect, and to be empowered to start down the path of healing as valued members of the service. If confirmed, I will continue to look for ways to better serve victims of this crime.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command, instead of a military commander in the grade of O–6 or above as is currently the Department's policy, to determine whether allegations of sexual assault should be prosecuted?

Answer. The commander and the judge advocate must continue to play a significant role in the effective prosecution of this crime. Continuing the strong partnership between commanders and their legal advisors is critical to address the needs of victims and to hold alleged offenders appropriately accountable. If confirmed, I would closely review the current policies and procedures in place to ensure that we foster an environment in which victims feel safe and comfortable in reporting such crimes, as we continue to work toward eradication of sexual assault from the Air Force.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Air Force?

Answer. If confirmed, I will work to ensure that the Air Force continues to apply the necessary leadership, resources and manpower toward the goal of eliminating sexual assault from the Air Force. I believe the Air Force is making progress in these efforts, and the new five-year prevention and response strategy General Welsh recently signed will help to build on this success. A continued emphasis on a comprehensive approach with an emphasis on prevention will help the Air Force achieve this goal.

RELIGIOUS GUIDELINES

Question. American military personnel routinely deploy to locations around the world where they must engage and work effectively with allies and with host-country nationals whose faiths and beliefs may be different than their own. For many other cultures, religious faith is not a purely personal and private matter; it is the foundation of their culture and society. Learning to respect the different faiths and beliefs of others, and to understand how accommodating different views can contribute to a diverse force is, some would argue, an essential skill to operational effectiveness.

In your view, do policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. I fully support the Constitutional principles protecting the free exercise of an individual's religious views and the freedom from established religious practices within the workplace. It is my understanding that Air Force policy supports the rights of every Airman to practice the religion of their choice or subscribe to no religious belief at all. I have not, however, had the opportunity to observe the implementation of these policies throughout the Air Force. If confirmed, I would continue the Air Force's commitment to upholding the Constitutional tenets of the "free exercise" and "establishment" clauses, and review policies as necessary to assure continued compliance with the First Amendment.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact unit cohesion and good order and discipline?

Answer. I understand that Air Force policy is aligned with the law and OSD policy supporting an individual's right to express and request accommodation for their sincerely held beliefs unless their expressions of belief impacts military readiness, unit cohesion, good order, discipline, health and safety or mission accomplishment. If confirmed, I will review these policies as required.

Question. In your view, does a military climate that welcomes and respects open and candid discussions about personal religious faith and beliefs in a garrison environment contribute in a positive way to preparing U.S. forces to be effective in overseas assignments?

Answer. I believe that airmen should confidently express their own beliefs while respecting and being sensitive to the viewpoints of others who differ from their own. Open, respectful and candid discussions will help prepare our airmen to respect the different faiths and beliefs of others throughout the world.

Question. Would a policy that discourages open discussions about personal faith and beliefs be more or less effective at preparing servicemembers to work and operate in a pluralistic environment?

Answer. I have not had an opportunity to review the impact such discussions have on preparing airmen for missions, but I believe that any policy discouraging airmen from exercising their Constitutional rights would be less effective at preparing servicemembers to work in a pluralistic environment.

Question. In your view, when performing official military duties outside a worship service, should military chaplains be encouraged to express their personal religious beliefs and tenets of their faith freely, or must they avoid making statements based on their religious beliefs?

Answer. Chaplains should be provided the same opportunities as all airmen to respectfully express their personal religious beliefs without fear of any adverse personnel action. I understand that chaplains are trusted to serve Airman and to understand when it is appropriate to engage in discussions of faith, religion, or spirituality to encourage personal and family health and to enhance Airman resiliency. I also understand that Chaplains are trained and expected to be sensitive to the needs and beliefs of a pluralistic Air Force reflecting a diversity of beliefs.

Question. Do you believe chaplains should be tasked with conducting non-religious training in front of mandatory formations, even if they may be uniquely qualified to speak on the particular topic, such as suicide prevention or substance abuse? If so, do you believe guidance provided to those chaplains on what they should and should not say with respect to their faith is adequate?

Answer. I understand that Chaplains are professionals trained to provide their expertise at these events in an appropriate manner. I have not had an opportunity to review in depth the Air Force's policy concerning the use of Chaplains in non-religious training. If confirmed, I will study this issue to determine if changes in policy are necessary.

OFFICER ACCESSIONS

Question. What, in your view, is the appropriate relative distribution from the sources of commission to meet the Air Force's officer accessions requirements and sustain the viability of the Air Force Academy, Reserve Officer Training Corps, and the Officer Candidate School?

Answer. I understand that the Air Force employs a balance among three officer accession sources to develop high quality officers reflecting a diversity of education, thought, and background. I understand that the Air Force projects approximately 4,447 officer accessions in fiscal year 2018 to meet required end strength, which will require a balanced mix of officers from these sources. If confirmed, I will review the processes and analysis employed to determine the relative distribution of accessions and work to ensure that a balanced approach is maintained to achieve a talented and diverse group of officers.

Question. As force levels for all the services continue to be impacted by both the rising cost of personnel and budget caps, how would you, if confirmed, evaluate and make adjustments, if any, to the relative distribution among sources of commissioning to meet potentially lower officer accession requirements?

Answer. My understanding is that current approach employed by the Air Force affords flexibility to meet changing end strength requirements.

Question. What is your assessment of the ability of the Department to restore end strength if required in response to an emerging national security threat?

Answer. I have not yet had an opportunity to assess the efficacy of current tools and processes to restore Air Force end strength in response to urgent threats and operational needs. I understand that the Air Force utilizes accession capacity to maintain the ability and flexibility to help surge the Air Force in response to any emerging national security threat. If confirmed, I would review these processes to determine whether any changes or adjustments are required.

Question. In your view, does the Defense Officer Personnel Management Act need to be updated to support Air Force Officer accessions?

Answer. I have not had sufficient time to review the process for conducting Air Force Officer accessions to determine whether DOPMA reforms are needed. I am aware that as part of the Department of Defense current Force of the Future study, several DOPMA reforms are being considered. Several modified approaches to DOPMA could help in retaining individual airmen in specific cases and support the management of niche or technical career fields where current up-or-out models restrict progression, prohibit permeability, and limit retention of some key talent. Given the wide reaching effects of such changes, I would first undertake a thorough review of the impacts on the Air Force and the grounds for legislative reform. .

UNITED STATES AIR FORCE ACADEMY

Question. What is your assessment of the policies and procedures at the United States Air Force Academy to prevent and respond appropriately to sexual assaults and sexual harassment and to ensure essential oversight?

Answer. I have not yet had a chance to review the specific policies and procedures in place at the Air Force Academy. If confirmed, I would expect the Air Force Academy to be in full compliance with OSD and AF-wide policy.

Question. What is your assessment of the policies and procedures at the United States Air Force Academy to ensure religious tolerance and respect?

Answer. I have not yet had a chance to review the policies and procedures in effect at the Air Force Academy. I believe that common standards and policies throughout the Air Force, including the Air Force Academy, contribute to a culture of religious tolerance and respect for diversity. If confirmed, I would expect the Air Force Academy to remain in full compliance with OSD and Air Force-wide policy.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. The Department of Defense, in January, 2013, rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and gave the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services are working now to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development and implementation of these standards?

Answer. It is my understanding the Air Force has already developed and validated their mental and physical standards as being gender neutral and in-compliance with public law. As Assistant Secretary of the Air Force for Manpower and Reserve Affairs, my role would be to ensure the Air Force implements and maintains these physical and mental standards in compliance with these laws. If confirmed, I will help ensure the Air Force Inspector General is also engaged to validate the physical and mental occupational standards and to ensure that our implementing methodologies are in compliance with applicable statutes.

Question. If confirmed, will you ensure that the standards are realistic and preserve, or enhance, military readiness and mission capability?

Answer. Yes. My understanding is that current Air Force policy supports the view that operational effectiveness and success results from having airmen who are well trained and well led, with the key component being airmen who meet the individual physical and mental standards regardless of gender.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements? If so, what steps would you take to ensure that such decisions are made on this basis?

Answer. I believe decisions to open positions should be based not solely on bona fide military requirements, but should take into account unit readiness, cohesion, morale, maintaining the best quality and most qualified people, and having a viable career path.

My understanding is that the Air Force has undertaken several studies related to the review of open positions that included 1) validation of the physical occupational standards associated with the six closed career fields; 2) a re-validation of the physical entry standards currently in use for all of our currently open career fields; and 3) a re-validation of the mental entry standards for all our career fields. If confirmed, I would review these assessments and associated criteria before determining whether any adjustments are needed.

Question. If an exception to policy is requested, what criteria should be used to determine whether to grant or deny that exception?

Answer. I have not had a sufficient opportunity to review cases where exceptions to policy would be required. I believe criteria used to evaluate such requests would likely take into account impacts on unit readiness and talent management among others. If confirmed, I will review Air Force career fields to confirm whether such cases exist and the factors used in determining whether an exception is warranted.

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LEGISLATIVE FELLOWSHIP PROGRAM

Question. Each year, the Services assign mid-career officers to the offices of Members of Congress under the Legislative Fellows Program. Upon completion of their legislative fellowships, officers are required to be assigned to follow-on positions in their services in which they effectively use the experience and knowledge they gained during their fellowships.

What is your assessment of the process for the recruitment, selection, preparation, and assignment to Members of Air Force officers in the Legislative Fellows program?

Answer. My understanding is the Air Force has a robust vetting, placement and follow on process for officers in the Legislative Fellows program. I look forward to learning more about it if confirmed.

Question. What is your assessment of the value of the Legislative Fellows program to the Air Force and the utilization of officers who have served as legislative fellows?

Answer. My understanding is the Legislative Fellows Program is part of the Professional Military Education portfolio and is very competitive. Again, I look forward to learning more about it if confirmed.

MANAGEMENT AND DEVELOPMENT OF THE SENIOR EXECUTIVE SERVICE

Question. What is your vision for the management and development of the Air Force senior executive workforce, especially in the critically important areas of acquisition, financial management, and the scientific and technical fields?

Answer. Having served as Principal Deputy Assistant Secretary of the Army for Acquisition, Logistics and Technology, I have significant experience in senior executive talent management in the acquisition workforce and the need for expertise in scientific, engineering and technical career fields. I believe that a successful talent management strategy across all career fields requires several key elements. First,

success in developing executive talent begins at the earliest stages of an individual's career, where mentorship, leader development, retention efforts and career broadening experience are all critical in identifying the pool of future senior executives. Second, efforts must be made to cultivate diversity within the population of senior executives, with a range of experience and skills that contribute to mission success. Finally, I believe that current executives often benefit from continued leadership training and broadening assignments to further develop their individual careers.

In acquisition, engineering and scientific career fields, career civilian employees should receive career path counseling early and often in their careers. Civilian career opportunities that provide growth and responsibility over time are critical to Department-wide goals to retain talented professionals in these career fields.

In all these areas, we must recognize, attract and retain talent to meet the needs of a 21st century security environment. If confirmed, I look forward to supporting the Secretary of the Air Force in these efforts.

MANPOWER AND PERSONNEL SUFFICIENCY

Question. The Air Force has faced challenges to its manpower and personnel sufficiency to successfully navigate looming major force structure efficiencies in a budget constrained environment, particularly with its ISR combat air patrol crew ratios, F–35 Joint Strike Fighter program, and RAP community.

If confirmed, will you commit to monitoring the Air Force's progress towards developing a sufficient manpower and personnel program to address these challenges?

Answer. Yes, I will.

Question. How do you plan on addressing the manpower shortage in the RAP community and making the RAP career path a more attractive option for future airmen?

Answer. The innovation that the Air Force has delivered since the early 2000's in the realm of remotely piloted vehicles and ISR is truly amazing. Continuing to ensure our Air Force can innovate and deliver in this career field will be one of my top priorities. I look forward to working with others in the Department as well as the Congress to ensure that the Air Force meets these critical requirements.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. The Air Force employs many contractors and civilian employees. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as federal employees. Both contractors and civilians make up an integral part of the Department's total workforce.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of the Air Force?

Answer. As noted above, the Department of Defense, including the Air Force, currently relies on a total workforce comprised of military, civilian employees and contracted support to meet missions and requirements. If confirmed, I would work with the Secretary of the Air Force, and leaders across the Air Force to assess the current mix of military civilians and contracted support against current and projected resources and missions while ensuring that the Air Force remains compliant with all applicable statutes and policies across the Department.

Question. In your view, has the Air Force utilized contractors to perform basic functions in an appropriate manner?

Answer. I have not yet had an opportunity to review the roles and functions assigned to contractors across the Air Force. If confirmed, I would work with the Secretary of the Air Force, and leaders across the Air Force to assess this matter so as to ensure compliance with the law and with OSD policy.

Question. Do you believe that the Air Force should continuously assess "inherently governmental functions" and other critical government functions, and how they are performed?

Answer. Yes, I do.

Question. What should be the primary factor in determining the allocation of work between the civilian and contractor workforces?

Answer. The primary factor should be compliance with rules regarding inherently governmental functions. Consideration of the duties and functions that should reside within the government must be a primary consideration in allocating any work between a civilian workforce and contracted support.

Question. If confirmed, will you work with other appropriate officials in the Air Force to review the contractor and civilian force mix for cost and mission effectiveness?

Answer. If confirmed, I would support all efforts to ensure compliance with the law, and if modifications are determined to be necessary, to work with Congress as necessary.

Question. Would you agree that the balance between civilian employees and contractor employees in performing Air Force functions should be determined by the best interests of the Air Force and its mission requirements?

Answer. Yes, I agree.

Question. If confirmed, will you work to remove any artificial constraints placed on the size of the Air Force's civilian and contractor workforce, so that the Air Force can hire the number and type of employees most appropriate to accomplish its mission?

Answer. If confirmed, I will work with Air Force leaders to ensure compliance with all applicable statutes regarding the civilian-contractor force mix. I would also review the current and projected force mix against mission requirements and recommend adjustments as appropriate.

Question. The Air Force submitted a reprogramming request to the congressional defense committees this summer to address civilian personnel cost underestimations resulting from a budgeting error and indicated that the same issue exists for the fiscal year 2016 budget. The Air Force further indicated that had Congress not supported the reprogramming request, some civilian employees would have been furloughed.

What steps has the Air Force taken to remedy the budget shortfall for fiscal year 2016?

Answer. I have not yet had an opportunity to review the circumstances that gave rise to the reprogramming request in question. I understand that the Air Force is currently working to identify resources to meet these requirements from other programs and sources. If confirmed I will work closely with the Secretary of the Air Force and leaders across the Air Force to fully source civilian pay requirements for fiscal year 2016 and to prevent similar issues in the future, provided that such shortfalls can be identified and addressed earlier.

Question. If confirmed, what steps would you take to ensure this personnel management problem is corrected and does not reoccur?

Answer. If confirmed I will ensure that the Air Force remains committed to sourcing the civilian pay funds needed to sustain our workforce and that our future budget submissions accurately depict civilian workforce resource requirements.

HEADQUARTERS REDUCTIONS

Question. The Department of Defense is currently under a mandate to reduce its headquarters staff by 20 percent. This mandate included guidance from Secretary Carter, who was Deputy Secretary of Defense at the time, to strive for a goal of a 20-percent reduction in government civilian staff by eliminating activities and to not grow subordinate headquarters.

To this date, how many Air Force civilians have been divested as a result of this 20 percent reduction?

Answer. My understanding is the Air Force fiscal year 2016 budget submission included a reduction of 790 management headquarters and ~600 non-management headquarters civilian positions.

Question. What financial options were offered to those employees who were divested? Was ERA/VSIP used?

Answer. My understanding is that VERA/VSIP was offered in fiscal year 2015.

Question. How many have been retrained and moved into other jobs within the Air Force?

Answer. It's been explained to me that all remaining reductions or outplacements will be made by the end of fiscal year 2016.

Question. How many of the positions "reduced" were cuts to unencumbered billeted positions?

Answer. Of the these 1,400 positions reduced from headquarters, administrative, and support activities, about 500 were unencumbered as a result of prior sequestration driven hiring controls.

Question. How many military billets were cut as a result of the 20 percent reduction?

Answer. The Air Force fiscal year 2016 budget submission included a reduction of 2,200 military positions.

Question. Provide examples of functions and activities that were eliminated as a result of the Air Force's 20 percent headquarters reduction.

Answer. One of the ways the Air Force met this reduction was to consolidate installation management support at multiple headquarters locations into a single staff.

Question. Was the reduction met through a 20 percent reduction in government civilian staff as directed by Secretary Carter, or was it met through a combination of civilian and military billets? Provide the percentages for each type of manpower reduced.

Answer. I haven't been briefed in detail on this topic, but I will explore it deeper if confirmed.

Question. How many billets, military and civilian, were moved from management headquarters to subordinate commands and detachments, specifically the Twenty Fifth Air Force and the Installation Mission Support Center?

Answer. Again, I haven't been briefed in detail on this topic, but am committed to understanding how and why the Air Force took this course of action to meet the 20 percent reduction target.

ACQUISITION AND TECHNOLOGY WORKFORCE

Question. The Department of Defense is in a global competition for the highest quality STEM professionals at the entry-level, mid-career, and senior levels. These individuals are charged with managing billions of dollars' worth of taxpayer resources in complex acquisition programs, directly providing technical support to military operations, supporting the development of technically informed policies and regulations in areas ranging from cybersecurity to use of drones; and performing world class research and engineering functions in in house labs and centers.

Do you feel that the Air Force can currently compete with the private sector for the highest quality technical performers at the early career, mid-career, and senior levels?

Answer. Despite the intensifying domestic and international demand for STEM professionals, I believe the Air Force competes well with the private sector in attracting, recruiting and retaining our Nation's best and brightest. As Secretary Carter recently stated, our airmen have the opportunity to work with the most cutting-edge technologies spanning everything from robotics to biomedical engineering. I believe that the Air Force mission affords opportunities to STEM professionals unlike any other outside of the Department of Defense. My experience in Army acquisition is consistent. However, the combination of emerging threats and the rapid pace of technological change call for further efforts to attract, train and develop talented professionals in the acquisition workforce. If confirmed, I will work with Air Force leadership continue and build upon efforts to ensure we can attract, recruit and retain the highest quality technical workforce necessary to keep our technological edge.

Question. How will you work to enhance policies and flexibilities necessary to allow the Air Force to compete with the private sector for this talent?

Answer. Over the last several years, the Congress has provided the Department of Defense with expanded personnel authorities for our technical workforce. Other authorities, such as broadended and expedited civilian hiring and compensation authorities, will help the Air Force continue to compete with the private sector for the best talent. If confirmed, I will review the Air Force's implementation of these authorities and tools and ensure that the Air Force adopts the necessary policies to fully implement the provided authorities.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of the Air Force for Manpower and Reserve Affairs?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings, and other communications of information are provided in a timely manner to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

REMOTELY PILOTED AIRCRAFT

1. Senator MCCAIN. Mr. Camarillo, as you are aware, the U.S. Army operates some of the same medium altitude ISR platforms as the Air Force, using warrant officers and enlisted personnel to supervise and conduct ISR and strike operations, and their units are led by few officers. What is your assessment of the Air Force reintroducing a warrant officer program or using enlisted personnel to operate its Remotely Piloted Aircraft (RPA) fleets to increase manning and reduce costs, as well as relieve manning level stress on other rated career fields?

Mr. LETTRE. Given the ongoing high demand for ISR capabilities, is my understanding that the Air Force is actively exploring a range of options to address the shortfall of RPA operators. My understanding is that the Air Force is seriously considering several approaches to meet requirements for RPA operators, to include enlisted personnel. As demand for critical Air Force assets increases, I believe that the Air Force must continue to assess and maximize the full capability of its talented officer and enlisted airmen.

AIR FORCE WARRANT OFFICER PROGRAM

2. Senator MCCAIN. Mr. Camarillo, in the Air Force's response to the National Commission on the Structure of the Air Force's (NCSAF) recommendation (#42) on Up or Out policy, the Commission recommends, "Congress should amend restrictive aspects of current statutes that mandate 'up-or-out' career management policies to enable the Air Force to retain airmen of all components actively working in career fields where substantial investment in training and career development has been made and where it serves the needs of the Air Force." In your opinion, would reinstituting a warrant officer program in the Air Force attract and keep certain skilled people who are more interested in remaining in a particular career field rather than worrying about additional institutional requirements they must accomplish for promotion in the officer ranks?

Mr. CAMARILLO. My understanding is that the Air Force has taken deliberate steps to grow and retain manpower in critical areas using several approaches. These include increased accessions, retention incentives, retraining efforts and reserve component utilization. If confirmed, I would first assess the effectiveness of these combined efforts to help determine whether alternative strategies are required.

3. Senator MCCAIN. Mr. Camarillo, do you believe certain career fields could receive benefit from a warrant officer program in operational or technical positions such pilot training instructor pilots, remotely piloted aircraft pilots, and cyber warfare specialties?

Mr. CAMARILLO. I believe that it is a priority for the Air Force to consider a range of options to meet the high demand for skilled positions in order to maintain readiness and mission effectiveness. If confirmed, I would closely review this proposal as part of a comprehensive effort to address requirements for technical expertise.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

AIR NATIONAL GUARD

4. Senator AYOTTE. Mr. Camarillo, you are nominated to be the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. Have you reviewed the January 2014 National Commission on the Structure of the Air Force report?

Mr. CAMARILLO. Yes.

5. Senator AYOTTE. Mr. Camarillo, the Commission concluded that the Air Force has committed the resources necessary to allow the Reserve component to "maintain the same standards of skill and operational readiness as the Active component." That has certainly been my experience, and we could not have carried out the wars in Iraq and Afghanistan without the Reserve component. The commission also concluded that the "capability delivered by traditional Reservists and Guardsmen who do not serve continuously on Active Duty—costs less than the force structure provided by 'full time' personnel." If confirmed, in this environment of growing threats and constrained defense budgets, will you work with your colleagues to look for opportunities where we can maximize the use of Reserve component personnel to accomplish missions and provide capabilities at a lower cost to the taxpayer?

Mr. CAMARILLO. Yes. The Reserve component has provided critical support to Air Force missions throughout the course of sustained combat operations. If confirmed, I intend to work with Air Force leadership to continue to seek opportunities where we can maximize the use of Reserve component personnel to lower costs while still effectively employing the AF's capabilities to fulfill our assigned missions.

QUESTIONS SUBMITTED BY SENATOR JOE DONNELLY

AIR FORCE ASSOCIATE UNITS

6. Senator DONNELLY. Mr. Camarillo, in its 2014 report, the National Commission on the Structure of the Air Force recommended creating more Associate Units. The Commission noted that hosting these units on Reserve component bases "is inherently less expensive because those bases tend to have fewer non-operational facilities than Active component installations do." If confirmed, will you work to expand the number of Reserve-led Associate Units in the Air Force? Please explain.

Mr. CAMARILLO. If confirmed, I will work with Air Force leadership to explore potential benefits of economically feasible basing options, including looking closely at the potential benefit of further hosting of associated units on Reserve component bases.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

CYBER SECURITY

7. Senator GILLIBRAND. Mr. Camarillo, DOD is continuing to expand its Cyber Mission Force, which serves to defend against cyberattacks and offer cyber support to military operations. Funding is expected to end next year, and it is not clear how we will train future cyber warriors after then. What do you think should be the role of the different Services and the Air Force specifically in training our cyber operators?

Mr. CAMARILLO. The development and training of a cyber mission workforce remains a critical priority across the Department in response to rapidly evolving threats. I recognize that the military services, including the Air Force, will play a significant role in recruiting, training, and managing talent to meet cyber defense requirements. If confirmed, I will work with stakeholders to address these requirements currently met by NSA and CYBERCOM.

8. Senator GILLIBRAND. Mr. Camarillo, if each Service trains these cyber warriors separately, how can we ensure each service meets a high standard of training?

Mr. CAMARILLO. If confirmed, I would work with CYBERCOM, the military services and other organizations across the Department to ensure that training standards and best practices are consistently applied in the development of our cyber workforce.

9. Senator GILLIBRAND. Mr. Camarillo, the Air Force will have cyber protection teams in the Reserve component that will serve as part of its contribution to the Cyber Mission Forces. What do you see as the role of the Reserve components in serving the cyber mission?

Mr. CAMARILLO. I see the Reserve components as having a critical role as a member of the Total Force Cyber Protection Team, operating side-by-side with Active Duty airmen.

WOMEN IN COMBAT

10. Senator GILLIBRAND. Mr. Camarillo, as I'm sure you are well aware, just last week Secretary of Defense Ash Carter announced that all combat roles would be open to women, and that he would not grant any exceptions to the Services. The Air Force has embraced the integration of women, having already opened the preponderance of billets to women. What steps are needed to ensure integration is completed effectively?

Mr. CAMARILLO. As Secretary Carter has stated, integration will follow a deliberate process that focuses on readiness and combat effectiveness while ensuring that all positions are filled according to ability, not gender. My understanding is the Air Force is currently working to finalize and submit an integration plan to Secretary Carter by January 1, 2016. If confirmed, I look forward to working with Air Force leadership in the implementation of this policy.

11. Senator GILLIBRAND. Mr. Camarillo, how do we ensure that women continue to be successful in the Air Force?

Mr. CAMARILLO. My understanding is that the Air Force is committed to ensuring all of our airmen, regardless of gender, have the opportunity to succeed and carry out rewarding careers in service to our nation. If confirmed, I look forward to supporting ongoing Air Force efforts to promote diversity and unlock talent in the workforce. This includes several retention initiatives, such as the Career Intermission Program and the Air Force's recent establishment of a mentoring program. If confirmed, I would review these and other initiatives and work with Secretary James to ensure that all servicemembers have an equal opportunity to succeed in their careers.

[The nomination reference of Mr. Gabriel O. Camarillo follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
April 13, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Gabriel Camarillo of Texas, to be an Assistant Secretary of the Air Force, vice Daniel Ginsberg.

[The biographical sketch of Mr. Gabriel O. Camarillo, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MR. GABRIEL O. CAMARILLO

Education:

- Stanford University Law School
  - o 1999-2002
  - o Juris Doctor
- Georgetown University
  - o 1995-1998
  - o Bachelor of Arts

Employment Record:

- Office of the Assistant Secretary of the Army (Acquisition, Logistics, and Technology), Department of the Army, Pentagon, Arlington, VA
  - o Position: Principal Deputy Assistant Secretary of the Army (Acquisition, Logistics, and Technology)
  - o December 2012-present
- Office of the Assistant Secretary of the Army (Acquisition, Logistics, and Technology), Department of the Army, Pentagon, Arlington, VA
  - o Position: Special Assistant to the Assistant Secretary of the Army (Acquisition, Logistics, and Technology)
  - o May 2010–December 2012
- Kaufman Legal Group, Los Angeles, CA

- o Position: Associate
- o May 2009–May 2010
- Sutton Law Firm, San Francisco, CA
  - o Position: Of Counsel
  - o August 2008–April 2009
- Obama Campaign for Change, Albuquerque, NM
  - o Position: Deputy Voter Protection Coordinator
  - o September 2008–November 2008
- Sutton Law Firm, San Francisco, CA
  - o Position: Associate
  - o August 2004–August 2008
- Office of Representative Calvin Dooley, Fresno, CA
  - o Position: Field Representative
  - o March 2004–August 2004
- Lisa Quigley for Congress, Fresno, CA
  - o Position: Campaign Manager
  - o September 2003–March 2004
- Akin Gump, LLP, Austin, TX
  - o Position: Associate
  - o September 2002–September 2003
- Akin Gump, LLP, Austin, TX
  - o Position: Summer Associate
  - o July 2001–August 2001
- Jenkens and Gilchrist PC, Austin, TX
  - o Position: Summer Associate
  - o June 2001–July 2000
- Adam Schiff for Congress, Pasadena, CA
  - o Position: Finance Consultant
  - o July 2000–August 2000
- Jenkens and Gilchrist PC, Austin, TX
  - o Position: Summer Associate
  - o June 2000–July 2000
- City of El Paso, Texas, Office of Economic Development, El Paso, TX
  - o Position: Intern/Research Associate
  - o June 1999–August 1999
- Office of Representative Calvin Dooley, Washington, DC
  - o Position: Legislative Assistant/Deputy Press Secretary
  - o May 1998–May 1999

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Gabriel O. Camarillo in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Gabriel Omar Camarillo

2. **Position to which nominated:**
Assistant Secretary of the Air Force (Manpower & Reserve Affairs)

3. **Date of nomination:**
April 13, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
August 25, 1976.
El Paso, Texas, USA.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Pilar Nicole Tidball.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
- Stanford University Law School, Stanford, CA, 1999–2002, Juris Doctor (2002).
- Georgetown University, Washington, DC, 1995–1998, Bachelor of Arts (1998).
- St. Mary's University, San Antonio, TX, 1994–1995, (Transfer to Georgetown University).
- J.M. Hanks High School, El Paso, TX, 1990–1994, High School Diploma.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
- Principal Deputy Assistant Secretary of the Army (Acquisition, Logistics & Technology), Department of the Army, Pentagon, Arlington, VA, December 2012–present.
- Special Assistant to the Assistant Secretary of the Army (Acquisition Logistics & Technology), Department of the Army, Pentagon, Arlington, VA, May 2010–December 2012.
- Associate, Kaufman Legal Group, Los Angeles, CA, May 2009–May 2010 (*On extended leave of absence from 2010–2014*).
- Of Counsel, Sutton Law Firm, San Francisco, CA, August 2008–April 2009.
- Deputy Voter Protection Coordinator, Obama Campaign for Change, Albuquerque, NM, September 2008–November 2008.
- Associate, Sutton Law Firm, San Francisco, CA, August 2004–August 2008.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
- Field Representative, Office of Representative Calvin Dooley, Fresno, CA, March 2004–August 2004.
- Intern/Research Associate, City of El Paso, Texas, Office of Economic Development, June–August 1999.
- Legislative Assistant/Deputy Press Secretary, Office of Representative Calvin Dooley, Washington, DC, May 1998–May 1999.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.
California Bar Association
Texas Bar Association
Association of the United States Army

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

While practicing law in 2010, I represented the following political committees:

- Alfredo Amezcua for Mayor 2010.
- Blue America PAC.
- Bass for Assembly 2008.
- Strengthening California Through Leadership.
- Karen Bass for Congress.
- Adeena Bleich 2009.
- Brave New PAC.
- Friends of Barbara Boxer.
- PAC for a Change.
- Boxer/Franken 2009
- Boxer/Oberstar 2010.
- Reid/Boxer 2010.
- Bradford for Assembly 2009.
- Bradford for Assembly 2010.
- Friends of Betsy Butler for Assembly 2010.
- Courage Campaign Civic Action Fund.
- Courage Campaign Issues Committee.
- Californians for a Democratic Majority.
- Californians for Fair Elections.
- Californians for a Fresh Start.
- John Chiang for Controller 2010.
- Judy Chu for Congress 2010.
- Judy Chu for Congress.
- Coto for Assembly 2008.
- Coto for Assembly 2012.
- California United Homecare Workers PAC.
- California Voters First.
- California Working Families.
- For Our Children's Future.
- Rocky J. Delgadillo for Attorney General.
- California Progress.
- Mitchell Englander for City Council 2011.
- Bob Foster for Mayor 2010.
- Election Watchdog, Sponsored by: Consumer Watchdog Campaign.
- Californians for Real Insurance Reform, Sponsored by: Consumer Watchdog Campaign.
- Fuentes for Assembly 2010.
- Fuentes Reform CA Ballot Measure Cmte.
- Tamar Galatzan for School Board.
- Tamar Galatzan for City Council 2009.
- Monica Garcia for State Assembly 2010.
- Chris Garland for Assembly 2010.
- Wendy Greuel for Controller 2009.
- Mothers Against Gang Violence.
- Janice Hahn for Lieutenant Governor 2010.
- Friends of Hannah Beth Jackson 2008.
- Hollywood Chamber of Commerce PAC.
- Homes for LA Families.
- Human Rights Campaign: California Marriage PAC—No on 8.
- IBEW, Local No. 11 PAC.
- IBEW, Local 18, AFL–CIO: Water & Power Defense League.
- Believing in a Better California.
- Kevin de Leon 2010.
- Kevin de Leon for Senate 2010.
- Los Angeles Area Chamber of Commerce PAC.
- Committee to Reform LA—Yes on Measure R.
- Los Angeles Area Chamber of Commerce Issues Committee.
- Level the Playing Field 2010.
- Manuel Perez for Assembly.
- Committee to Re-Elect Assemblymember Manuel Perez.
- Padilla for Senate 2010.
- California 2020.

- Dr. Richard Pan for Assembly 2010.
- Taxpayers for Chris Parker for BOE 2010.
- Los Angeles Court Reporters Political Action Committee aka PARLAC.
- John A. Perez for Assembly 2010.
- Building California's Future: John A. Perez Ballot Measure Committee.
- IJA Plumbers Local 78 PAC.
- Bill Rosendahl for City Council.
- Schiff for Congress.
- USA PAC.
- Local 6434 State PAC.
- Local 6434 Issues Committee.
- SEIU Local 721 State and Local PAC.
- SEIU Local 721 State Issues & Initiatives Committee.
- SEIU Local 721 CLC Workers' Strength Committee.
- Coalition for a Responsible Government.
- Save South Pasadena Schools.
- Torres for Assembly 2010.
- Californians for Trust, Responsibility, Unity & Empowerment PAC.
- United Firefighters of Los Angeles City State PAC.
- United Firefighters of Los Angeles City Issues Committee.
- Mayor's Committee on Governmental Ethics and Accountability.
- Antonio R. Villaraigosa for Mayor 2009.
- Vote Strong CA State PAC.
- Citizens for Waters.
- Working Californians.
- Working Californians Issues Committee.
- Das Williams for Assembly 2010.
- Women's Political Committee—State.
- Women's Political Committee—Federal.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

None.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

- March 2015: Army Industry Day, hosted by Aerospace Industries Association.
- March 2015: General Officer/Senior Executive Service Force Integration Course.
- March 2015: National Defense Industrial Association Procurement Division Luncheon.
- November 2014: Gilbert A. Cuneo Lecture, Contract and Fiscal Law New Developments Course, Judge Advocate General School.
- October 2014: Association of the United States Army Small Business Forum.
- September 2014: Army Acquisition Center of Excellence Course.
- June 2014: General Officer/Senior Executive Service Force Integration Course.
- February 2014: Munitions Executive Summit.
- January 2014: Fort Bliss Small Business Conference.
- October 2013: Association of the United States Army Small Business Forum.
- September 2013: 10th National Small Business Conference, National Defense Industrial Association.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

GABRIEL O. CAMARILLO

This 14th day of April, 2015

[The nomination of the Mr. Gabriel O. Camarillo was reported to the Senate by Chairman McCain on December 15, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 16, 2015.]

[Prepared questions submitted to Mr. John E. Sparks by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. Subchapter XII chapter 47 of title 10, United States Code, establishes the United States Court of Appeals for the Armed Forces (USCAAF) and provides for its organization and administrative procedures.

What is your understanding of the duties and functions of the USCAAF and its judges?

Answer. Congress established the court in 1950 to provide specialized independent civilian review of courts-martial with the goal of promoting good order and discipline in the Armed Forces while also ensuring just treatment of the accused.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I spent 7 years as an infantry officer, 15 years as an Active Duty judge advocate, and almost 15 years as the senior adviser to a judge on the USCAAF. My duties as an infantry officer included time spent as an executive officer and a commanding officer of a rifle company. My years as a judge advocate included extensive trial experience as a military prosecutor, defense counsel and military judge. As adviser to a sitting USCAAF judge, I was intimately involved in the research and drafting of appellate opinions for that judge.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of a judge on the USCAAF?

Answer. I continue to stay abreast of developments in military justice and the criminal law generally, and I do not believe there are other actions I need to take at this point.

RELATIONSHIPS

Question. What are the respective roles of each of the following with respect to the military justice system, and if confirmed, what would your relationship be with:

The Secretary of Defense.

Answer. Under 10 U.S.C. 113, the Secretary of Defense exercises "authority, direction, and control" over the Department of Defense. Although the Secretary is not involved in day-to-day military justice matters, he is ultimately responsible for setting policy with regard to all matters affecting the Department including the area of military justice. Article 141 of the UCMJ provides that USCAAF "is located for administrative purposes only in the Department of Defense." This is consistent with the congressional drafters' intent that the court be established as an independent entity outside of the purview of the Secretary while also recognizing, at the time, that the court would need some level of support. As far as I could tell from my years working at the court, this arrangement has worked well and the relationship between the Department and the court is a good one. If confirmed I would strive to maintain the quality of this important relationship.

Question. The Chief Judge of the USCAAF.

Answer. Under Article 143, the Chief Judge is determined by seniority of commission. The Chief Judge is for all practical purposes the "agency head," so to speak. As such, he has a variety of administrative duties that the associate judges do not have. I have known the current Chief Judge for about 13 years and our relationship is one of mutual respect. If confirmed, I expect this relationship of mutual respect and collegiality to continue.

Question. Judges of the CAAF.

Answer. Except for the administrative duties lodged in the Chief Judge, the judges of the USCAAF are equal, differing only in seniority. I have known all of the current judges on the court for a number of years. As with the current Chief Judge, my relationship with the associate judges has been one of mutual respect and I do not expect this to change if I am confirmed.

Question. The military courts of criminal appeals.

Answer. The courts of criminal appeals are established under Article 66 of the UCMJ to conduct mandatory appellate review of cases "in which the sentence, as approved, extends to death, dismissal of a commissioned officer, cadet or midshipman, dishonorable or bad-conduct discharge, or confinement for one year or more." I have always been impressed with the competence of the judges sitting on these courts and the quality of their work. It has been my experience that they have a healthy respect for the USCAAF judges and that the relationship between the lower courts and the USCAAF is a good one. If confirmed, I would not expect this to change.

Question. The General Counsel of the Department of Defense.

Answer. Under 10 U.S.C. 140(b), the General Counsel of the Department of Defense is the chief legal officer of the Department, and performs such duties as the Secretary may prescribe. Though not normally involved in the day-to-day operation of the military justice system, the General Counsel is substantially involved in the formulation of the Department's legal policy and its legislative recommendations to Congress. Although I expect my relationship with the General Counsel would be one of mutual respect if I am confirmed, I do not expect that it will be marked by frequent interaction.

Question. The Judge Advocates General of the Army, Navy, and Air Force, and the Staff Judge Advocate to the Commandant of the Marine Corps.

Answer. Under Article 6 of the UCMJ, the Judge Advocates General are statutorily responsible for the administration of military justice within their respective services. The relationship of the judges of the USCAAF to the Judge Advocates General must therefore, while remaining mutually respectful, always maintain the distance essential to the appearance, and indeed the actuality, of judicial neutrality and independence.

LEGAL ISSUES

Question. What do you anticipate would be the most significant legal issues you will be called upon to address if confirmed as a judge of the USCAAF?

Answer. As far as I know, cases involving sex offenses such as child pornography, child sex abuse and sexual assault continue to occupy a significant portion of the court's docket. Regarding sexual assault cases in particular, I anticipate that a number of new issues will likely confront the court given the changes to the statutory offenses in recent years, including issues likely to arise concerning the very important role of the special victims counsel. Secondly, I anticipate that the issue of the continued viability of the military death penalty may eventually find its way to the

court, depending what, if anything, the Supreme Court ends up saying about the death penalty generally.

JURISDICTION OF THE USCAAF

Question. In your view, has the USCAAF fulfilled the expectations of Congress when the Court was established in 1951?

Answer. Yes. The court continues to provide effective and necessary civilian review of military cases and remains an independent bulwark against unlawful influence.

Question. In your view, are there any legislative changes needed regarding the role and responsibilities or the jurisdiction of the USCAAF?

Answer. None that come to mind at this time.

DECISIONS OF THE USCAAF

Question. Please describe the three decisions of the USCAAF since 2005 which you believe to have been the most significant.

Answer. *United States* v. *Denedo,* 66 M.J. 114 (C.A.A.F. 2008). The accused in this case pleaded guilty in 1999 to certain offenses. Seven years later he discovered that his court-martial conviction rendered him eligible for deportation. He petitioned the Court of Criminal Appeals for a writ of error coram nobis alleging that his defense counsel had not informed him of this potential consequence. The lower court denied his petition and he appealed to the USCAAF. The USCAAF held that Denedo had met the requirements for such a writ.

United States v. *Miller,* 67 M.J. 385 (C.A.A.F. 2009). This case overruled longstanding case law that suggested an accused was on notice of a lesser included offense under Article 134 because every enumerated offense under the UCMJ was per se prejudicial to good order and discipline. Thus, Miller rejected the notion of implied elements.

United States v. *Fosler,* 70 M.J. 225 (C.A.A.F. 2011). This case held that a specification charged under Article 134 must allege either expressly or by necessary implication one of the terminal elements of Article 134 or else it fails to state an offense. Previously, the express allegation of the terminal elements of Article 134 had not been viewed as necessary.

Question. What is your view of the role of stare decisis in terms of prior decisions of the USCAAF?

Answer. The doctrine of *stare decisis* is an essential guiding principle for any appellate court since it provides consistency and stability in the law. There may be instances where a precedent has become unworkable or other developments in the law have reduced the precedent to nothing more than a less than useful relic of a prior era. In such cases the continued vitality of the precedent should be examined. Otherwise, courts should adhere to the doctrine for the reason stated.

Question. In view of Article 36 of the UCMJ, what is your view as to the hierarchy of sources of law that must be applied by the USCAAF in addressing rules of evidence and procedure in the administration of the military justice system?

Answer. Generally, the courts have considered the following hierarchy of sources: the Constitution as applied to members of the armed forces; the UCMJ and other applicable statutes; the Manual for Courts-Martial and other applicable Executive Orders and presidential issuances; other rules incorporated into military practice under authority recognized by the Manual for Courts-Martial; and other executive branch issuances. As a general matter, the courts under Article 36 have applied the provisions of the Manual for Courts-Martial unless a Manual provision is contrary to or inconsistent with the UCMJ or the Constitution.

Question. In your view, what is the appropriate standard for determining when the USCAAF should apply a Rule for Courts-Martial or Military Rule of Evidence that is different from the rule generally applied in the trial of criminal cases in the Federal district courts?

Answer. Under Article 36, if the matter is governed by the Manual for Courts-Martial, and the provision is "not contrary to or inconsistent with" the UCMJ or the Constitution, the courts generally have determined that the Manual provision is applicable. If there is no rule in the Manual, the courts have looked to the rules generally applicable to the trial of criminal cases in the federal district courts to the extent not inconsistent with the UCMJ. Further, if a properly issued executive branch rule is more protective of the accused than the rule generally applied in federal courts or at common law, the courts generally have viewed the executive branch issuance as applicable.

MILITARY JUSTICE SYSTEM

Question. In your view, what are the major strengths and weaknesses of the military justice system?

Answer. In my view the following are strengths of the system, 1) qualified defense counsel provided free of charge to the accused at both the trial and appellate level; 2) Article 31 of the UCMJ which affords the accused greater protections against self-incrimination than most civilian criminal justice systems; 3) a system of appellate review within each service and by the USCAAF with certiorari to the U.S. Supreme Court; and 4) sufficient resources devoted to the trial of criminal cases so that each case receives the necessary and appropriate amount of attention.

I consider the following to be weaknesses remaining in the system, 1) because of the very nature of a military organization there remains the constant potential for unlawful influence to affect the disposition of cases before and after trial; and 2) the military's inability to overcome a flawed perception among some members of the public and the media that the military justice system is not at all protective of an accused person's rights and is therefore, anything but a credible criminal justice system.

Question. In your opinion, does the military justice system afford a fair and just system for military personnel accused of violations of the UCMJ?

Answer. In the context of the need to maintain good order and discipline, I believe the military justice system is both fair and just. However, that is not to say that there isn't well founded criticism of the system, or that there are not problems with the system upon which reasonable minds might debate. Because the system rests upon the delicate balance between maintaining good order and protecting the rights of the accused, the military courts, the USCAAF and Congress must remain vigilant to ensure that the system is, and is perceived to be, a credible criminal justice system.

Question. In your view, does the military justice system appropriately address the rights of victims of offenses prosecuted in courts-martial?

Answer. Prior to the recent, and welcomed, attention to sexual assault victims, I would have disagreed with the statement that the system appropriately addresses the rights of victims. However, the recent emphasis on victims (including provisions in the most recent Authorization Act) has resulted in changes that I believe in time will sensitize the system to the interests and welfare of all crime victims.

Question. What is your view of the relationship between the rights of service personnel and the disciplinary role of commanders?

Answer. With the advent of the UCMJ in 1950, I believe the Congress struck an appropriate, albeit delicate, balance. Commanders must have the authority to enforce good order and discipline in order to maintain morale and to ensure the readiness of the fighting force. Thus, the UCMJ retains the commander's role as the convening authority with respect to referring charges, selecting court members, and post-trial review. On the other hand, it provides an accused statutory protection against unlawful influence and a robust appellate review process to a civilian court completely insulated from any command structure. Although there are some very obvious differences between the military system and most civilian systems, Congress recognized that there are a wide variety of situations arising in the military environment that simply have no analog in civilian society.

Question. Do you think that changes to the military justice system are called for in light of the experiences of the Armed Services in Iraq and Afghanistan?

Answer. My perception from afar is that the military justice system appears to have adapted to the frenzied pace of a decade or more of combat operations. However, Congress may wish to elicit experiences of those on the ground to determine whether any changes are warranted.

Question. In your view, are changes to the military justice system called for in light of changes in American criminal jurisprudence?

Answer. At the moment, I believe the USCAAF has done an admirable job of blending elements of federal civilian criminal jurisprudence into the military system when it has deemed it appropriate.

CAPITAL CASES IN THE ARMED FORCES

Question. The ability of the military justice system to provide qualified personnel and resources necessary to capably defend and prosecute death penalty cases and respond to the constitutional requirements associated with such cases has come under scrutiny.

What is your understanding of the requirements under constitutional precedent for the defense of a capital case?

Answer. *Strickland* v. *Washington,* 466 U.S. 668 (1984), is the seminal case for examining the performance of defense counsel in capital cases. *Strickland* requires the defendant to prove both that the counsel's representation was deficient, and that there is a reasonable probability that, but for the counsel's deficiency, the outcome of the trial would have been different. In more recent cases, the Supreme Court has held that failure to conduct a thorough investigation of potential mitigating factors may constitute ineffective assistance of counsel. (*See Wiggins* v. *Smith,* 123 S.Ct. 2527 (2003); *Porter* v. *McCollum,* 130 S.Ct. 447 (2009).

Question. Based on your review of military jurisprudence regarding death penalty cases since the U.S. Supreme Court ruling in *Furman* v. *Georgia,* what are the issues or errors that have most frequently resulted in overturning of death sentences on appeal?

Answer. My experience is that ineffective assistance of counsel is the leading reason that military death sentences are overturned.

Question. What do you consider to be the essential elements in preparing court-martial practitioners for the prosecution and defense in capital cases?

Answer. First and foremost, I believe each side of the case should employ at least one experienced criminal trial litigator. The defense should have at least one lawyer who is specially trained and qualified in the trial of capital cases. All counsel should be well trained in the use and examination of expert witnesses—particularly, mental health experts and mitigation specialists. Although I am far from possessing any expertise in capital litigation, my experience in reading the records in these types of cases over the years reveals to me that these may be areas of concern.

COMMAND INFLUENCE

Question. The problem of command influence, including instances involving judge advocates as well as commanders, is a constant threat to the military justice system.

What is your view as to the role of the USCAAF in addressing this problem?

Answer. Because of its unique status as an independent entity, separate and apart from the uniformed military establishment, the USCAAF remains the bulwark against unlawful influence. I believe the court has embraced its responsibility in this area over the years and continues to abide by its own view that unlawful command influence is the mortal enemy of military justice, and where it is found to exist, judicial authorities must take those steps necessary to preserve both the actual and apparent fairness of court-martial proceedings.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

MILITARY JUSTICE CREDIBILITY

1. Senator MCCAIN. Mr. Sparks, in your response to advance policy questions you stated you consider one of the weaknesses of the military justice system to be "the military's inability to overcome a flawed perception among some members of the public and the media that the military justice system is not at all protective of an accused person's rights and is therefore, anything but a credible criminal justice system." If confirmed, what would be your role in assuring that our military justice system is a credible criminal justice system?

Mr. SPARKS. Senator, I believe this is an issue of lack of education on the part of some in the media and some in the public generally. In recent years a few civilian lawyers, have given the public some insight into the military justice system. However, the perspective is generally a relatively narrow one—and this is not a criticism. Also, in recent years a few USCAAF judges have participated as adjunct professors at some of the local law schools. Certainly, all of these efforts have helped to educate the public. However, those of us in the military justice community can advance the cause though efforts to reach an even broader audience. Therefore, if confirmed, I hope to participate in legal education conferences and to speak at undergraduate institutions as well as law schools if invited.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

MILITARY COURTS

2. Senator AYOTTE. Mr. Sparks, given the greater protections now available to military defendants, and considering appellate judges' inability to observe the tone and demeanor of a witness, among other things, do military courts of appeal still need fact-finding authority? Why or why not?

Mr. SPARKS. Senator, the issue of the adequacy of the lower courts' exercise of their factual sufficiency review is often raised at the USCAAF, therefore, it would not be appropriate for me to opine on the necessity of such authority. I am, however aware of some of the views on both sides of the issue. One view is that this authority is virtually unreviewable by the USCAAF, and is simply a relic of a bygone era before the UCMJ required military trial judges. Another view is that this authority is still necessary to protect an accused from overzealous court members who, however imperceptibly, might still be vulnerable to the effects of command influence. However, I believe the Judge Advocates General are better suited to answer this significant policy question.

3. Senator AYOTTE. Mr. Sparks, the requirement for a *Care* inquiry and the often lengthy presentencing hearing prevent servicemembers from simply pleading guilty and accepting a negotiated punishment as in a civilian court. Since military defendants have greater protections against self-incrimination than civilians and have independent counsel provided free of charge, is the *Care* inquiry still necessary, or could the military justice system be streamlined with respect to guilty pleas? Please explain.

Mr. SPARKS. Senator, it is true that the inquiry required under *United States* v. *Care* is a more searching inquiry than that used in most jurisdictions including the federal district courts. However, in my view the inquiry has two advantages. First, notwithstanding the talented defense counsel in the system, there are areas of the law that remain unsettled. The inquiry allows the military judge to assure herself that the accused is admitting guilt to the right offense(s) and/or accepting the proper scope of criminal liability. Second, it allows the accused to put forth on the record the factual basis for his plea which, in turn, gives appellate authorities the ability to more effectively exercise their review of the case. So, yes, I believe the *Care* inquiry is still necessary.

4. Senator AYOTTE. Mr. Sparks, Article III judges are ultimately responsible for civilian sentences. In the military system, that determination is made by the finder of fact; often by juries made up of military members with no point of reference for determining a just punishment, save the disparate recommendations of opposing lawyers. Do you think that military juries should determine sentences? Why or why not?

Mr. SPARKS. Senator, both the current system where the accused can choose court-martial members for sentencing or a judge and a system that would involve only judge-alone sentencing have their advantages. The current system is an historical feature of the court-martial system as it existed in 1950 when the UCMJ was enacted. Since there were no military judges then, the members were the sole sentencing authority. Many still think that the traditional model remains well suited for the military. Part of the rationale, even today, is that the members from the command are better situated than any lawyer to determine what sentence best promotes good order and discipline in their commands. Further, in 1983 Congress directed the Secretary to establish an advisory commission to study a variety of military justice issues. One of the issues was whether the sentencing authority should be exercised by the military judge alone. That commission concluded that participation of military members in court-martial punishment decisions fosters understanding of military justice by all servicemembers and belief in the fairness of the system. See Report of the Military Justice Act of 1983 Advisory Commission (1984). Under the judge-alone alternative, it is thought that sentence disparity could be greatly reduced and that a wider range of evidence could be presented to a judge without fear of its misuse. Although I tend to favor the traditional model, I believe the judge-alone model has a number of beneficial aspects. Should this issue arise in the committee, I hope it will receive thorough consideration.

5. Senator AYOTTE. Mr. Sparks, some military justice practitioners complain that it is difficult for military juries—often made up of members who have no experience with courts-martial—to choose an appropriate sentence from a range that often

spans from no punishment at all to years in prison. Would it be helpful to provide guidelines for sentencing similar to those in the Federal system? Why or why not?

Mr. SPARKS. Senator, I am generally against sentencing guidelines for member sentencing since crafting instructions for the lay members is likely to cause considerable confusion and to result in unnecessary appellate litigation. However, if a judge-alone model is ever adopted, some guidance might be useful. Even then, the intricate guidelines used in the Article III courts are not likely to work well in the military adversarial sentencing setting.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

MILITARY JUSTICE

6. Senator GILLIBRAND. Mr. Sparks, there have been a number of reports and appeals concerning the lack of transparency of the court-martial process both at the trial and appellate level. Do you believe transparency is important and what role do you see Court of Appeals for the Armed Forces (CAAF) having on this issue?

Mr. SPARKS. Senator, I believe that transparency is important in the court-martial process. It is my view that access to pleadings and other filings, with some limited exceptions (like classified filings), can actually enhance the public's understanding of the military justice system.

7. Senator GILLIBRAND. Mr. Sparks, do you think the military justice system should adopt something like PACER [Public Access to Court Electronic Records]?

Mr. SPARKS. Senator, I am not familiar enough with the PACER system to offer a comparative model. I would simply say that use of FOIA seems an overly burdensome and inefficient means for providing access to court-martial documents. I believe the USCAAF currently provides online access to all briefs in granted cases. Additionally, oral argument audio files are available on the court's website. Pleadings and other filings are provided free upon request to the Clerk of Court unless the filings are sealed or classified. Although the USCAAF can continue to serve as a model for access, the issue of uniform access to court documents among the services is one that would appear to be within the purview of the Secretary.

8. Senator GILLIBRAND. Mr. Sparks, Federal civilian prosecutors have a uniform standard for indicting a citizen (i.e., reasonable likelihood of a conviction). The military has a probable cause standard. Do you see that as a problem as it regards crime victim expectation of results of trial?

Mr. SPARKS. Senator, I have read no reports nor have I seen any data on the probable cause standard as it relates to victim expectations. Thus, I am unable to conclude one way or the other whether this is a problem.

9. Senator GILLIBRAND. Mr. Sparks, what is your position on the Service courts overturning sexual assault trial convictions for "factual insufficiency"—when those appellate judges were not even at the trial, never saw the victim or the demeanor of witnesses, and simply read a transcript and decided their judgement outweighs the first-hand experience and judgement of the panel that actually heard the case and convicted the accused?

Mr. SPARKS. Senator, to a similar question asked by Senator Ayotte, I responded as follows:

"Senator, the issue of the adequacy of the lower courts' exercise of their factual sufficiency review is often raised at the USCAAF, therefore, it would not be appropriate for me to opine on the necessity of such authority. I am, however aware of some of the views on both sides of the issue. One view is that this authority is virtually unreviewable by the USCAAF, and is simply a relic of a bygone era before the UCMJ required military trial judges. Another view is that this authority is still necessary to protect an accused from overzealous court members who, however imperceptibly, might still be vulnerable to the effects of command influence. However, I believe the Judge Advocates General are better suited to answer this significant policy question."

10. Senator GILLIBRAND. Mr. Sparks, in your advance policy questions, you talk about the perception that the military justice system is balanced against the accused, the challenge of undue command influence, and the balance that the military justice system strikes. You said "because of the very nature of a military organization there remains the constant potential for unlawful influence to affect the disposition of cases before and after trial." That "Prior to the recent, and welcomed, atten-

tion to sexual assault victims, I would have disagreed with the statement that the system appropriately addresses the rights of victims. However, the recent emphasis on victims (including provisions in the most recent Authorization Act) has resulted in changes that I believe in time will sensitize the system to the interests and welfare of all crime victims." And in your response to whether the military justice system affords servicemembers a fair and just system you said that in the context of good order and discipline it does. Do you view good order and discipline as a separate, although parallel element to administration of justice?

Mr. SPARKS. Senator, no doubt all would agree that the maintenance of good order and discipline is a requirement for an effective fighting force. My experiences have shown me that the fair and proper administration of justice through use of the military justice system is but one means of promoting order and discipline. Another means might be the establishment of training programs that inspire confidence and foster loyalty and respect not only up and down the chain but also among the members of the command. Still another may be the institution of programs that keep morale high. I certainly do not profess to be a military leadership scholar, but I hope this is a fair response to your question as I understand it.

11. Senator GILLIBRAND. Mr. Sparks, do you believe that separating commanders from the judicial aspect and empowering trained prosecutors would lead to a more credible and just system?

Mr. SPARKS. Senator, I am not a policymaker, but during my time as an infantry officer and later as a judge advocate, it seemed to me that Congress had given the commander an appropriate role in the military justice system. I do believe this is an important policy issue worthy of debate with valid concerns on both sides of the question. From a judicial perspective, this issue does not significantly impact how the USCAAF reviews the cases that come before it.

12. Senator GILLIBRAND. Mr. Sparks, are you concerned that the rhetoric about cracking down on offenders—especially sexual assault offenders—regardless of evidence, plays into the narrative that the military justice system is not balanced?

Mr. SPARKS. Senator, I am not aware of specific statements you may be referencing or by whom such statements may have been made. I can only say that the best way to counter inaccurate perceptions of the military justice system is to educate the uninformed, whether they are members of the media or the public generally. However, in doing so, we should be open to hearing ideas from those outside the military justice community on improving the system.

13. Senator GILLIBRAND. Mr. Sparks, what role does the CAAF have in addressing these issues?

Mr. SPARKS. Senator, the issues of the probable cause standard's effect on victims' expectations, the factual sufficiency authority of the service courts and the commander's role in the military justice system are, in my view, policy determinations beyond the purview of the CAAF. The main responsibility of the CAAF is 1) to ensure the court-martial has proceeded in accordance with the procedures and principles set forth in the UCMJ and the Manual for Courts-martial and 2) to ensure the accused has received a constitutionally fair trial. As for addressing how the public perceives the system, I believe CAAF judges, as well as others in the field, can and should take the opportunity when presented to speak publicly about the military justice system.

14. Senator GILLIBRAND. Mr. Sparks, Congress and the CAAF have recently strengthened the role of a special victim's counsel at the pretrial, trial and appellate stage. Do you agree that victims have certain rights both before and during trial that can only be protected if the victim has access to both the service appellate courts and CAAF?

Mr. SPARKS. Senator, the USCAAF has held that under certain circumstances a sexual assault victim has standing to seek relief in the appellate courts including the USCAAF. See *LRM* v *Kastenberg,* 72 M.J. 364 (C.A.A.F. 2013).

15. Senator GILLIBRAND. Mr. Sparks, you have served in your current position as Commissioner to the Chief Judge of the U.S. Court of Appeals for the past 15 years. Do you anticipate any difficulty moving from staff to the bench?

Mr. SPARKS. I do not. I have known all of the current judges on the court for many years. I served on Active Duty with one judge. I believe all of the judges respect my background and experience and our relationship has always been one of mutual respect. Since learning of my nomination, the judges have been, without ex-

ception, very supportive as I have moved through the nomination process and each has expressed their hope that I will be confirmed.

16. Senator GILLIBRAND. Mr. Sparks, having worked closely under current and previous judges, how will you be able to bring independent judgment to bear on any precedents these judges might have set?

Mr. SPARKS. Senator, in one of my advance policy questions I stated my belief that the doctrine of stare decisis is an essential guiding principle for maintaining consistency and stability in the law. I believe this principle is more important than the view of any particular individual. Therefore, the author of any particular opinion would be irrelevant to me in determining whether the precedent should be followed or overruled.

[The nomination reference of the Mr. John E. Sparks follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 30, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

John E. Sparks, of Virginia to be a Judge of the United States Court of appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law, vice James Edgar Baker, term expiring.

[The biographical sketch of Mr. John E. Sparks, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MR. JOHN E. SPARKS

Education:

- University of Connecticut School of Law
  - o Sept 1983–May 1986.
  - o Juris Doctorate.
- U.S. Naval Academy
  - o Jul 1972–Jun 1976
  - o Bachelor of Science

Employment Record:

- Officer, U.S. Marine Corps, Jun 1972–Jan 1998.
- Special Assistant to the Secretary of Agriculture, Feb 1998–Jan 1999.
- Principal Deputy General Counsel, Dept of the Navy, Jan 1999–Dec 2000.
- Commissioner U.S. Court of Appeals for the Armed Forces, Dec 2000–Jul 2015.

Honors and Awards:

- Military Awards
  - o Defense Superior Service Medal
  - o Meritorious Service Medal (2 awards)
  - o Navy Commendation Medal (2 awards)
  - o National Defense Medal
- Federal Civilian Awards
  - o Secretary of the Navy Distinguished Public Service Award

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. John E. Sparks in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
John Edward Sparks.

2. **Position to which nominated:**
Associate Judge, U.S. Court of Appeals Armed Forces.

3. **Date of nomination:**
July 30, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
August 15, 1953.
La Rochelle, France.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Ruth Annette (Cummings) Sparks.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Undergraduate:
Attended: U.S. Naval Academy
Degree Granted: BS
Degree Received: 2 Jun 1976

Graduate:
Attended: Univ of Connecticut School of Law
Degree Granted: JD
Degree Received: 17 May 1986

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

I was employed as commissioner to the Honorable James E. Baker, U.S. Court of Appeals for the Armed Forces, from Dec 2000 to Jul 2015. I am currently retired from federal service.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Until recently, I served as an adviser to the Military Justice Review Group, a working group directed by the Secretary of Defense to conduct a comprehensive review of the Uniform Code of Military Justice and the Manual for Courts-Martial. My prior government service includes duties as a commissioned officer in the U.S. Marine Corps from June 1976 to January 1998. I spent my last tour of Active Duty

as a deputy legal advisor on the National Security Council staff (1996–1998). Upon my retirement from Active Duty, I served as the Special Assistant to the Secretary of Agriculture from February 1998 to January 1999. I left that position to assume the duties as Principal Deputy General Counsel of the Navy and served until December 2000.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

I have no such relationships.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

I am not a member of nor do I hold office in any of the aforementioned types of organizations.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Military Awards:

Defense Superior Service Medal.

Meritorious Service Medal (2 awards).

Navy Commendation Medal (2 awards).

National Defense Medal (2 awards).

Civilian awards:

Secretary of the Navy Distinguished Public Service Award.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes, to the extent such requests and questions do not include judicial deliberative matters.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes, to the extent such requests and questions do not include judicial deliberative matters.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes, but see (c) and (d) above.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Yes, but see (c) and (d) above.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

JOHN E. SPARKS

This 4th day of September, 2015

[The nomination of Mr. John E. Sparks was reported to the Senate by Chairman McCain on December 15, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on April 5, 2016.]

[Prepared questions submitted to Vice Admiral Kurt W. Tidd, USN by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Goldwater-Nichols Department of Defense (DOD) Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions? If so, what areas do you believe might be appropriate to address in these modifications?

Answer. As an officer whose career was directly transformed by this legislation, I believe the Goldwater-Nichols Act revolutionized the U.S. military and significantly improved the conduct of joint operations. However after almost three decades and multiple changes to the strategic environment, we should welcome a comprehensive review. At this time I do not have any specific recommendations for modifications to the Act, though I believe we must give serious consideration to incentivizing our national security interagency partners to achieve the same kinds of improvements that the Goldwater-Nichols Act brought to the Department of Defense. If confirmed, I look forward to providing this Committee appropriate recommendations on this or other issues.

DUTIES

Question. What is your understanding of the duties and functions of the Commander, U. S. Southern Command (SOUTHCOM)?

Answer. The 2011 Unified Command Plan (UCP) establishes USSOUTHCOM's missions, responsibilities, and geographic area of responsibility (AOR). The latter encompasses 31 countries and 16 dependencies and areas of special sovereignty in Central America, South America, and the Caribbean. Per the UCP, the Commander of U.S. Southern Command is responsible for:

- Detecting, deterring, and preventing attacks against the United States.
- Planning for and executing military operations, including detection and monitoring of the aerial and maritime transit of illicit drugs, and detention operations at Naval Station Guantanamo Bay.
- Ensuring unified actions among subordinate commands.

- Maintaining security of and carrying out force protection measures.
- Exercising force protection responsibilities for the command.
- Designating and establishing readiness requirements.
- Providing trained and ready joint forces to other combatant commands.
- Planning, conducting, and assessing security cooperation activities.
- Planning and conducing the evacuation and protection of U.S. citizens.
- Providing U.S. military representation to international and national agencies.
- Providing advice and assistance to chiefs of U.S. diplomatic missions in negotiations of rights, authorizations, and facility arrangements required in support of military missions.
- Providing the single point of contact on military matters within the AOR.
- Assuming combatant command of security assistance organizations in the event of war or an emergency that prevents control through normal channels, or as directed.
- Commanding U.S. forces conducting peace or humanitarian relief operations.
- Planning for and conducting military support to stability operations, humanitarian assistance, and disaster relief.
- Planning for, supporting, and conducting the recovery of astronauts, space vehicles, space payloads, and objects.
- Defense of the Panama Canal and Panama Canal area.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I am honored the President nominated me to be the Commander of U.S. Southern Command. I have served in a variety of U.S. Navy, joint, and interagency assignments, including operational and staff positions in the Pentagon and National Security Council Staff, as well as tours commanding and supporting coalition forces in Operations Iraqi Freedom and Enduring Freedom. In particular, my experience commanding U.S. Naval Forces Southern Command and U.S. 4th Fleet significantly contributed to my understanding of USSOUTHCOM's AOR. Naval forces under my command directly supported Joint Interagency Task Force South's detection and monitoring mission. Additionally, a number of assignments associated with counterterrorism policy and operations introduced me to the value of building cooperative networks to understand and target adversary networks—an approach well-suited to a number of regional security challenges in the USSOUTHCOM AOR. As the former director for Operations (J3), Joint Staff, I gained the experience and insight to direct the operations of a geographic combatant command, as well as a clear understanding of the challenges of joint force allocation and management. My current assignment as Assistant to the Chairman of the Joint Chiefs of Staff has given me strategic experience to understand the complexities and interdependencies of the global security environment. I have also gained a deep appreciation for the importance of cooperating with partner nations and forging international alliances. In this role I serve as the Chairman's direct liaison with the Secretary of State, and work to enhance military support to foreign policy objectives. Over the past 2 years I traveled extensively, building relationships with senior diplomats and Chiefs of Missions, and observing the effective execution of the diplomatic arm of national security policy. If confirmed, these collective experiences have prepared me to embrace the opportunities and meet the challenges of commanding U.S. Southern Command.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the SOUTHCOM Commander?

Answer. If confirmed, I will seek insight from key leaders and experts within the Executive and Legislative branches of the U.S. Government to enhance my knowledge of U.S. foreign policy objectivities in USSOUTHCOM's AOR. I will also engage with military, defense, and governmental leaders of nations throughout the region to strengthen existing relationships and identify new avenues for cooperation. I will reach out to experts in academia and think tanks to better understand the evolving internal issues affecting Latin American and Caribbean security. Engagement and collaboration with law enforcement agencies will also be a focus, as will seeking new opportunities where USSOUTHCOM can amplify law enforcement activities in the region. Global security challenges are evolving rapidly and I intend to focus on how extra-hemispheric actors, as well as illegally armed non-state actors, may appear or attempt to gain influence in our hemisphere. Finally, if confirmed, I hope to build on my modest appreciation of Spanish and begin to familiarize myself with Portuguese. I firmly believe effective communication and cultural understanding are critical to successful engagements with partner nations, especially in this critical region.

RELATIONSHIPS

Question. Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the Combatant Commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, U.S. Southern Command, to the following:

The Secretary of Defense.

Answer. The Commander performs his duties under the authority, direction, and control of the Secretary of Defense, and is responsible for accomplishing the military missions directed by the President and the Secretary of Defense and for exercising command authority over the forces assigned by the Secretary of Defense.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense performs duties delegated by the Secretary and performs the Secretary's duties in his absence. The Commander communicates regularly with the Deputy Secretary and provides information and support necessary for the Deputy Secretary to perform these duties.

Question. The Under Secretaries of Defense.

Answer. The Commander does not have a direct command relationship with the Under Secretaries of Defense. The Commander does regularly communicate with the Under Secretaries on strategic and regional security issues as appropriate.

Question. The Chairman and Vice Chairman of the Joint Chiefs of Staff.

Answer. The Chairman is the principal military advisor to the President and Secretary of Defense and serves as the key communication link between the combatant commanders and the President. The Vice Chairman performs the duties prescribed by the Chairman, and performs the Chairman's duties in his absence or disability. To enable the Chairman and Vice Chairman to perform their respective roles and duties, the Commander of U.S. Southern Command routinely provides information to the Chairman and Vice Chairman on significant events and issues in the Command's AOR.

Question. The Assistant Secretary of Defense for Homeland Defense and America's Security Affairs.

Answer. The Commander does not have a direct command relationship with the Assistant Secretary of Defense for International Security Affairs, but regularly coordinates with the Assistant Secretary on issues related to Western Hemisphere security.

Question. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

Answer. The Commander does not have a direct command relationship with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, but regularly exchanges information and coordinates with the Assistant Secretary on issues of mutual concern and interest. The Assistant Secretary is responsible for many of the activities conducted every day within the U.S. Southern Command AOR, including counterterrorism, information operations, the Department of Defense counternarcotics program, building partnership capacity initiatives, and humanitarian and disaster relief efforts.

Question. The Service Secretaries and Service Chiefs.

Answer. The Service Secretaries are responsible for administration and support to the forces assigned to the combatant commands. The Service Chiefs are responsible for organizing, training, and equipping forces in their respective departments for assignment to the Combatant Commands. The Commander does not have a direct command relationship with the Service Secretaries and Service Chiefs, but regularly communicates with and coordinates on issues of mutual concern and interest, working closely with them to understand service capabilities, convey combatant command requirements, and effectively employ service capabilities to successfully conduct U.S. Southern Command's mission.

Question. The other combatant commanders, particularly U.S. Northern Command (NORTHCOM).

Answer. The Commander, U.S. Southern Command, maintains an exceptionally close relationship with other combatant commanders, especially with the Commander of U.S. Northern Command. The combatant commanders are in frequent communication, maintaining a shared perspective on trans-regional threats, coordinating on issues of mutual concern, sharing information, and preventing or removing any gaps or seams along regional boundaries. When directed or specified by the Secretary of Defense, the relationship between combatant commanders becomes formalized in order to plan and execute specific operational plans.

Question. U. S. Chiefs of Mission within the U. S. Southern Command area of responsibility (AOR).

Answer. The Commander does not have a formal relationship with the Chiefs of Mission. The U.S. Ambassador is responsible for directing and supervising all U.S. Government activity in the host nation, with the exception of U.S. military activities under the direction and coordination of the Combatant Commander. However, Geographic Combatant Commanders routinely discuss issues of mutual interest and concern with the Chiefs of Mission in the Command's AOR and coordinate security cooperation activities with the Chief of Mission and country team. The combatant commanders negotiate force protection arrangements with the Chiefs of Mission as appropriate. If confirmed, I intend to maintain close coordination and contact with the Chiefs of Mission throughout the U.S. Southern Command AOR, working together to execute our mutual responsibilities to achieve our shared national security objectives. I will continue to host annual sub-regional conferences with the Chiefs of Mission to exchange perspectives and gain regional insight.

MAJOR CHALLENGES

Question. If confirmed as the Commander of the U.S. Southern Command, you will be responsible for all military operations in that region. These include operations supporting homeland defense and security, counter-narcotics efforts in source and transit countries, responses to natural disasters, detainee operations at Guantanamo Bay, and the development of democratic values within the militaries of the region, among others.

In your view, what are the major challenges and problems you would confront if confirmed as the next Commander of SOUTHCOM?

Answer. Today, no nation in the region poses a direct, credible conventional military threat to the United States. Although there are many longstanding border disputes, there is minimal risk of inter-state armed conflict between neighboring countries. As I understand it, Latin America and the Caribbean has witnessed significant progress—especially in terms of democratic consolidation; the growth of market-based economies; and the protection of human rights—however the region still faces numerous persistent unresolved challenges.

Many countries face economic and social challenges, institutional problems, and malicious activities by non-state actors. These challenges are inter-related. Pervasive inequality, chronic unemployment, lack of economic opportunities, and deteriorating citizen security drive migration and propel young men and women to join violent criminal gangs, as well as set the conditions for radicalization within the region's small Muslim communities. Lack of state presence, ineffective governance, and weak rule of law provide fertile ground for the drug trade and spread of powerful criminal networks; these networks, coupled with criminal violence, threaten political, financial, and security institutions and jeopardize the stability of some partner nations. In certain countries there is a troubling trend toward authoritarianism: elected leaders that shun democratic standards, abuse human rights, muzzle the press, and suppress opposition. Public frustration with endemic corruption feeds social protests and, in the case of Guatemala, can even bring down a sitting president. Environmental disasters such as hurricanes, earthquakes, volcanoes, floods, and drought loom as ever-present dangers.

Finally, in recent years, growing competition for regional influence by nations like China, Russia, and Iran present challenges to our aim to broaden security cooperation within and across the region.

Question. If confirmed, what plans do you have for addressing these challenges and problems?

Answer. If confirmed, I will defend the southern approaches to the United States and work with partners in the U.S. Government and the region to advance security, prosperity, and stability in the Western Hemisphere. Given U.S. Southern Command's minimal force allocation, I will maximize the use of all available resources, explore innovative opportunities, and leverage the full spectrum of relationships and partnerships to best mitigate risks.

I will prioritize the development of creative and non-traditional approaches—including the use of alternative platforms to support DOD's detection and monitoring mission—and facilitate improved information sharing with partner nations. As appropriate, I will encourage bilateral and multilateral training, security cooperation activities, and exercises to strengthen defense cooperation; build partner nation capacity; encourage increased responsibility and global leadership; and advance common interests and values. I will emphasize the ability to rapidly and effectively respond to contingencies in concert with partner nations, the interagency, and private organizations. I will ensure U.S. Southern Command remains vigilant against the

threat of terrorism and violent extremism by working closely with our partners to monitor and if necessary deter terrorist threats to the U.S. homeland or our partner nations. Finally, I will continue to ensure the safe, humane, and legal treatment of detainees at Joint Task Force Guantanamo.

BUILDING PARTNER CAPACITY

Question. In the past few years, Congress has provided DOD a number of temporary and permanent authorities to build the capacity of partner nations' security forces and institutions.

In your view, what should be our strategic objectives in building the capacities of partner nations in the SOUTHCOM AOR?

Answer. In my view, the strategic objectives of building partner capacity (BPC) are to increase the capability of partner militaries to address threats within their own territories; to foster regional cooperation among and between partner nations; and to promote a peaceful, cooperative international order. Probably to a greater degree than other Geographic Combatant Commands, U.S. Southern Command relies heavily on BPC activities to help generate a layered defense of the U.S. homeland. These activities cultivate capable partners who are willing and able to work cooperatively to confront shared security challenges. Appropriate BPC efforts in the USSOUTHCOM AOR should focus on improving regional domain awareness and information sharing; the ability of partner nations to support 'end game' interdiction operations; and the continued professionalization of regional defense forces.

Question. In your view, are existing authorities and resourcing sufficient to meet these strategic objectives?

Answer. In my view, maintaining current authorities to conduct BPC and DOD security cooperation activities will be critical to meeting these strategic objectives. The role of the Congress in supporting DOD by granting the flexibility to address emerging threats will also be key to the continued success of our efforts. USSOUTHCOM has long operated as an economy-of-force command, receiving minimal force allocation and resources. This has forced the Command to accept risk in many of its missions. If confirmed, I will assess strategic and readiness risks across the spectrum of USSOUTHCOM missions and work to mitigate them to the extent possible.

Question. Are there ways in which existing authorities could be reformed to more effectively and efficiently respond to requirements in the SOUTHCOM AOR?

Answer. I know that the Congress recently recognized transnational organized crime as an increasing threat to national security and granted the Department greater flexibility to address this challenge. This type of support—which helps DOD address an adaptive adversary—is critical to defending the homeland. If confirmed, I will assess the threat environment to ensure I have the flexibility I need to address evolving challenges, especially when it comes to missions like countering transnational organized crime and counterterrorism, and will keep the Congress informed of any necessary or recommended authority changes.

Question. In your view, what is the appropriate balance between efforts to build partnership capacity at the tactical and operational level and at the institutional and ministerial-level?

Answer. I believe these efforts should be executed in tandem. As I understand it, U.S. Southern Command focuses on building the tactical and operational capacity of regional defense and security forces. USSOUTHCOM also works closely with organizations and programs like the William J. Perry Center and the Defense Institution Reform Initiative (DIRI) to promote good governance and accountability, and strengthen strategic planning and budgeting processes at the ministerial level.

Question. Do you believe the ability of a partner nation to sustain U.S.-provided equipment and capabilities should be a key factor in determining the level and type of assistance to be provided?

Answer. Absolutely. As I understand it, U.S. Southern Command works closely with partner nations to provide appropriate equipment and sustainment training tailored to each individual nation's needs and abilities. The United States strives to be the partner of choice to countries around the world, and to do so we must be responsive partners. If confirmed, I will work to ensure the United States remains the region's security partner of choice.

USE OF MILITARY FORCES FOR CIVILIAN LAW ENFORCEMENT

Question. Throughout the Western Hemisphere there is increased use of militaries to conduct policing and public security roles.

What is your assessment of this trend? In your view, are these permanent shifts or temporary measures taken while the capabilities of police forces are improved?

Answer. As I understand it, in the face of rising crime and violent insecurity and within the constraints of their own national laws, some democratic governments in the region have resorted to deploying their militaries to support overwhelmed, outgunned, and at times corrupt police forces. In many countries, the military is among the most trusted institutions, and public opinion polls show that many of the region's citizens support the use of the military in domestic security functions. I believe these are and should be temporary measures that are taken while civilian police forces are improved and the judicial sector is strengthened. This will not happen overnight, however—and until then, we should remain supportive as regional militaries fill this critical capability gap.

Question. In your view, what are the benefits and risks of militaries taking on more public-security tasks?

Answer. Civilian leaders in the region are doing their best to improve citizen security. However, as militaries take on more public security tasks, there is potential risk for human rights violations or increased corruption in the military ranks. I understand that U.S. Southern Command has a robust Human Rights Initiative. This program promotes respect for human rights and subordination to civilian authority among the region's military and defense forces. If confirmed, I will emphasize the importance of human rights. I will also support and encourage partner nations as they transition domestic security missions back to civilian police forces.

DOD COUNTER-NARCOTICS ACTIVITIES

Question. DOD serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of drugs flowing toward the U.S. On an annual basis, DOD's counter-narcotics (CN) program expends approximately $1.0 billion to support the Department's CN operations, including to build the capacity of U.S. Federal, State, and local law enforcement agencies, and certain foreign governments, and provide intelligence support on CN-related matters and a variety of other unique enabling capabilities. Much of this funding is directed towards the SOUTHCOM AOR.

In your view, what is the appropriate role of DOD—and by extension SOUTHCOM—in U.S. counterdrug efforts?

Answer. I believe the Department's current role is appropriate and a good use of DOD's unique capabilities. By law, the Department of Defense is the lead federal agency for detection and monitoring of aerial and maritime transit of illicit drugs into the United States. In this role, the Department supports the U.S. Coast Guard and other U.S. law enforcement agencies that are engaged in interdiction and apprehension activities. U.S. Southern Command accomplishes this mission through its component Joint Interagency Task Force South (JIATF South). U.S. Southern Command also works to build the capacities of partner nation militaries to conduct successful detection, monitoring, and interdiction operations in support of U.S. and partner nation law enforcement efforts. These efforts complement other U.S. counterdrug programs, such as the Department of State's eradication and alternative economic development programs and the Drug Enforcement Agency's arrest, extradition, and prosecution of illicit traffickers. In its supporting role, DOD must consider a much broader perspective than simply supporting the disruption of illicit drugs. We must take a network perspective—understanding the entire value chain and its facilitation of other transnational threats. It is not enough to see and stop the drug flow; we must understand the adaptive networks that direct and support this flow if we hope to have more of an impact.

Question. How would you measure the effectiveness of U.S. and DOD counter-narcotics programs?

Answer. Rather than saying effective, I believe Department of Defense counter-narcotics programs get positive results from very limited resources. As I understand it, in fiscal year 2015 JIATF South's Operation MARTILLO resulted in the disruption of 192 metric tons of cocaine destined for the United States. This success would not have been possible without significant contributions by partner nations and Allies, who helped disrupt 108 metric tons of cocaine. Every year, JIATF South and its international partners disrupt approximately three times the amount of cocaine seized at or within U.S. borders—while receiving only 1.7 percent of the total U.S. counterdrug budget. Apart from measuring cocaine seizures, I also believe it is important to look at the impact of U.S. counternarcotics programs on partner nations, especially in terms of stability, citizen security, and the capability of military and security forces to successfully support and conduct counterdrug operations. I am aware of the significant and growing number of drug related deaths in the United States. Our national strategy places great emphasis on the demand side of the equa-

tion, while DOD counternarcotics programs contribute primarily to the supply side. We will explore how we might do more, in creative and innovative combinations.

Question. In your view, what should be the role of the U.S. in countering the flow of narcotics to nations other than the U.S.?

Answer. Regardless of destination, the flow of narcotics leaves a trail of corruption, violence, death, and large sums of money that fund nefarious activities and destabilizes entire regions. As the world's principal consumer of cocaine, the United States has a responsibility to help our partners address this challenge. In my view, the U.S. should work to build the capacity of partner nations to counter illicit trafficking, both individually and collectively, in the maritime, air, and land domains. Given that the globalized illicit economy supports a diverse network of organized crime groups, extremist organizations, and terrorists, we have a responsibility to aggressively share information with other nations, especially as it relates to international security. If confirmed, I will seek ways to increase JIATF South's current information sharing authorities, and enhance U.S. Southern Command's efforts to build partner nation capacity.

HEROIN

Question. General John Kelly, Commander of U.S. Southern Command, testified before the Armed Services Committee on March 12, 2015 that "we are in the middle of a serious epidemic, in—particularly when it comes to heroin." General Kelly went on to note that "100 percent of it is produced . . . in the Latin America. About half of it is produced in Mexico, and the rest of it is produced further south in various parts of the Central American isthmus and South America."

What is your assessment of the threat posed by the trafficking of heroin into the United States from Mexico, Central and South America?

Answer. The threat posed by heroin in the United States is serious. While U.S. demand for cocaine has been decreasing over the past few years, demand for heroin has more than doubled since 2007. In response, criminal organizations have ramped up heroin production in Mexico, Colombia, and Guatemala. Heroin is available in larger quantities, used by a larger number of people, and is causing an increasing number of overdose deaths. I have been told that Mexican transnational criminal organizations control drug trafficking across the Southwest Border and are moving to expand their share of U.S. illicit drug markets, particularly heroin markets.

Question. What more should be done to combat what General Kelly has deemed a "serious epidemic?"

Answer. Given the nature of how heroin is produced and smuggled in the USSOUTHCOM AOR, I believe the most effective way to address this threat is to focus on building the capacity of regional partners to detect and illuminate the criminal networks engaged in this activity, and to interdict the flow of dangerous drugs like heroin and methamphetamine as close to the point of origin as possible. Because heroin is often smuggled in small quantities via established smuggling routes, it is extremely difficult to intercept it once it is en route. We have significant experience leading coalition efforts that build networks to defeat networks; in this case we can work with our interagency and regional partners to dismantle transnational criminal organizations.

COUNTERING TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing.

What is your assessment of the threat to the United States posed by transnational organized crime?

Answer. In my opinion, transnational organized crime (TOC) poses a significant and growing threat to U.S. national security. TOC networks operate with blatant disregard for national sovereignty, the rule of law, and citizen security. These sophisticated and dangerous criminal networks generate enormous revenue, particularly from the trafficking of illegal drugs, and cause significant damage to the environments in which they operate. Exploiting technological developments, TOC networks have expanded and their illicit operations threaten the security of citizens and the stability of some political and economic institutions. In the Western Hemisphere TOC networks fuel corruption and exploit insufficient state presence and weak rule of law. We have no indications of this in the USSOUTHCOM AOR, though the potential exists for terrorist organizations to work with TOC networks to transport special interest aliens, terrorists, or weapons of mass destruction into the United States.

Question. What is your understanding of the President's July 2011 strategy to combat transnational criminal organizations?

Answer. As I understand it, the President's strategy aims to build, balance, and integrate all the tools of American power to combat transnational organized crime and related threats to U.S. national security to ensure the threat is degraded to a public safety problem manageable by partner nation law enforcement organizations.

Question. What kind of additional support, if any, would you envision DOD—and SOUTHCOM in particular—providing to U.S. law enforcement to combat transnational organized crime?

Answer. The primary ways TOC will be addressed are through law enforcement capacity building efforts, adroit diplomacy with partner nations, and the use of innovative policy tools such as counter threat finance capabilities to break the financial back of criminal networks. DOD will rarely be the lead agency in efforts to combat TOC, except where activities fall into unique DOD capability areas (i.e. detection and monitoring and supporting interdiction operations). USSOUTHCOM supports the broader U.S. Government effort through detection and monitoring operations; support to U.S. and partner nation law enforcement operations; and by building the security capabilities of vetted partner military units through counternarcotics training, equipping, and infrastructure support. DOD can also assist law enforcement efforts through the development of comprehensive intelligence. Our unique DOD capabilities and experience working across the interagency can and should be applied to TOC. DOD can support law enforcement organizations by working in close collaboration to illuminate, characterize, and understand the organization, function, and vulnerabilities of criminal networks. I envision a more comprehensive effort to gather and integrate disparate knowledge from across the U.S. Government-law enforcement organizations, DOD, the intelligence community, and open source information—to paint a broader picture of this agile adversary and how they respond to our efforts. Working directly with Chiefs of Mission and country teams, we can also help our partners more effectively enforce the rule of law.

CENTRAL AMERICAN SECURITY STRATEGY

Question. The President announced on January 29, 2015 a strategy entitled Promoting Prosperity, Security and Good Governance in Central America, principally focused on promoting enhanced trade, security, and governance in Guatemala, El Salvador, and Honduras—the so-called Northern Triangle.

What is your understanding of the President's Central America strategy?

Answer. As I understand it, the Strategy for U.S. Engagement in Central America broadens the vision for how we achieve security in the sub-region. The Strategy prioritizes three interconnected objectives: prosperity, governance, and security. It outlines how the United States will work with international organizations and regional governments to put the region on a course to sustained, broad-based economic growth, better government performance, and improved security conditions

Question. How do you envision SOUTHCOM's activities in the region complementing the President's strategy?

Answer. Although DOD is not the focus of the strategy nor the recipient of the additional funding requested by the President, Congress recognized the important role security plays in addressing the region's long-standing challenges and provided additional funding towards that end, increasing USSOUTHCOM's capacity to complement the President's strategy.

U.S. Southern Command's efforts to build the capacity of the Central American security forces—as well as its title X responsibility to detect and monitor the aerial and maritime transit of illicit drugs—directly support the President's vision of a more secure and stable Central America. If confirmed, I will ensure USSOUTHCOM activities focus on helping partner nations secure their borders; gain domain awareness; disrupt illicit trafficking and transnational criminal networks; maintain professional security forces that respect human rights and uphold the rule of law; and build stronger defense institutions.

COUNTER THREAT FINANCE

Question. What are your views on the role of DOD in counter threat finance activities?

Answer. In accordance with the Department of Defense Directive 5205.14 on counter threat finance policy, the Department of Defense should use its unique capabilities, such as network analysis, to support the interagency and work with partner nations to deny, disrupt, and degrade the ability of adversaries to use global and illicit financial networks to negatively affect U.S. interests.

Question. What do you believe is the appropriate role, if any, of SOUTHCOM in supporting counter threat finance activities?

Answer. I do believe that USSOUTHCOM has an appropriate role supporting counter threat finance activities with its unique capabilities. Finance is an important layer of network activity. If we are to understand criminal networks and more effectively counter them—we must integrate our understanding of finance, logistics, leadership, and other layers of the network into a more holistic understanding. For example, in support of the Department of the Treasury, U.S. Southern Command recently stood up a Counter Threat Finance Branch that helps map illicit networks, conducts all-source intelligence analysis and production, and works with U.S. and regional partners to support targeted financial measures and U.S. law enforcement efforts. These efforts enhance the U.S. and partner nation efforts to disrupt the global illicit economy and combat money laundering and terrorist financing.

MEXICO

Question. Much of the illegal narcotics supply comes into Mexico from the SOUTHCOM AOR. While Mexico is in the U.S. Northern Command AOR, the rest of Latin America is in the SOUTHCOM AOR.

What is your vision of how SOUTHCOM and NORTHCOM should work together in a fully coordinated effort with respect to Mexico and other security challenges?

Answer. I am told that the staffs of U.S. Southern Command and U.S. Northern Command regularly collaborate on issues related to the Mexico-Guatemala-Belize border to eliminate any seam that might pose a weakness in the forward defense of the Homeland. Also, the Joint Operating Area for JIATF South was purposefully designed to overlap both commands' areas of responsibility to remove any boundaries in the air and maritime arenas. I understand that there is a Mexican liaison officer at JIATF South, and that the staffs of both commands are in constant communication, participate in exercises, and attend regional conferences, which often includes attendance by Mexican officials.

If confirmed, I will aggressively support this coordination and seek additional ways to foster collaboration between the Mexican and Central American militaries to encourage cooperation on shared security challenges, including illicit trafficking, transnational organized crime, and illegal migration.

TERRORISM THREAT

Question. General John Kelly, in testimony before the Armed Services Committee on March 12, 2015, noted concern that the "relative ease with which human smugglers moved tens of thousands of people to our nation's doorstep also serves as another warning sign: these smuggling routes are a potential vulnerability to our homeland. As I stated last year, terrorist organizations could seek to leverage those same smuggling routes to move operatives with intent to cause grave harm to our citizens or even bring weapons of mass destruction into the United States."

Do you share General Kelly's concern about the potential for terrorist organizations to exploit smuggling routes into the United States for nefarious purposes?

Answer. Yes, I do share General Kelly's concern. Drugs are but one manifestation of the overall problem of illicit trafficking. The overarching threat to our national security—of which drugs are one part—is the range of illicit commodities and traffickers, including those that facilitate the movement of 'special interest aliens' (SIAs) from countries such as Syria, Pakistan, and Iran. There is a risk that terrorist organizations could exploit SIA networks, established smuggling routes, or other regional vulnerabilities—including lax immigration and border security, corrupt government officials, or the capabilities of criminal organizations—to move terrorists into the United States or into the region.

I am also deeply concerned by the proven threat posed by foreign fighters. I understand there has been a small but steady stream of individuals and their families leaving the region to join ISIL in Syria or Iraq. This is especially concerning considering that many partner nations are unable to monitor the potential return of foreign fighters and often lack robust counterterrorism legislation to address this threat.

Question. What should SOUTHCOM do in order to counter this threat?

Answer. I believe USSOUTHCOM must continue collaborating closely and aggressively with its interagency, regional, and international partners—as well as providing intelligence support to regional U.S. Country Teams and interagency operations—to ensure our nation and those of our friends remain secure. If confirmed, I will also work tirelessly to ensure U.S. Southern Command develops, maintains, and aggressively employs the required intelligence capabilities to identify, monitor, and deter threats to the U.S. homeland or partner nations.

INTERAGENCY COLLABORATION

Question. What is your assessment of the current level of coordination between DOD and civilian agencies in SOUTHCOM's AOR?

Answer. USSOUTHCOM plays an enormously important role as an enabling platform for interagency operations and activities across the region. There are more than 30 interagency representatives integrated into the headquarters staff, allowing U.S. Southern Command to marshal in-house expertise to align military engagement activities within interagency frameworks, programs, and activities. USSOUTHCOM's Security Cooperation Organizations—mostly co-located in U.S. Embassies across the region—work side-by-side with civilian U.S. agencies to ensure seamless execution of U.S. security policies within each host nation. I understand there is also routine discussion and coordination between senior leaders from U.S. Southern Command, the United States Agency for International Development, and the Department of State Bureaus of Western Hemisphere Affairs and International Narcotics and Law Enforcement.

Question. If confirmed, how would you work to ensure that DOD efforts in your AOR complement the efforts of civilian agencies?

Answer. I firmly believe that seamless interagency coordination and execution is critical to effective and efficient U.S. security and foreign policy. If confirmed, I will continue to strengthen this coordination. I will also conduct periodic assessments of U.S. Southern Command's activities to identify areas for improving synchronization of efforts between U.S. Southern Command and civilian agencies, while also engaging with counterparts at the Department of State and other interagency entities to identify new opportunities for collaboration.

CUBA

Question. In light of the Administration's rapprochement with the government of Cuba, what is your view of the need to review and, potentially, revise U. S. policies regarding security cooperation with Cuba?

Answer. As I understand it, the United States and Cuba have cooperated on anti-drug efforts for over a decade, with a U.S. Coast Guard Drug Interdiction Specialist stationed at the U.S. Embassy in Havana. Coast Guard officials have also engaged with Cuban officials regarding oil spill prevention, planning, and response issues under the auspices of the International Maritime Organization (IMO).

U.S. military engagement with the Cuban military is currently restricted under U.S. policy. In compliance with all applicable U.S. polices and laws, I understand DOD is exploring avenues for cooperation with Cuba on shared interests like humanitarian and medical issues, disaster relief, and limited exercise and conference attendance. Currently, the monthly fence line meeting with the Cuban Army Frontier Brigade is one of the few direct channels to Cuba's military.

Question. What is your opinion about the pros and cons of military-to-military contact with Cuba?

Answer. Given that Cuba's military and security forces have long regarded the United States as its greatest threat to national security and are antagonistic to the presence of the U.S. Naval Station in Guantanamo Bay, the Cuban government will likely be hesitant to engage in high-profile military-to-military engagements, preferring low-level interaction on medical and humanitarian issues. An example of such engagement is when Cuban medics joined U.S. personnel from the USNS *Comfort* to provide medical care at a hospital in Haiti earlier this year.

Any military-to-military engagement plan must be developed within a larger, comprehensive U.S. Government engagement strategy that leverages all efforts to achieve U.S. national objectives; namely a stable, prosperous, and democratic Cuba. In general, based on our proven track record improving partner nations' military professionalism and respect for human rights, I believe engagement by our U.S. military could positively influence democratic governance, nurture and develop professional defense forces, and encourage greater regional cooperation. While normalization of relations opens up new avenues of cooperation, the U.S. military will not work with anyone who is not vetted or does not respect human rights. So if a decision is taken to change U.S. policy toward Cuba, mil-to-mil engagement may provide opportunities to improve conditions for the Cuban people.

VENEZUELA

Question. U. S. -Venezuelan relations have continued to be strained as President Maduro continues to propagate anti-American rhetoric, import increasing amounts of military armament, politicize the Venezuelan military forces, traffic illegal narcotics throughout the region, and export his brand of populism to the region.

What is your view of President Maduro's intentions in the region?

Answer. President Maduro publicly expresses his opposition to the United States, regularly criticizing the U.S. Government, its policies, and its relations with Latin America.

Question. What is your understanding of the current state of military-to-military relations between the U. S. and Venezuela?

Answer. My understanding is that military-to-military relations with Venezuela are minimal, despite U.S. Southern Command's efforts to maintain interaction and dialogue with the Venezuelan military. U.S. Southern Command invites Venezuelan military personnel to international and regional military forums, but they simply do not show up. JIATF South maintains an open position for a Venezuelan liaison officer; however, for several years, Venezuela has chosen to leave the position unfilled. If confirmed, I will continue to seek engagement opportunities with the Venezuelan military, in accordance with U.S. policy.

Question. How would you assess Venezuelan relations with China, Cuba, Iran, and Russia vis-a-vis the national interests of the United States?

Answer. Venezuela has strengthened its bilateral ties with Cuba, China, Iran, and Russia over the past few years, although it appears President Maduro does not have the strong personal ties his predecessor had with the leaders of those countries. If confirmed, I will monitor developments in Venezuelan foreign relations closely, particularly as they relate to U.S. national security interests.

Question. What is your understanding of the extent to which Venezuelan government or military forces are involved in the drug trade?

Answer. My understanding is that there are widespread allegations of Venezuelan government and military involvement in the drug trade, and that various government officials have been sanctioned under the Foreign Narcotics Kingpin Act.

Question. What is your assessment of the impact of Venezuela's deteriorating economic situation on the stability of the government and its relationship with the broader region?

Answer. As I understand it, Venezuela faces domestic economic challenges. Regionally, Venezuela's long-running border and maritime territorial disputes with its neighbors Guyana and Colombia continue. It is also a major drug transshipment point that fails to engage in consistent, strategic, and broad cooperation with international counter narcotics efforts.

BRAZIL

Question. What is your understanding of Brazil's security role in South America and the broader region?

Answer. As I understand it, Brazil seeks to take a greater global leadership role, particularly on issues related to maritime security and peacekeeping operations. Brazil has deployed security forces to its borders to address illicit trafficking and criminal activity. It is also an active contributor to regional and international peacekeeping and stability efforts, including leading the United Nations Stabilization Mission in Haiti.

Question. How would you assess U.S.-Brazil security cooperation?

Answer. As I understand it, the U.S. and Brazilian militaries cooperate on a number of issues, including counternarcotics, counterterrorism, disaster preparedness, humanitarian assistance, and aviation and port security. As the two largest democracies and economies in the Western Hemisphere, the United States and Brazil are natural partners, and both countries have committed to deepening security cooperation efforts.

Question. If confirmed, how might bilateral security coordination be improved?

Answer. As I understand it, the United States-Brazil Defense Cooperation Agreement (DCA) and General Security of Military Information Agreement (GSOMIA) will strengthen bilateral defense relations and enable greater cooperation between the United States and Brazil in defense-related matters, especially research and development, commercial initiatives, logistics support, technology security, and the acquisition and development of defense products and services. If confirmed, I will look to advance cooperation in these areas, focusing on joint exercises and the exchange of information and equipment, especially to improve the conduct of international peacekeeping operations.

PANAMA

Question. What is your assessment of U.S.-Panamanian security cooperation, particularly in the area of counter-narcotics efforts?

Answer. My understanding is that U.S.-Panama security cooperation is extremely close. The United States enjoys a strong partnership with all Panamanian security

services and Panama actively cooperates with the U.S. on counternarcotics efforts, to include supporting U.S. Coast Guard maritime operations; responding to interdiction cues from JIATF South; and collaborating with the Drug Enforcement Administration. Panama is a strong supporter of Operation MARTILLO, a multinational counter illicit trafficking operation to disrupt organized crime groups by limiting their ability to use Central America as a transit zone. Additionally, Panama's commitment to the security of the Canal has been exemplary, as shown by Panama's 2013 interdiction of the Motor Vessel Chong Chon Gang and its cooperation with the United Nations to determine if sanctions violations occurred.

ECUADOR

Question. How would you characterize the current status of counter-narcotics cooperation between the United States and the government of Ecuador?

Answer. As I understand it, the Ecuadorian government's closure of the U.S. Embassy's Office of Security Cooperation in April 2014 greatly reduced bilateral counternarcotics collaboration. Despite this setback, the United States continues to support Ecuador's security forces in limited ways. Ecuador participates in the annual U.S. Coast Guard-sponsored Multilateral Counterdrug Summit, which enhances bilateral cooperation in combating maritime drug trafficking and improving prosecution of maritime trafficking cases. While the closure of the Office of Security Cooperation certainly complicates military-to-military engagement and security cooperation between our two countries, the United States remains open to mutually beneficial engagement opportunities in the future.

SOUTHCOM'S MILITARY SERVICE COMPONENT COMMANDS

Question. Like all of the Combatant Commands, SOUTHCOM has military service component commands that implement the plans and policies of the Combatant Commander. Each of the component commands also have responsibility to the Services they represent. It seems SOUTHCOM, however, exercises limited command and control in directing specific activities and limited oversight of the activities of the component commands.

If confirmed, will you review the command and control relationship and share your findings with the committee?

Answer. Yes, I will.

Question. SOUTHCOM does not have any assigned forces and—as a result—is required to compete for forces within the global request for forces process. Given the Department's focus on the greater Middle East and Asia-Pacific, do you believe the SOUTHCOM Commander will be able to secure the necessary personnel to accomplish its partnering and engagement mission within its AOR? If not, how would you assess the risk to U.S. strategic interests in the region?

Answer. U.S. Southern Command has long operated as an economy-of-force command. Persistent ISR shortfalls negatively impact the Command's ability to monitor threat networks in the region and to identify indicators and warnings for potential crises. With regard to forces, even a small change in force allocation makes an enormous difference in the Command's ability to engage with partner nations and ensure a defense in depth of the homeland. If confirmed, I will advocate aggressively to ensure that USSOUTHCOM's requirements are adequately sourced. I will also seek innovative alternatives to traditional force sourcing solutions.

ACQUISITION

Question. Do you feel that the military services are responsive to SOUTHCOM requirements when prioritizing resources for acquisition programs, for example, with respect to drug interdiction platforms?

Answer. Given global defense priorities, the Services do their best to be responsive and source USSOUTHCOM requirements. While the U.S. Navy has competing requirements, the U.S. Coast Guard has committed a 50 percent increase in cutters equipped with a helicopter flight deck, plus a commensurate plus-up in maritime patrol aircraft hours to support JIATF South's detection and monitoring mission. To help mitigate shortfalls, I understand that USSOUTHCOM also makes good use of a variety of innovative approaches, like adapting anti-IED technology for use in counterdrug operations in dense jungle and mountainous terrain.

Question. Would SOUTHCOM missions benefit from its own dedicated acquisition budget and authority, especially for rapid acquisition and deployment of new capabilities?

Answer. From my understanding of USSOUTHCOM's current organizational construct, changes of this nature would require the creation of a new acquisition branch and the hiring of additional personnel. Currently, I do not believe that

USSOUTHCOM would be able to manage changes of this nature. However, if confirmed, I can examine that possibility and report back to the Committee if I believe such a change would be beneficial.

COLOMBIA

Question. Plan Colombia has demonstrated that a multi-year, sustained partnership can achieve significant and lasting results in the area of security cooperation. Plan Colombia has enabled the Colombian government to make significant gains against the FARC (Revolutionary Armed Forces of Colombia) and other paramilitary forces in Colombia, as well as enabled the government to secure many previously ungoverned areas.

What is your assessment of the current security situation in Colombia?

Answer. Thanks to our sustained assistance and their political will, Colombia has been transformed from a near failed state into a major regional player exercising significant political influence, including South America's most professional security forces, and a dynamic economy. In a little over a decade, homicide and kidnapping rates have plummeted and terrorist attacks are down 50 percent. The number of FARC combatants has been reduced from ~22,000 in 2002 to fewer than 8,000 today. The FARC is profoundly unpopular, routinely polling at about 3 percent domestic popular support. Colombia now sets the standard for hemispheric law enforcement and counternarcotics efforts, and now exports its security expertise to other countries in the region.

Although Colombia's transformation is remarkable, they will still face a violent period with many challenges even if a peace deal is reached. For Colombia to successfully consolidate the promise of this decades long struggle, the United States must remain a fully engaged post-peace accord partner.

Question. What lessons should be drawn from Plan Colombia to inform building partner capacity efforts elsewhere in the SOUTHCOM AOR and beyond?

Answer. We can learn a lot from the Colombian experience. We should look to Colombia, not just for examples of where we got it right, but where they did, and why. Colombia had effective core institutions, a strong sense of national identity, and a commitment to a market economy, institutional democracy, and fundamental freedoms. Most importantly, after the struggles of the 1990s, Colombia's leaders possessed one thing that is indispensable to the success of security assistance: tenacious political will. They came up with their own plan (Plan Colombia)—what they called a 'Colombian solution to a Colombian problem'—that involved modernization and professionalization of their Armed Forces, respect for human rights, and welcoming U.S. training and intelligence support with open arms. Policy continuity over successive Colombian administrations was also a key factor and, again, a reflection of their enduring commitment to a goal we shared. This goal was not just shared by the Colombians; bipartisan support in the U.S. Congress and a 'whole of U.S. Government' approach was also instrumental to Plan Colombia's success. While the U.S. has spent approximately $10 billion to train the Colombian military and support the Colombian government, the Colombians outspent us by a significant margin.

Question. How should U.S. security cooperation programs and activities evolve as the security situation in Colombia continues to improve?

Answer. Although Colombia's economic and security transformation is remarkable, the proliferation of weapons and criminal organizations and the potential for violent competition after the FARC demobilizes will continue to pose significant challenges. Colombia's topography, jungles, and difficult terrain will complicate efforts to consolidate state institutions and extend government presence into remote areas once run by the FARC.

Continued U.S. engagement will be critical to ensure Colombia can consolidate the success it has achieved over the past 15 years. In addition to continued counterdrug cooperation, I understand that U.S. Southern Command is supporting the Colombian military's modernization and transformation efforts as they prepare for a new, post-peace accord role that is more outwardly focused on international missions such as peacekeeping.

Question. What programs should continue in order to ensure that the progress that has been made is sustained?

Answer. Current programs such as Civil Military Support Elements and Information Operations will be critical to supporting the Government of Colombia's efforts to extend state influence and security throughout all parts of the country. Military cooperation will remain essential to maintain and expand on hard-fought security gains and manage emergent security concerns. Given the government's focus on implementing its new counternarcotics strategy, SOUTHCOM will need to remain fo-

cused in this area, while also expanding training for international peacekeeping operations.

Question. How do you envision the U.S. security cooperation programs and activities evolving in the event of a successful outcome of the Colombian—FARC peace negotiations?

Answer. As Colombia nears the end of a 51-year conflict, now is the time to position the United States, Colombia's leading ally, to support successful implementation of a peace agreement. Consolidation of the gains achieved to date and establishment of state authority throughout its sovereign territory will require sustained effort for years to come. Continued targeted assistance will be essential to the Colombian government as it begins peace implementation, helping reassure the Colombian public of the benefits of a peace agreement and the strength of our bilateral partnership. Such assistance will also help build the conditions for a just and durable peace.

The Disarmament, Demobilization, and Reintegration (DDR) process will likely be a long-term endeavor that will require U.S. assistance on a range of issues. Immediate support to this process would likely include planning and logistical assistance, as well as support in constructing zones for demobilized guerillas and demining efforts. The movement of the FARC to DDR zones will likely create vacuums that need to be filled by the effective presence of the state—and there will no doubt be an important security component to this. I also believe the U.S. military should continue its core support to Colombia as it combats cocaine cultivation, production, and trafficking and fights transnational organized crime.

Question. How would you approach the issue of respect for human rights in the Colombian military?

Answer. If confirmed, I will maintain the U.S. Southern Command's Human Rights Initiative and ensure that respect for human rights continues to be a key element of the U.S. military's engagement with Colombia.

Question. Colombia has demonstrated a willingness to become more involved internationally, to include increased engagements with regional partners, signing a Cooperation and Security of Information Agreement with NATO in 2013, and President Santos' announcement at the United Nations General Assembly meeting in September 2015 that his country would contribute 5,000 personnel to U.N. international peacekeeping missions over the next three years.

What are your views on these developments?

Answer. This demonstrates a significant return on our investment. A prospering Colombia at peace has the potential to be a global partner on security, democracy, and trade issues. In the security realm, Colombia has one of the most capable militaries in the region and is the region's premiere 'security exporter,' sharing counterterrorism and counternarcotics expertise with Central America, Mexico, and the Dominican Republic. They are also contributing to international security efforts; the Colombian Navy currently has a ship off the coast of Somalia protecting World Food Programme shipments (in support of NATO's anti-piracy operation OCEAN SHIELD).

Question. In what ways should SOUTHCOM assist Colombia in its efforts to assume a greater role internationally?

Answer. As the Colombian military carefully plans its transition to a post-peace accord role, USSOUTHCOM can assist with planning and other efforts, as well as expanding activities that support the U.S.-Colombia Action Plan on Regional Security Cooperation. I think USSOUTHCOM can also contribute to Colombia's plan to transform its military force by providing training in missions such as peacekeeping operations, as well as support the Colombian military's long-term modernization and self-sufficiency.

WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION

Question. The Western Hemisphere Institute for Security Cooperation (WHINSEC), which replaced the School of the Americas in 2001, has the mission of contributing to theater cooperation activities through the education and training of students in the Western Hemisphere from Canada to Chile.

What is the relationship between SOUTHCOM and WHINSEC?

Answer. WHINSEC does not fall under U.S. Southern Command's command authority, but it is one of many valuable tools available to strengthen military-to-military relations in the region. I also understand the Commander of U.S. Southern Command is a member of WHINSEC's Board of Visitors. If confirmed, I look forward to joining this distinguished group.

Question. In your view, does WHINSEC promote the national security interests of the United States in the Western Hemisphere?

Answer. DOD educational institutions like WHINSEC provide professional education, and training opportunities to eligible personnel within the context of the democratic principles set forth in the Charter of the Organization of American States (OAS), while fostering confidence and cooperation among the participating nations, and promoting democratic values and respect for human rights. Instilling these principles in partner nation militaries absolutely enhances the national security of the United States.

Question. In your view, what more—if anything—does WHINSEC need to do to emphasize human rights in its curriculum?

Answer. From what I understand, WHINSEC has a very comprehensive human rights curriculum in place. USSOUTHCOM's Human Rights Office does not have the capacity to directly plan and execute human rights training to partner nation militaries. Instead the office depends upon third parties like WHINSEC to plan and conduct the training. If confirmed, I will continue to monitor and assess the human rights curriculum and will stress the value of WHINSEC attendance for personnel from regional militaries and security forces.

Question. Will you attend the regularly scheduled WHINSEC Board of Visitors meetings?

Answer. Yes, I will, if confirmed.

IRANIAN INFLUENCE IN LATIN AMERICA

Question. There has been increased concern in recent years about Iran's growing interest in Latin America, particularly its relations with Venezuela, which in turn has played a key role in Iran's expanding relations with Bolivia, Ecuador, and Nicaragua. There has been disagreement, however, over the extent and significance of Iran's relations with the region.

What is your assessment of Iran's military presence and objectives in the region?

Answer. I believe Iran's efforts in the region have primarily been undertaken to circumvent international sanctions which have resulted in Iranian diplomatic and political isolation. I believe Iran also intends to undermine U.S. influence in the USSOUTHCOM region. While Iranian engagement and influence had waned in recent years, President Ruhani has indicated Tehran intends to increase economic, scientific, and cultural ties with Latin America. I am not aware of any increase in uniformed Iranian military presence in the region.

Question. What is the extent of Iran's military-to-military engagement with Latin American countries?

Answer. As the foremost state sponsor of terrorism, Iran's involvement in the region remains a matter for concern. Iranian overt engagement has focused mainly on enhancing its economic and diplomatic ties to the region, and it has not made significant progress in increasing its arms sales to the region.

Question. What is your understanding of Hezbollah's activities in the hemisphere?

Answer. As I understand it, Lebanese Hezbollah maintains an extensive regional network of supporters and sympathizers in the region, some of whom are involved in trade-based money laundering and other illicit activities to generate revenue, a portion of which goes to support the parent organization in the Middle East. Despite this focus on financial gain, Lebanese Hezbollah maintains an operational infrastructure in the region with the capability to conduct or support Iranian or Hizballah terrorist attacks with little to no warning.

SPECIAL OPERATIONS PERSONNEL IN EMBASSIES

Question. U.S. Special Operations Command deploys personnel to work with country teams in a number of priority countries where the United States is not engaged in direct action operations, but rather trying to stop the spread of violent extremism. Their mission is to support the priorities of the Ambassador and the Geographic Combatant Commander's theater campaign plan against terrorist networks.

If confirmed, what do you intend to do to make sure the goals of special operations personnel deployed to these countries are aligned closely with those of the Ambassadors they are working with?

Answer. If confirmed, I would personally reach out to Ambassadors in the region to ensure our activities remain aligned with their objectives. Prior to deploying any forces, we would provide planning direction through USSOUTHCOM's Theater Campaign Plan. Military personnel embedded within U.S. Country Teams use this direction to develop Country Cooperation Plans, which directly support and are aligned with their respective Ambassadors' Mission Strategic Resource Plans. Prior to and during execution of activities, my staff would review all deployments, including that of Special Operation Forces, to ensure they meet requirements that have been vetted by the Ambassador and the U.S. Country Teams.

SEXUAL ASSAULT PREVENTION AND RESPONSE IN U.S. SOUTHERN COMMAND

Question. What is your assessment of the challenges in implementing an effective sexual assault prevention and response program in U.S. Southern Command and the SOUTHCOM area of responsibility?

Answer. Sexual assault has no place in the U.S. military. It has a devastating and life-long impact on the victims and is detrimental to unit morale, cohesiveness, and readiness. Ensuring an unambiguous zero tolerance policy across any large organization is a critical priority. Further, there should be no doubt or ambiguity that sexual assault is a violation of the Uniformed Code of Military Justice and will be investigated and prosecuted accordingly under all applicable regulations and policies. If confirmed, I will communicate and enforce a culture in which all personnel uphold the highest standards of respect for their fellow servicemembers.

Question. What steps would you take to create an environment that encourages reporting and investigation of sexual assault, and that provides appropriate accountability for substantiated allegations of sexual assaults within deployed forces in a joint environment, and how would you, if confirmed, ensure such accountability?

Answer. Deployed joint forces confront command and control issues inherent to the differences among Services and missions across sometimes very long distances. If confirmed, I would ensure that all sexual assault allegations are fully investigated, that perpetrators are held accountable by their appropriate chains of command, and that all victims are cared for and shielded from retribution. The Department of the Army, which is the executive agency for U.S. Southern Command, has instituted a comprehensive Sexual Harassment/Assault Response and Prevention (SHARP) program training support package to provide training to all military personnel. This includes a zero tolerance policy that ensures all incidents are handled using the exact procedures outlined in Department of Defense directives and policy, which promote sensitive care, confidential reporting for victims of sexual assault, and 100 percent accountability for those who commit these crimes. U.S. Southern Command recently appointed a second Sexual Assault Response Coordinator to the Headquarters, which is an excellent step towards ensuring a culture of accountability and support. If confirmed, I would continue to communicate and enforce this zero tolerance policy while creating and fostering a culture of support and protection for victims.

Question. Recently, this Committee received testimony about troubling allegations concerning sexual assault by senior officials for coalition partners in Afghanistan.

In your view, what is the appropriate role for a U.S. military commander who is working with senior foreign officials of partner nations, if that U.S. officer becomes aware of allegations of sexual misconduct by the foreign officer or by officials of the foreign nation?

Answer. If confirmed, I would direct all U.S. personnel serving under my command to immediately report any such allegation through their chain of command. In the case that coordination is required with the foreign military or government, I would work closely with the U.S. Ambassador in the foreign nation with the foreign military or government, I would work closely with the U.S. Ambassador in the foreign nation.

Question. If confirmed, what direction would you give to U.S. personnel assigned in the SOUTHCOM AOR who become aware of such allegations?

Answer. If confirmed, I would direct all U.S. personnel serving under my command to immediately report any such allegation through their chain of command. I will also emphasize discipline in the ranks and a strong culture of accountability and personal responsibility.

Question. Under what circumstances would you expect U.S. personnel under your command to intervene to stop such misconduct if they suspect it or observe it?

Answer. U.S. personnel should immediately report any such misconduct through their chain of Command. Direct intervention should only occur in the case of a life or death situation.

MENTAL HEALTH OF SERVICEMEMBERS AND STRESS ON THE FORCE

Question. The Committee is concerned about the stress on military personnel and their families resulting from repeated deployments and their access to mental health care to deal with this increased stress.

In your view, are there sufficient mental health assets embedded within U.S. Southern Command to address the mental health needs of the military personnel, particularly for those who have experienced multiple deployments in Iraq and Afghanistan, as well as military families?

Answer. As I understand it, the majority of forces that deploy within the USSOUTHCOM AOR rely on their parent service for medical care during post-de-

ployment, including the very important post-deployment monitoring of mental health. During deployment, I am told USSOUTHCOM's Command Surgeon closely monitors all command mental health issues and ensures that the command provides immediate support, if necessary. Personnel assigned to the U.S. Southern Command Headquarters have their medical needs met through a small U.S. Army Health Clinic located at the Headquarters. I have been told that a mental health professional is assigned to this clinic and that patients may also be referred to the local VA hospital, clinics, and civilian providers to address their mental health needs. I understand that family members and retirees are also supported by the Garrison Employee Assistance Program as well as TRICARE.

HUMANITARIAN ASSISTANCE AND DISASTER RELIEF

Question. What should be the role for the U.S. military in humanitarian assistance and disaster relief in the SOUTHCOM AOR?

Answer. As outlined in the Unified Command Plan, the U.S. military is responsible for conducting foreign humanitarian assistance and disaster relief operations in support of the lead federal agency (USAID/OFDA), at the direction of the President or the Secretary of Defense in response to a request from the affected host nation.

Question. Are the resources necessary to fulfill this role currently available to the SOUTHCOM Commander? If not, what additional resources are necessary?

Answer. As I understand it, mandated budget and workforce reductions have impacted U.S. Southern Command's ability to rapidly respond to a significant contingency without substantial headquarters augmentation. If confirmed, I would examine USSOUTHCOM's current capabilities to respond to a natural disaster or humanitarian crisis and work through the Joint Staff and Services to source requirements.

LAW OF THE SEA CONVENTION

Question. The United Nations Convention on the Law of the Sea is pending consideration in the United States Senate.

What is your view on whether or not the United States should join the Law of the Sea Convention?

Answer. As an official policy matter, I defer questions associated with the U.N. Law of the Sea Convention to the Secretary of the Navy. However, as a senior joint officer with relevant maritime experience, I fully support the U.S. accession to the Convention.

Question. How would being a party to the Law of the Sea Convention help or hinder the United States' security posture?

Answer. The United Nations Convention on the Law of the Sea (UNCLOS) codifies navigation and overflight rights on the high seas and ensures rights of transit through international straits, both of which are essential for the mobility of U.S. armed forces. UNCLOS supports our National Security Strategy and helps advance our economic and security objectives. As a senior Naval officer I know that as a matter of customary law, the U.S. is already in compliance.

SCIENCE AND TECHNOLOGY

Question. As with other Combatant Commands, a Science and Technology (S&T) advisor is assigned to support SOUTHCOM.

If confirmed, what would be your priorities for the SOUTHCOM Science and Technology advisor?

Answer. My priorities for the Science and Technology Advisor would focus on applying innovative and sustainable technologies that support Command priority missions and maintain security and stability in the AOR. That would include technologies like surveillance, non-lethal weapons, communications, logistics, information sharing, foliage penetration, cyber security, and maritime security. Science and technology is an excellent tool to foster enduring partnerships and coalition collaboration. I would also direct the Science and Technology Advisor to continue working with established and new partners, both domestically and internationally, to mitigate any technology surprises that would challenge theater security.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes, I do.

Question. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes, I do.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander, U.S. Southern Command?

Answer. Yes, I do.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes, I do.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes, I do.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

Guantanamo

1. Senator AYOTTE. Admiral Tidd, General Kelly has been a strong and consistent advocate of the men and women of Joint Task Force Guantanamo, who conduct safe, legal, humane, and transparent detention operations that keep dangerous terrorists off the battlefield and increase the safety of Americans. Admiral Tidd, if confirmed, will you follow General Kelly's example and serve as a strong and consistent advocate for the men and women of Joint Task Force Guantanamo, and ensure that they have the necessary resources and facilities to complete their task?

Admiral TIDD. If confirmed, just as Gen Kelly has been, as their commander I will be the most aggressive advocate for the men and women under my command. The men and women of our armed forces are by far our most valuable resource. They volunteer to serve their country out of a strong sense of honor, duty, and courage. The personnel serving at the Joint Task Force Guantanamo exemplify these traits every day as they perform the demanding, and often thankless mission of conducting humane and principled detention operations.

2. Senator AYOTTE. Admiral Tidd, will you look for opportunities to highlight the professionalism and performance of the guard force that performs such a difficult job so well?

Admiral TIDD. If confirmed, I will always prioritize the well-being and morale of those serving our nation. The men and women conducting detention operations at the Joint Task Force Guantanamo execute their duties in a stressful environment, in which they face near-constant verbal and physical assault by detainees. In the face of those challenges, the guard force and medical personnel maintain the highest professional standards and I will always recognize their outstanding work.

HEROIN

3. Senator AYOTTE. Admiral Tidd, addressing the devastating heroin epidemic in New Hampshire has been a major priority of mine. We've seen a dramatic increase in the number of drug deaths, and I know many other States are also struggling with this epidemic too. According to the Drug Enforcement Administration (DEA), heroin and fentanyl are most commonly brought into the United States through the Southwest border. I have discussed this at length with General Kelly and worked to include funding to reduce the flow of drugs through the Southern Command (SOUTHCOM) area of operations and into the United States. A consistent problem has been the lack of interdiction assets, such as vessels and helicopters. If confirmed, will you come back within a few weeks and tell me what specific additional resources you need to more effectively fight the flow of drugs through SOUTHCOM's area of operations?

Admiral TIDD. If confirmed, I am committed to being candid and forthright about SOUTHCOM's requirements for its mission to detect and monitor illicit narcotics bound for the United States. There is no easy solution to stop the flow of drugs into our nation. It will require the concerted efforts of the military, intelligence community, law enforcement, and partner nations to detect, illuminate, and ultimately dismantle these criminal networks that have proven they can move drugs, weapons, bulk cash, and people into our country. I will work closely with you and the committee to maximize available resources, explore innovative solutions, and leverage partnerships to mitigate risks.

QUESTIONS SUBMITTED BY SENATOR DAN SULLIVAN

RUSSIAN INFLUENCE IN SOUTH AND CENTRAL AMERICA

4. Senator SULLIVAN. Admiral Tidd, in March, General Kelly testified that Russia has continued to boost its military presence in Central and South America. He cited examples of increased Russian activity and influence in the region, from Russia's naval deployments to the Caribbean to various stops in countries like Cuba, Venezuela, and Nicaragua. Given the international sanctions against Russia, could you characterize Russia's actions in Central and South America as the beginning of Russia's strategic "rebalance" to Central and South America?

Admiral TIDD. Russia's presence in Central and South America is less than it was during the Cold War period. I do not believe that Russia is a direct military threat in the hemisphere; however, Russia is expanding their presence in the region, competing directly with the U.S. for influence in our hemisphere. Russia will likely continue to engage in this hemisphere, in an attempt to escape the diplomatic isolation imposed as a result of its illegal invasion/annexation in Crimea/Ukraine.

5. Senator SULLIVAN. Admiral Tidd, since General Kelly's testimony in March, have Russian activities in Central and South America increased, decreased, or stabilized?

Admiral TIDD. Russian activities in Central and South America are above traditional norms established a decade ago, but the only appreciable growth has been its engagement with Nicaragua.

6. Senator SULLIVAN. Admiral Tidd, what specific examples can you give of Russia's recent actions in the region that have occurred since General Kelly's testimony in March?

Admiral TIDD. Since March 2015, Russia maintained a small military presence, collected information about the region and the U.S., and projected naval power. I am aware of Russia conducting four naval deployments to the SOUTHCOM region in the last year—an oceanographic and hydrographic research ship to Nicaragua; an intelligence collection ship to the U.S. east coast and Caribbean; and another oceanographic research ship to the Caribbean. Notably, all of the naval deployments involved data or intelligence collection.

7. Senator SULLIVAN. Admiral Tidd, what are the ramifications of Russia's actions in Central and South America on U.S. interests—like Russia's recent moves to deepen its economic and military relationship with Argentina and other countries in the region?

Admiral TIDD. I believe Russia's actions in the region are aimed at competing with the U.S. for regional influence. As a result of resource constraints, causing SOUTHCOM to reduce engagement, I believe Russia may be able to gain some increased influence. I am not aware of any Russian overtures to the recently elected Argentine government, which I understand may be far more open to engagement than the previous government with other regional nations, including the United States. Russia has three partners of choice throughout the SOUTHCOM area of responsibility—Venezuela, Nicaragua, and Cuba.

8. Senator SULLIVAN. Admiral Tidd, do you agree with current SOUTHCOM Commander General Kelly that Russia's power-projection in Central and South America constitutes a "clear return to Cold War tactics"? Why or why not?

Admiral TIDD. Russia's actions world-wide are concerning on many levels. Russia's tactics in Latin America do not appear militarily challenging, but do pose direct competition for regional influence. Russia's engagement in the SOUTHCOM area of responsibility in some ways resembles tactics that it employed during the Cold War. However, I suspect that their tactics are more than "back to the future" Cold War

business. I am mindful of their hybrid warfare strategy in the Ukraine that uses sophisticated disinformation and leverages organized crime and proxies. Pursuing a gradualist approach designed to stay below a threshold that would provoke intervention is part of the Russia hybrid warfare playbook; actions that do not seem directly challenging may still be meaningful steps toward Russian objectives that are counter to United States interests. I will keep a weather eye on this. I will stay closely linked with EUCOM—to better understand Russian strategy and activities, to learn best practices of NATO and our European allies that can be transferred to SOUTHCOM, and to be able to provide support to EUCOM and the United States grand strategy as it relates to Russia.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

DRUG INTERDICTION IN PUERTO RICO

9. Senator GILLIBRAND. Admiral Tidd, interdiction of drugs in Puerto Rico is a challenging but necessary task. A GAO report from June 2014 found that, however, during fiscal years 2009 through 2013, the Coast Guard met the target of their primary performance measure—the removal rate of cocaine from noncommercial vessels in the transit zone—only once. What is your understanding of the status of interdiction in Puerto Rico?

Admiral TIDD. I will have to consult with the U.S. Customs and Border Protection and the U.S. Coast Guard with regard to interdictions in and around Puerto Rico. The Department of Defense has the statutory responsibility to detect and monitor aerial and maritime transit of illegal drugs bound for the United States. The law enforcement agencies have the authority for interdiction and apprehension.

10. Senator GILLIBRAND. Admiral Tidd, to what extent does SOUTHCOM support interdiction efforts in Puerto Rico?

Admiral TIDD. The Joint Interagency Task Force South (JIATF South), an interagency joint task force subordinate to SOUTHCOM, operates in the transit zone to support interdiction of all known northbound illicit targets of interest, to include those that might end up in Puerto Rico. JIATF South fuses intelligence and shares that information with NORTHCOM and the U.S. Coast Guard, which generally conducts interdiction around Puerto Rico.

11. Senator GILLIBRAND. Admiral Tidd, to the extent that SOUTHCOM is involved, do you feel there are enough resources to successfully execute its mission and what else might be needed?

Admiral TIDD. Understanding global priorities and the limited resources available to address those priorities, I do believe that SOUTHCOM lacks sufficient maritime and air assets to effectively conduct its detection and monitoring mission in support of law enforcement interdiction efforts. As multiple SOUTHCOM Commanders have previously testified, stemming the flow of illicit drugs is extremely complex. It requires the development of actionable intelligence and a range of air and maritime assets to ultimately support interdiction and apprehension of traffickers. If confirmed, I will seek to mitigate this shortfall of forces by developing creative and nontraditional solutions, and I will continue to foster the partnerships with our law enforcement and partner nations who have been critical in this mission.

SEXUAL ASSAULT INTERNATIONALLY

12. Senator GILLIBRAND. Admiral Tidd, in your advance policy questions, you talked about the importance of reporting up the chain of command any incidence of sexual assault by a partner foreign nation force. Since these incidents do not fall under the Uniform Code of Military Justice (UCMJ), but do impact our ability to operate and potentially how we are viewed by the local population, what more can we do to ensure that this kind of behavior is addressed?

Admiral TIDD. U.S. Military Servicemembers are expected to uphold the highest standards of personal conduct and respect for good governance; they should respect others and actively demonstrate that respect to our partner nation (PN) personnel in a way that the PN leadership and forces would want to emulate. If our forces detect or suspect instances of sexual assault by PN military forces, our forces must report that immediately to their chain of command and PN leadership. Should PN leadership indicate an unwillingness to act, then I would expect our most senior U.S. representatives (diplomatic and military) to meet with senior officials of the PN to impress upon them the need to take action.

13. Senator GILLIBRAND. Admiral Tidd, what can we do in situations in which the local authorities do not act on the information we provide?

Admiral TIDD. Should PN leadership indicate an unwillingness to act, then I would expect our most senior U.S. representatives (diplomatic and military) to meet with senior officials of the PN to impress upon them the need to take action. If local authorities do not act on the information the U.S. provides, the senior U.S. Military Commander and the Country Team, in coordination with the Departments of Defense and State, could reassess ongoing operations and engagements with the partner nation. Partnering activities could be scaled back, as necessary or appropriate, to stress the unacceptability of this inaction.

14. Senator GILLIBRAND. Admiral Tidd, how can DOD and the military work with other parts of the U.S. Government—like the State Department and the U.S. Agency for International Development (USAID)—to help the victim of these assaults?

Admiral TIDD. I am aware of the services available to assist our servicemembers who have been victims of sexual assault. If confirmed, I will engage senior interagency representatives to better understand their capabilities and services available for non-U.S. military victims of sexual assault and how we could partner if this were to be observed by U.S. forces in the region.

[The nomination reference of the Vice Admiral Kurt W. Tidd, USN follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
October 28, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To Be Admiral

Vice Admiral Kurt W. Tidd, 5355

[The biographical sketch of Vice Admiral Kurt W. Tidd, USN, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF VICE ADMIRAL KURT W. TIDD, USN

Promotions:

Dates of appointment	Promotions
07 JUN 1978	Ensign
07 JUN 1980	Lieutenant (junior grade)
01 JUL 1982	Lieutenant
01 SEP 1988	Lieutenant Commander
01 JUN 1993	Commander
01 JUL 1999	Captain
14 JUL 2006	Designated Rear Admiral (lower half) while serving in billets commensurate with that grade
01 SEP 2006	Rear Admiral (lower half)
01 DEC 2009	Rear Admiral
26 JUL 2012	Vice Admiral, Service continuous to date

Assignments and Duties:

Assignments and Duties	From	To
U.S. Naval Academy, Annapolis, MD (Instructor for Naval Science)	JUN 1978	AUG 1978
Surface Warfare Officers School Command, Newport, RI (DUINS)	AUG 1978	APR 1979
USS SEMMES (DDG 78) (Main Propulsion Assistant)	APR 1979	FEB 1981
Surface Warfare Officers School Command, Newport, RI (DUINS)	FEB 1981	FEB 1981
USS AMERICA (CV 66) (Boilers Officer)	MAR 1981	JAN 1983
Fleet Combat Training Center, Atlantic, Dam Neck, VA (DUINS)	JAN 1983	APR 1983
Commander, Cruiser Destroyer Group EIGHT (Flag Lieutenant/Aide)	MAY 1983	MAY 1984
Defense Language Institute, Monterey, CA (DUINS)	MAY 1984	AUG 1984
University of Bordeaux, France (Student) Olmsted Scholar	SEP 1984	SEP 1986
Surface Warfare Officers School Command Newport, RI (DUINS)	OCT 1986	MAY 1987
USS DEYO (DD 989) (Operations Officer)	MAY 1987	JAN 1989
Armed Forces Staff College, Norfolk, VA (Student)	JAN 1989	JUL 1989
U.S. Military Representative to NATO Military Committee, Brussels, Belgium (Aide)	AUG 1989	AUG 1991
XO, USS LEFTWICH (DD 984)	AUG 1991	DEC 1992
Office of the Chief of Naval Operations (Action Officer) (N51)	JAN 1993	AUG 1993
The Atlantic Council, Washington, D.C. (Federal Executive Fellow)	AUG 1993	JUN 1994
Office of Program Appraisal (Political Military and Special Projects)—SECNAV	JUN 1994	AUG 1995
Office of the Chief of Naval Operations (Assistant for Long Range Planning) (NOOK)	SEP 1995	AUG 1996
CO, USS ARTHUR W RADFORD (DD 968)	SEP 1996	OCT 1998
Commander, FIFTH Fleet (Deputy Assistant Chief of Staff for Operations) (N3 A)	OCT 1998	APR 2001
Office of the Chief of Naval Operations (Branch Head, Warfare Policy and Doctrine Branch) (N51)	APR 2001	JUL 2001
Office of the Chief of Naval Operations (Deputy for Operations and Strategy) (N3)	AUG 2001	DEC 2003
Commodore, Destroyer Squadron FIVE ZERO	DEC 2003	MAR 2005
National Security Council, Washington, DC (Director of Combating Terrorism)	MAR 2005	JUL 2006
National Security Council (Director, Strategic Capabilities Policy)	JUL 2006	AUG 2008
Commander, Carrier Strike Group EIGHT	AUG 2008	AUG 2009
Joint Staff (Vice Director for Operations) (J3)	AUG 2009	AUG 2011
Commander, U.S. Naval Forces, U.S. Southern Command/	AUG 2011	JUL 2012
Commander, United States FOURTH Fleet/Joint Staff (Director for Operations) (J3)	JUL 2012	OCT 2013
Assistant to the Chairman of the Joint Chiefs of Staff	OCT 2013	To Date

Medals and Awards

Defense Superior Service Medal
Legion of Merit with two Gold Stars
Defense Meritorious Service Medal
Meritorious Service Medal with two Gold Stars
Navy and Marine Corps Commendation Medal with three Gold Stars
Navy Unit Commendation with one Bronze Star
Navy "E" Ribbon with two "Es"
Navy Expeditionary Medal with two Bronze Stars
National Defense Service Medal with two Bronze Stars
Armed Forces Expeditionary Medal with two Bronze Stars
Iraq Campaign Medal
Global War on Terrorism Expeditionary Medal
Global War on Terrorism Service Medal
Sea Service Deployment Ribbon with three Bronze Stars
Navy and Marine Corps Overseas Service
Ribbon with one Bronze Star
Expert Pistol Shot Medal
Expert Rifle Marksmanship Medal

Special Qualifications

BS (Foreign Affairs) U.S. Naval Academy, 1978
MA (Political Science) University of Bordeaux, 1986
Olmsted Scholar, 1986
Designated Surface Warfare Officer, 1980
Designated Joint Qualified Officer, 1989
Capstone, 2007–4
Designated Level IV Joint Qualified Officer, 2009

Foreign Language

French.

Summary of Joint Duty Assignments

Assignment	Dates	Rank
U.S. Military Representative to NATO Military Committee, Brussels, Belgium (Aide)	AUG 89–JUL 91	LCDR
National Security Council, Washington, DC (Director of Combating Terrorism)	MAR 05–JUL 06	CAPT
National Security Council, Washington, DC (Director, Strategic Capabilities Policy)	JUL 06–AUG 08	CAPT
Joint Staff (Vice Director for Operations) (J3)	AUG 09–AUG 11	RDML
Joint Staff (Director for Operations) (J3)	JUL 12–OCT 13	VADM
Assistant to the Chairman of the Joint Chiefs of Staff	OCT 13–TO DATE	VADM

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Vice Admiral Kurt W. Tidd, USN in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Kurt W. Tidd.

2. **Position to which nominated:**
Commander, U.S. Southern Command.

3. **Date of nomination:**
October 28, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
March 26, 1956.
Honolulu, Hawaii.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Eileen Scanlan Tidd, MD, MPH.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

None.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

KIRT W. TIDD

This 30th day of September, 2015

[The nomination of the Vice Admiral Kurt W. Tidd, USN was reported to the Senate by Chairman McCain on December 15, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 16, 2015.]

NOMINATIONS OF HONORABLE PATRICK J. MURPHY TO BE UNDER SECRETARY OF THE ARMY; DR. JANINE ANNE DAVIDSON TO BE UNDER SECRETARY OF THE NAVY; AND HONORABLE LISA S. DISBROW TO BE UNDER SECRETARY OF THE AIR FORCE

TUESDAY, DECEMBER 15, 2015

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:30 a.m., in Room SD–G50, Dirksen Senate Office Building, Senator John McCain (chairman) presiding.

Members present: Senators McCain, Inhofe, Wicker, Ayotte, Cotton, Rounds, Ernst, Tillis, Sullivan, Reed, Nelson, McCaskill, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, King, and Heinrich.

OPENING STATEMENT OF SENATOR JOHN MCCAIN, CHAIRMAN

Chairman MCCAIN. Good morning. We welcome all our nominees here this morning as well as members of your families. As is our tradition at the beginning of your testimony, we welcome you to introduce any members of your family joining you today.

Mr. Murphy, you served as congressman for the 8th District of Pennsylvania from 2008 to 2011. You served in the United States Army as a judge advocate. While on Active Duty, you served as a military instructor at West Point. By the way, that was an excellent game on Saturday.

Senator REED. I do not know.

Chairman MCCAIN. It was actually very competitive, and I think the Black Knights can be proud of their performance. I really do.

Mr. MURPHY. I agree.

Chairman MCCAIN. Against arguably one of the best quarterbacks in the country. So I think they can be proud.

Mr. MURPHY. Yes, sir.

Chairman MCCAIN. It was amazing. If confirmed, you would serve as Under Secretary of the Army.

Dr. Davidson, you also served in the military as an Air Force officer and pilot. You previously served in assignments in the Department of Defense [DOD] as Deputy Assistant Secretary of Defense for Plans, and as Director for Stability Operations, Capabilities. If confirmed, you would serve as Under Secretary of the Navy.

Ms. Disbrow——

Ms. DISBROW. Disbrow, Senator.

Chairman MCCAIN. Thank you. I apologize for the mispronunciation. Ms. Disbrow, you currently serve as Acting Under Secretary of the Air Force having served as Assistant Secretary of the Air Force for Financial Management and Comptroller since July 2014. Ms. Disbrow, you also served our Nation in uniform as a colonel in the Air Force. You were also beaten by Navy. If confirmed, you would serve as Under Secretary of the Air Force.

This committee honors your military service of all three witnesses and your continued willingness to serve our Nation. Each of you, if confirmed, will begin your service as Under Secretaries of the military departments with less than a year remaining in this Administration. Some might ask what positive impact you could possibly have in those positions during an abbreviated term.

If confirmed, I encourage you to defy those who believe they can simply wait you out. I challenge each of you to be impatient, yet prudent, as you undertake your important responsibilities. The next year will be a sprint, not a marathon. There is much work to be done and not a minute to be wasted.

Among the most critical of your duties, if confirmed, is to serve as the chief management officer of a military department. You will have the leading role within your respective Services to develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes during a time of severe fiscal restraint in one of the most dangerous national security climates that this Nation has ever seen.

I look forward to hearing your views on how you would undertake this challenge and how your experience and leadership will enable our military departments to be ready to fight and win for our national security.

Senator Reed.

STATEMENT OF SENATOR JACK REED

Senator REED. Thank you very much, Mr. Chairman. I want to join you in welcoming the witnesses. I also want to thank you for holding this hearing so that we can begin to fill these important positions of Under Secretary of the Services.

I welcome all the nominees and their families. I want to recognize Congressman Patrick Murphy who has been nominated to be Under Secretary of the Army, and thank him for his willingness to serve. Mr. Murphy was elected to the United States House of Representatives in 2006, and in so doing, he became the first veteran of Operation Iraqi Freedom to serve in Congress.

During his tenure, he served on the House Armed Services Committee and the House Permanent Select Committee on Intelligence. He was an extraordinarily capable member. As the chairman noted, in his military career he was an assistant professor of the Department of Law at the United States Military Academy under our mutual friend, General Pat Finnegan. He distinguished himself there and continues to do so, serving on the board on the visitors. Thank you, Congressman, for your service.

Dr. Davidson has been nominated to be Under Secretary of the Navy. Dr. Davidson served on Active Duty with the Air Force fol-

lowed by serving in the private sector and academia, think tanks, and for the Government, and most recently with the Council on Foreign Relations. Dr. Davidson has also served as the commissioner on the National Commission on the Structure of the Air Force, and currently serves as a member of the Reserve Forces Policy Board. She has long experience in dealing with public policy issues in all of these positions, and she is imminently qualified.

Ms. Disbrow has been nominated to be Under Secretary of the Air Force. Ms. Disbrow served on Active Duty with the Air Force, and has since served as a civilian in several Federal agencies, including the National Security Council, the Joint Staff, and most recently as Assistant Secretary of the Air Force for Financial Management and Comptroller. Once again, she also brings great talent, integrity, and diligence to her task.

Let me thank you, Mr. Chairman, for holding this hearing, and I look forward to going forward with you on these nominations.

Chairman MCCAIN. Thank you. Could I just add that it is not in any way imperative for an individual to serve as one of our civilian leaders in our Department of Defense. But I think it is very helpful because all three of you have had the experience of serving with the men and women who are performing so admirably throughout the world. You bring an understanding and perhaps sensitivity to the challenges that they face in these very challenging times. I view it as not a requirement, but I think it is certainly a definite advantage that the men and women who are serving will have under your duties as civilian authorities over them.

I have to ask the standard questions, and if you would please respond by saying yes or no to answer to these questions. These are the standard questions for all nominees.

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress be able to receive testimony, briefings, and other communications of information. Have you adhered to applicable laws and regulations governing conflicts of interests? You say "I have" if you have. If you have not, we would be interested.

[Laughter.]

[A chorus of ayes.]

Chairman MCCAIN. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

[A chorus of nays.]

Chairman MCCAIN. Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record and hearings?

[A chorus of ayes.]

Chairman MCCAIN. Will you be cooperative in providing witnesses and briefers in response to congressional requests?

[A chorus of ayes.]

Chairman MCCAIN. Will those witnesses be protected from reprisal for their testimony or briefings?

[A chorus of ayes.]

Chairman MCCAIN. Do you agree if confirmed to appear and testify upon request before this committee?

[A chorus of ayes.]

Chairman MCCAIN. Do you agree to provide documents, including copies of electronic forms of communication in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

[A chorus of ayes.]

Chairman MCCAIN. Why do we not begin with you, Secretary Disbrow?

STATEMENT OF HONORABLE LISA S. DISBROW, NOMINEE, UNDER SECRETARY OF THE AIR FORCE

Ms. DISBROW. Thank you, Mr. Chairman, Senator Reed, and members of the Armed Services Committee. It is an honor to appear before you today. I want to thank President Obama for nominating me, and I appreciate the confidence and support Secretary Carter and Secretary James have for my nomination as Under Secretary of the Air Force.

The privilege of appearing before you today is only possible because of the love and support from my remarkable family. Joining me today is my husband, Harry, my daughter, Stephanie, her husband, T.J., and my grandson, Parker, my son, Derrick, and my brother, David from Boston. Unfortunately my two stepdaughters and their families who live in Phoenix could not join us today, and my parents who reside in Fredericksburg were unable to join us.

Chairman MCCAIN. Welcome, and, Parker, we will give you a debrief on the hearing.

[Laughter.]

Chairman MCCAIN. Glad he is here.

Ms. DISBROW. I want to mention the importance of numerous colleagues and mentors who have supported me from the very beginning when I graduated from Officer Training School 30 years ago in 1985 until today. Thank you all. Representing them today is my friend and colleague, Lynda Mallow from Alexandria, Virginia.

During my time on Active Duty in the Air Force, the National Reconnaissance Office, the National Security Council, the Joint Staff, and now Headquarters Air Force, it has been my privilege to serve with men and women from all Services, who have dedicated their lives to defending this great Nation. If confirmed, I will do my utmost in ensuring those who put their lives on the line for this country are supported in every way possible.

The Under Secretary of the Air Force is responsible for the efficient and effective management of the Air Force, and for providing for the welfare of more than 674,000 Active Duty, Reserve, Guard, and civilian airmen and their families. I work hard every day to ensure that they receive the resources and the support they need to keep this Nation safe. Additionally, if I am confirmed, I am committed to working closely with Congress to make certain our Air Force needs are clearly articulated, and that you have all the information you need to perform your duties as authorizers and appropriators.

Thank you again for considering my nomination. Thank you for your service, and I look forward to your questions.

[The prepared statement of Ms. Disbrow follows:]

PREPARED STATEMENT BY HONORABLE LISA DISBROW

Mr. Chairman, Senator Reed, Members of the Armed Services Committee. It's an honor to appear before the committee today.

I would like to thank President Obama for nominating me, and I appreciate the confidence and support of Secretary Carter and Secretary James for my nomination as Under Secretary of the Air Force.

The privilege of appearing before the committee today is only possible because of the love and support from my remarkable family. Joining me today is my husband Harry, who himself served 26 years in the United States Air Force as an F–15 pilot; our daughter Stefanie and son, who is also known as our beautiful grandson Parker; our son Derek; and my brother David, from Boston. Unfortunately, some family members couldn't make it—my step-daughters and their families in Phoenix, and my parents, who live in Fredericksburg.

I also want to mention the importance of many colleagues and mentors who have supported me from the very beginning when I graduated from Officer Training School, 30 years ago on July 4th, 1985 up to now. Thank you. Representing them today is our friend, Lynda Mallow, from Alexandria VA.

During my time, on Active Duty in the Air Force; the National Reconnaissance Office; the National Security Council; the Joint Staff and now Headquarters Air Force, it has been my privilege to serve with the men and women from all Services who have dedicated their lives to defending this great nation.

If confirmed, I will do my utmost in ensuring those who put their lives on the line for this country are supported in every way possible.

The Under Secretary of the Air Force is responsible for the efficient and effective management of the Air Force and for providing for the welfare of more than 674,000 Active Duty, Guard, Reserve and civilian airmen and their families.

I work very hard every day to ensure they receive the resources and the support they need to keep this country safe.

Additionally, if I am confirmed I am committed to working closely with Congress to make certain our Air Force needs are clearly articulated and that you have all the information you need to exercise your roles as authorizers and appropriators.

Thank you again for considering my nomination, thank you for your service; and I look forward to your questions.

Chairman MCCAIN. Dr. Davidson?

STATEMENT OF DR. JANINE ANNE DAVIDSON, NOMINEE, UNDER SECRETARY OF THE NAVY

Dr. DAVIDSON. Good morning. Chairman McCain, Ranking Member Reed, distinguished members of the committee, I am truly honored to be here today as the nominee for Under Secretary of the United States Navy. I am grateful to President Obama, Secretary Carter, and Secretary Mabus for giving me the opportunity, if confirmed, to help lead the finest Navy and Marine Corps in the world.

I would like to begin by thanking my family for joining me here today and supporting me, starting with my husband, David Kilcullen, and my stepson, Harry. Their love and good humor keep me grounded every day. My sister, Jennifer Parker, is also here, along with her kids, Colin, Alyssa, and Sarah, and my brother, Jim Davidson and his wife, Melanie. My mother, Joanne, a Navy wife, who expertly orchestrated 18 family moves in 35 years as so many Navy families have done, is no longer with us, but I know that she would be delighted at the prospect of my rejoining the Navy family.

Chairman MCCAIN. Welcome to all. Thank you.

Dr. DAVIDSON. Finally, I want to thank my father, Retired Rear Admiral Jim Davidson, for coming all the way from California to be here today.

Chairman MCCAIN. Thank you, Admiral.

Dr. DAVIDSON. Of course, it did help that he was already in town for the Army-Navy game.

[Laughter.]

Dr. DAVIDSON. Throughout my career, I have counted on my family's love and support, and in the case of my father, who proudly served for 35 years as a Navy supply corps officer, I learned to appreciate how much military power truly does depend on getting the right gear to the right places at the right time, something our globally deployed force does better than any military in the history of the world, thanks to professionals like my dad and his many, many shipmates.

If confirmed, I will work tirelessly with the members of this committee and your staffs to ensure that we have the most competitive, creative, and, above all, combat ready Navy and Marine Corps in the world. This vision would drive my work every day in the service of our proud civilians, sailors, and marines.

The United States Navy and Marine Corps play a central role in the U.S. defense strategy. They provide forward presence to reassure our friends and deter our adversaries. They are our force in readiness, prepared to go wherever required anywhere in the world, and they are ready to fight America's enemies to keep us safe.

After years of high op tempo [operational tempo], combat operations, and growing fiscal constraints, the Navy and Marine Corps face great challenges in resetting and modernizing their forces to meet current threats, while also preparing for a complex future. They also face a renewed opportunity as a critical instrument of national power for a new century and a new global environment.

As Under Secretary of the Navy, if confirmed, I will work with the Navy and Marine Corps leader to ensure that we restore readiness across the fleet, manage a complex investment portfolio to acquire the right capabilities, and that we innovate and experiment to ensure we have the right concepts that can sustain our military edge in the face of growing threats.

I am a proud member of the Navy family, having grown up surrounded by the ships, the people, and the bases that constitute our maritime power. I am a proud veteran, having served as an Air Force officer for 10 years, flying C–130 and C–17 transport planes. I am a proud former Pentagon civil servant and former deputy assistant secretary of defense, where I helped oversee the Pentagon's contingency planning processes and the global basing strategies.

I have spent my entire life surrounded by America's best and brightest, those uniformed men and women who sacrifice so much to keep us safe. If confirmed, I will do my very best to ensure that our sailors and marines remain unmatched in their training, their equipment, and their readiness. It is a solemn obligation, and I would be immensely proud to serve with them.

I am honored to be here today. Thank you.

[The prepared statement of Dr. Davidson follows:]

PREPARED STATEMENT BY DR. JANINE DAVIDSON

Good Morning

Chairman McCain and Senator Reed, distinguished members of the committee, I am truly honored to be here today as the nominee for Under Secretary of the United States Navy. I am grateful to President Obama, Secretary Carter, and Secretary Mabus for giving me the opportunity, if confirmed, to help lead the finest Navy and Marine Corps in the world.

I'd like to begin by thanking my family for joining me here and supporting me: Starting with my husband, David Kilcullen and my stepson, Harry. Their good humor and wit keep me grounded every day. My sister, Jennifer Parker, is also here, along with my nephew Colin, my brother Jim Davidson, and his wife Melanie. My mother Joanne, a Navy wife who expertly orchestrated 18 family moves in 35 years, as so many Navy families have done, is no longer with us, but I know she would be delighted at the prospect of my re-joining the Navy family. Finally, I want to thank my stepmom, Sarajane Wallace and my father, retired Rear Admiral, Jim Davidson, for coming all the way from California to be here today. Of course it did help that they were already in town for the Army-Navy game. So special thanks goes to the committee staff for working out that timing for us all. Throughout my career, I have counted on my family's love and support; and in the case of my father, who served proudly for 35 years as a Navy Supply Corps officer, I learned to appreciate how much military power truly does depend on getting the right gear to the right place at the right time, something our globally deployed force does better than any military in the history of the world thanks to professionals like my Dad and his many many shipmates.

If confirmed I will work tirelessly with the members of this committee and your staffs to ensure that we have the **most competitive, creative, and above all, combat-ready** Navy and Marine Corps in the world. This vision would drive my work every day in the service of our proud civilians, sailors and marines.

The United States Navy and Marine Corps play a central role in U.S. defense strategy—they provide forward presence to reassure our friends and deter our adversaries, they are our force in readiness—prepared to go wherever required anywhere in the world, and they are ready to fight America's enemies to keep us safe.

After years of high-tempo combat operations and growing fiscal constraints, the Navy and Marine Corps face great challenges in resetting and modernizing their forces to meet current threats while also preparing for a complex future. They also face a renewed opportunity as a critical instrument of national power for a new century and a new global environment. As Under Secretary of the Navy, if confirmed, I will work with Navy and Marine Corps leaders to ensure we restore readiness across the fleet, manage a complex investment portfolio to acquire the right capabilities, and that we innovate and experiment to ensure we have the right concepts that can sustain our military edge in the face of growing threats.

I am a proud member of the Navy family, having grown up surrounded by the ships, the people, and the bases that constitute our maritime power. I am a proud veteran, having served as an Air Force officer for 10 years, flying C–130 and C–17 transport planes. I am a proud former Pentagon civil servant, and a former Deputy Assistant Secretary of Defense, where I served with America's finest defense leadership and helped oversee the Pentagon's contingency planning process and global basing strategies. I've spent my entire life surrounded by America's best and brightest—those uniformed men and women who sacrifice so much to keep us safe. If confirmed, I will do my very best to ensure that our sailors and marines remain unmatched in their training, their equipment, and their readiness. It is a solemn obligation and I would be immensely proud to serve with them.

I am honored to be here today. Thank you.

Chairman MCCAIN. Congressman Murphy, welcome.

STATEMENT OF HONORABLE PATRICK J. MURPHY, NOMINEE, UNDER SECRETARY OF THE ARMY

Mr. MURPHY. Thank you, Mr. Chairman, Ranking Member Reed, and distinguished members of the Senate Armed Services Committee. It is a privilege to appear in front of you here today.

Mr. Chairman, I would like to introduce my family. Right behind me I have my wife, Jenny Murphy, my daughter, Maggie Murphy, age 9, my son Jack, age 6, my mom and dad, Jack Murphy and Marge Murphy. My father was a Navy enlisted man during Vietnam. My two uncles, though, were Army, both Vietnam veterans. My grandfather and Jenny's grandfather both served the Navy in the Pacific in World War II. Jenny's grandfather served in the USS *Hornet* in a Doolittle Raid.

Chairman MCCAIN. Welcome. Thank you all. Welcome.

Mr. MURPHY. Mr. Chairman, I am a third generation veteran, and I am eternally grateful for my family teaching me the ethos of duty, honor, country.

I would like to thank President Obama, Secretary Carter, and Acting Secretary Fanning for placing their trust and confidence in me with this nomination. Mr. Chairman and members of this committee, I hope to earn your support and confirmation as Under Secretary of the Army. My experiences as an Iraq war veteran and congressman give me the unique perspective to be successful in this position.

I will make sure that the Army is manned, trained, and equipped to accomplish what General Milley recently articulated as his fundamental task: to win in the unforgiving crucible of ground combat. I will make sure that our troops do not have a fair fight, that they have a tactical and technical advantage against our enemies.

If confirmed, I will work closely with this committee to ensure that we continue to have the best possible Army to defend our Nation. Thank you.

[The prepared statement of Mr. Murphy follows:]

PREPARED STATEMENT BY MR. PATRICK MURPHY

Thank you Chairman McCain, Ranking Member Reed, and distinguished members of the Senate Armed Services Committee for the privilege of appearing before you today.

Mr. Chairman, I'm a third generation veteran and I'm eternally grateful for my family teaching me the ethos of Duty, Honor, Country.

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If confirmed, I will work closely with this Committee to ensure we continue to have the best Army possible to defend our Nation.

Thank you.

Chairman MCCAIN. Thank you all. Congressman Murphy, is ISIS [the Islamic State of Iraq and Syria] contained?

Mr. MURPHY. Senator, I am not currently, as you know in government, but let me tell you what I know from my personal perspective, Mr. Chairman. When you look at things like the Russia——

Chairman MCCAIN. Why do you not start out by saying yes or no?

Mr. MURPHY. I would say no because, Mr. Chairman, when you look at things like the Russian airliner, when you look at things like the Paris attack, which killed civilians, when you look at things like the ISIS inspired attack in California, when you look at ISIS operations currently in Ramadi and Mosul, I am concerned, as we all are concerned. I think Secretary Carter and General Milley have said that we must accelerate our prosecution in the war against ISIS immediately. If confirmed, Mr. Chairman, I will do just that to make sure we take the fight to them.

Chairman MCCAIN. Thank you. Dr. Davidson, one of the sources of great personal concern, as well as my regular duties in the United States Senate, is the cost overruns of the aircraft carriers. We need aircraft carriers. In fact, I am of the view that we need more. But I have great difficulty going back to Arizona and talk about a $2 billion cost overrun of one ship, and frankly, we are now seeing that with the next aircraft carrier, the *Kennedy,* the *Ford.* It is $2 billion, and another $2 billion cost overrun. We cannot justify that to the taxpayers. So far, to be honest with you, we have not seen any progress.

Now, in the defense bill that we passed, we called for a study on alternative aircraft carriers or platforms instead of the only game in town, which seems to be able to name its own price. I want you to get on that issue, and I hope you understand how difficult it makes life for every member of this committee who supports the defense authorization bill, all of whom think that sequestration is doing great damage to our ability to defend the Nation. I do not know if you have looked into that issue, but I strongly suggest you do so.

Dr. DAVIDSON. Yes, Senator. I am aware of the cost overruns and the delays in the *Ford* Carrier Acquisition Program, and it is deeply troubling. I absolutely share your concern. The Carrier Strike Group is a strategic asset. We absolutely need that for our power projection, for our global responsibilities. If confirmed, I absolutely will look into what lessons can be learned going forward and to see what we can do to drive some costs down. I am open to all options to ensure that we can continue to project power.

Chairman MCCAIN. We have mandated a study, and I want that mandate to be taken seriously. We cannot justify these kinds of multibillion-overruns. The American taxpayer will not stand for it.

Ms. Disbrow, the Air Force 2 years in a row came before this committee and argued strenuously to take the A–10 aircraft out of commission. Because of actions of this committee and legislation signed by the President, that was not allowed.

We now read that when we finally, after 16 months, decided to take out the fuel trucks which were providing millions and millions of dollars to fund ISIS' terrorist activities, that guess what airplane is employed to take out those fuel trucks? The A–10.

Have you looked into the issue of the A–10 and whether the Air Force should continue to take the position that the A–10 should be phased out? If you do support that position, could you tell us what you view as an adequate replacement for what arguably is the most capable close air support aircraft in our inventory?

Ms. DISBROW. Mr. Chairman, this is an incredible asset for the United States Air Force and for the Nation. The demand has just increased, as you referenced. We are taking a hard look at it, and if confirmed, I will look forward to working towards an acceptable plan for recapitalizing this incredibly important mission area.

All options are on the table. We are looking at the multi-mission aircraft that we have currently planned as well as other options. The Chief of Staff, the Secretary, and I, if confirmed, take this very seriously and look forward to working with this committee on an acceptable phased plan.

Chairman MCCAIN. I hope beginning next year you will not come before this committee with a request to phase out the A–10 aircraft when at least during this period of time when according to the President of the United States yesterday, we will be stepping up our air attacks in both Iraq and Syria. It is pretty obvious that the A–10 aircraft is one of the major tools to be used to try to destroy ISIS from the air, which happens to be impossible, but at least the intensification is a small step forward.

Finally, Congressman Murphy, real quick. We have in this legislation of the 2016 NDAA [National Defense Authorization Act] mandated a reduction of headquarters staff by 25 percent, and cost savings from overall administrative support by about $10 billion over a 5-year period. One thing I think we have gained from testimony before this committee by many outside experts that have had years and years of experience, that the staffs are too large and they are redundant, and with some going so far as to say that the Secretarial staff and the military staff should be consolidated into a single Service staff. Now, that has not been the view of this committee yet. We are examining it, but some have gone so far as to suggest that.

Do you have a view on that issue? First of all, do you agree with what we did in the 2016 act requiring the headquarters staff reductions, and what is your view of the staff situation?

Mr. MURPHY. Senator, yes, I agree with what was put into place. Two, I believe in the principle that you must lead by example. It is about the warfighter. It is about tooth-to-tail. Mr. Chairman, members of this committee, I think what the Army has tried to do by leading by example, in the past year they have cut—again, was given 20 percent reductions. The Army has met that and exceeded that. They have had 25 percent reductions. That has resulted in 3,600 personnel that have been moved out. And when you look at that——

Chairman MCCAIN. When you say "moved out," has the size of the force been reduced by that number?

Mr. MURPHY. That is correct. Not the size—it is pushing them down to—it is the middle management, so it is about spans of control. When you used to have four spans of control, now it is to eight, which is positive because it is the middle management. I should say we are getting rid of the cheapest labor. It is making sure that we effectuate positive change. When you look at positive change—so when you look at——

Chairman MCCAIN. We want to reduce numbers also, Mr. Murphy.

Mr. MURPHY. I understand, Mr. Chairman. When we look at our brigade combat teams and other things, when we are saying we want to make sure we have the most capable Army during this time, we are looking at that. But I agree with the 12 hearings that you have had on Goldwater-Nichols. We need to get after it and lead by example in this role. I will give you that commitment, absolutely.

Chairman MCCAIN. Thank you. I congratulate the witnesses and their willingness to serve. Now that we have a quorum, I would like to ask the committee to consider three civilian nominations and one flag officer nomination.

First, I ask the committee to consider the nominations of the Honorable Marcel J. Lettre to be Under Secretary of Defense for Intelligence, Mr. Gabriel Camarillo to be Assistant Secretary of the Air Force for Manpower and Reserve Affairs, and Mr. John Sparks to be a judge on the Court of Appeals for the Armed Forces.

Is there a motion to favorably report these nominations?

Senator REED. So moved.

Chairman MCCAIN. Is there a second?

Senator SHAHEEN. Second.

Chairman MCCAIN. All in favor, say aye.

[A chorus of ayes.]

Chairman MCCAIN. Finally, I ask the committee to consider the nomination of Vice Admiral Kurt W. Tidd, USN, to be admiral and Commander, United States Southern Command. Is there a motion to favorably report Admiral Tidd's nomination to the Senate?

Senator REED. So moved.

Senator HIRONO. Second.

Chairman MCCAIN. All those in favor, say aye.

[A chorus of ayes.]

Chairman MCCAIN. Thank you.

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman, and thank you, Congressman Murphy, Dr. Davidson, Secretary Disbrow. Let me follow up with the line of questioning that the chairman started. In fact, the chairman's efforts throughout the many months we have been here to focus on reorganization and streamlining the Department of Defense.

You have responded, Congressman. Dr. Davidson, in your new capacity, what do you identify as the best initial approaches to streamlining headquarters and eliminating headquarters personnel?

Dr. DAVIDSON. Yes, Senator. I support the efforts in streamlining headquarters. I am not familiar with all the details about how the Navy and Marine Corps are doing it, but I think it is important that we take a data-driven approach and make sure that we do so in a way that sustains our combat effectiveness and also the morale of the workforce. But I absolutely support any efforts that will improve efficiency. We absolutely cannot afford in these times of fiscal constraints to be having bloated staffs.

Senator REED. Secretary Disbrow?

Ms. DISBROW. The Air Force under Secretary Gates and Secretary Hagel have taken many efforts to streamline our staff, but it is not enough. We are looking now, in alignment with the NDAA that was just approved, to continue to look at the layers, to look at areas where we can consolidate, and while we consolidate in those areas, reduce staff.

We have had some success in our facility support area, as well as our intelligence area for reducing overhead as we consolidate and centralize. We continue to look de-layering, and we have an independent study right now under way with two phases: first, to identify the scope of our problem, and then to offer areas where we can put the right skill set in the right places, which is critical as we downsize. Not enough work done. A lot of work to do. I will look forward to working with this committee, if confirmed.

Senator REED. Just a follow-up question, and you all might respond, is that one of the points that has been made over and over again is that in the civilian sector, most major companies have combined their logistics transportations systems into one entity, and DOD has TRANSCOM [U.S. Transportation Command] and a logistical operation separate. From a Service perspective, how would you try to sort of combine those activities into one more efficient, or would that be something that we would have to wait on DOD sort of action?

Ms. DISBROW. Senator, this is an important area to look at. I think all options have to be on the table. We have not as a Department had a chance to look at synergies between agencies and combatant commands. In this specific area, I know there are some duplicative IT [information technology] systems, so I think some streamlining can be done there with parts, and supply, and warehousing. I know there are some efficiencies we can find there.

This is an area that, again, I think we need to have all options on the table and take a hard look at.

Senator REED. Dr. Davidson, your comments.

Dr. DAVIDSON. Yes, Senator, I would agree with my colleague. This is not just an issue that affects one Service or each Service, I mean, from TRANSCOM to DLA [Defense Logistics Agency] and other things. My sense is that we need to actually take a look at it, see if we can find efficiencies, while also maintaining our ability to get the items that need to get to the fleets, and the soldiers, and the airmen as well, without sort of undermining the Service-level supply chain. But I absolutely think that it needs to be looked at fresh, and I am open to absolutely all options.

Senator REED. Congressman Murphy.

Mr. MURPHY. Senator Reed, if confirmed, as the chief management officer of the United States Army, I will look at top to bottom review, and make sure that we have the efficiencies within the organization so we can refocus on those warfighters that are keeping our families safe.

Senator REED. I presume in that capacity, all of you will be making recommendations or receiving recommendations, but certainly making good recommendations to the Department of Defense, because some of these functions are at a defense level, and you will be actively engaged in giving your best advice to the Secretary.

Mr. MURPHY. Absolutely.

Senator REED. Thank you very much. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman. I have had an opportunity to work with Secretary Disbrow. I have not had a chance to really meet the two of you, so I spent a lot of time researching, and quite frankly I do not think I have ever said this before. I think we have three people here that are going to do great jobs, and I appreciate your background, what you bring to the table, and your opening statements.

Before this committee, Secretary Gates testified and this is a quote, "Without proper and predictable funding, no amount of reform or clever reorganization will provide America with the military capable of accomplishing the missions assigned it."

Now, I raise that question because I agree with that statement. I look at the threat that we are facing in this country now, and I think we are in the most threatened position we have ever been in. We have countries, like North Korea, and Iraq, Iran, and Syria, Yemen, that are run by questionable people who are gaining a capability of a weapon and a delivery system, and it is really dangerous, you know.

I look at that, and I would ask you, do you all agree with Secretary Gates' statement that I just quoted?

Mr. MURPHY. I would agree, Senator, often that—I would agree, yes.

Dr. DAVIDSON. Senator, I would definitely agree with Secretary Gates.

Senator INHOFE. Yes?

Ms. DISBROW. Yes, Senator. This is an area where there is not enough resource right now, and it is that fine art of balance between today's readiness needs and modernizing our force that is important.

Senator INHOFE. Yes. I cannot remember who it was that testified, but he was reminding us that back in 1961, 51 percent of our budget was spent on defending America. It is down to 15 percent now. This is the mismatch that I see out there in a time that we have such great threats. You are inheriting this mess. You are not at fault in this thing, but do you think that this is just inadequate defense funding?

Dr. DAVIDSON. Senator, it is something that absolutely concerns me. We cannot shortchange national defense, especially now in a time of such uncertainty. I think that what it is important to do, and if confirmed I will work very hard with the Navy and Marine Corps leadership to do, is to try to determine exactly what we mean when we say we are accepting more risk.

Senator INHOFE. Yes. Yes.

Dr. DAVIDSON. I think that is really important, and I look forward to working with the committee to make sure that you have all the information that you need to understand whether or not we are going too far on those cuts.

Senator INHOFE. Yes. Do you agree with that?

Mr. MURPHY. Yes.

Senator INHOFE. Yes. Secretary Disbrow, in one of the prehearing questions asked of you, it says, "What is your assessment of the current readiness of our Air Force to meet national security requirements across the full spectrum of military operations?" Your response was, "Our combat coded unit's readiness is assessed against a full spectrum of military operations. Less than one-half of those units are rated as ready." I know you are concerned about it. How concerned are you, and what do you see as the remedy for that?

Ms. DISBROW. This is a critical priority, Senator. Our combat coded readiness varies across major weapons systems, but are critical in fighters. On average, about 50 percent of our inventory on any day is not ready.

Senator INHOFE. Yes, and that is very disturbing, and right now I am not sure what can be done about that. I think that I say to Mr. Murphy, the question was asked of you, "What is your assess-

ment of the current readiness of the Army to meet the national security," and you talked about, "However, given the decreasing resources and the shrinking capacity of the Army, the Army is mortgaging future readiness and response capabilities."

Now, I have always felt that it is true, and I think that is obvious that when you are strapped the way we are strapped right now with the expectations of a policy that we are supposed to be following with the resources that we have, you have to give up something. You give up modernization. You give up readiness. You give up maintenance. Which of those things concerns you the most right now, because you're going to have to give up some of those.

Mr. MURPHY. Senator, it is all about readiness for warfighters, and I think when you give up modernization—when I said in my opening statement we need to give our warfighters the tactical and technical advantage because we do not want a fair fight with our enemies, that that that is what you are mortgaging when you do not invest in weapons systems, et cetera, or as much as you would like to.

But I would say to you, sir, the numbers itself—when I left Congress 5 years ago, we were at 45 brigade combat teams on Active Duty. We are now down to 31 brigade combat teams. That is what I shared with you earlier, my concern. We have to make sure that it is about readiness.

Senator INHOFE. Also, I look at this, we are giving up superiority, and we have always been superior. I am out of time here, but I will read this statement of Secretary Hagel. He said, "American dominance on the seas, in the skies, and in space can no longer be taken for granted." I think that is true. Do you think it is true?

Dr. DAVIDSON. Senator, I think that it risks being true if we do not take care right now on readiness, and balancing current readiness with modernization. If confirmed, readiness will be one of my absolute top priorities.

Senator INHOFE. Yes. Thank you.

Ms. DISBROW. Senator, I am very concerned about our adversaries and their growing capabilities across the board, the speed at which they are modernizing their own forces. It is a critical concern. The Air Force is the smallest it has been since its inception, and with demand only increasing, those two things do not match. We have a threat that we need to keep pace with and go beyond.

Senator INHOFE. Thank you. I think that is also true with the Army. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Blumenthal.

Senator BLUMENTHAL. Thanks, Mr. Chairman. I thank each of you for your service to our country and your willingness to serve in the very important capacities for which you have been nominated, and your families as well.

Talking about readiness, Dr. Davidson, I am assuming that you would agree that the *Ohio* replacement program is critical to our sea power superiority. I would like your commitment that you would anticipate that the *Ohio* replacement program will continue to be one of the number one priorities of the Navy.

Dr. DAVIDSON. Yes, Senator. The *Ohio* replacement is the number one priority for the Navy, and I support that. If confirmed, I

look forward to working with this committee to find a way to properly fund it.

Senator BLUMENTHAL. As you also know, the Navy estimates that it needs 48 attack submarines, junior class submarines. Yet it projects the number of attack submarines will actually fall as low as 41, and remain below the required 48 for the next 16 years. This struck four calls into question the Navy's ability to meet the requirements of combatant commanders around the world and other intelligence, surveillance, and reconnaissance [ISR] needs.

The sub is an extraordinary versatile and important platform for our armed services, not only in offense, but also in surveillance, intelligence, and launching special operations, as you well know. Are you committed to the present policy of continuing to procure two *Virginia*-class submarines every year?

Dr. DAVIDSON. Yes, Senator, I am.

Senator BLUMENTHAL. Thank you. Shifting to another area that I think is critically important. Congressman Murphy, you alluded to it in the reference to downsizing the transition of our military men and women out of the armed services. We are going to be seeing more and more downsizing of our military, and many very qualified and dedicated men and women who have served our Nation transitioning.

I would like your commitment that enabling better transition will be a commitment of yours. We are going to actually have a hearing this afternoon in the Veterans Affairs Committee where I am the ranking member on this very issue. It has been an extraordinary time for our Nation in keeping faith with our veterans to provide the education, and skill training, and housing, and healthcare, including mental healthcare, that many of our veterans need to meet the invisible wounds of war—post-traumatic stress [PTS] and traumatic brain injury. I would like a commitment from each of you that it will be a priority.

Mr. MURPHY. Yes, sir.

Dr. DAVIDSON. Yes, Senator.

Ms. DISBROW. Yes.

Senator BLUMENTHAL. Let me just finish on an issue that has been of great concern to me and, I believe, the chairman and ranking member. Hundreds of thousands of veterans have less than honorable discharges because they were transitioned out of the military and were suffering at the time from undiagnosed PTS. I worked with Secretary of Defense Hagel to revise the rules and allow these veterans to petition to correct their records.

On September 3, 2014, Secretary Hagel issued policy guidance that the Boards for Correction of Military Naval Records would give "liberal consideration of PTS-related discharge upgrade requests." He directed a public messaging campaign and outreach effort. But unfortunately, despite his commendable change in policy and the commitment of Secretary Carter in his nomination hearing sitting where you are now, there really has been too little done.

In fact, at the end of August, the Department of Defense reported to this committee that only 201 veterans across all Services have applied for these upgrades. There are about 260,000 veterans from the Vietnam war alone who are prohibited this day from accessing VA [Department of Veterans Affairs] healthcare and support be-

cause of less than honorable discharges, and many of them suffer from PTS. They need to be reached, and the public messaging campaign really needs to be undertaken in earnest. I would urge you to pursue those steps, each of you within your respective Services, and I would welcome your comments.

Mr. MURPHY. Senator, you have my commitment to do just that.

Dr. DAVIDSON. Senator, I think this is an incredibly important issue, and I look forward, if confirmed, to working with the VA, Navy, and Marine Corps leadership to ensure that we are doing it right.

Ms. DISBROW. Senator, I am passionate in this area. We have done some effort, but not enough. But the Vice Chief and I in my current capacity have commissioned an independent study to see the scope of the problem in the Air Force. We are concerned about all airmen who separate, particularly those with less than honorable, who may have fallen through the cracks for benefit relief.

We have the Surgeon General and our JAG [Judge Advocate General] involved, and we are coming up with an action plan, and we are working this hard. More work to be done.

Senator BLUMENTHAL. I thank each of you for those answers and your commitment. Again, thank you for your service. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman. I want to thank each of you for being here, for your willingness to serve and for the service that you have given our country so far. I think you are all tremendously qualified.

I wanted to ask you, Dr. Davidson, so part of the challenge that we often face when we think about readiness, we cannot forget about recruiting and retaining quality people and making sure that we treat those who serve well. Part of that is their living conditions. I wanted to ask you, you are nominated to serve as the Under Secretary of the Navy, and I want to highlight an issue for you at the Portsmouth Naval Shipyard, which is the Navy center of excellence for fast attack nuclear-powered submarine maintenance, modernization, and repair.

When a submarine arrives for long-term maintenance, the junior enlisted sailors assigned to that submarine, they stay in the barracks at the shipyard. Earlier this year, I was very disappointed when I saw the conditions at Building 191 Barracks, which was the junior enlisted barracks. The barracks violate current building and fire codes. They do not have an operational fire suppression system. They do not have code compliant ventilation, and you can tell it when you are in it. They frequently suffer from sewage failures, rat infestation, mold, hot water failures. I believe our junior enlisted sailors deserve a lot better than that.

The shipyard itself has been highlighting this issue for quite some time, but the Navy hadn't prioritized the funding. After I visited the barracks, both Senator Shaheen and Senator King joined me, when we did the defense authorization in 2016, including language to note the unacceptable conditions on Building 191. This language emphasized the committee's expectations that for Fiscal Year 2017 the Navy will request funding and address this issue for the replacement barracks.

I have to say I am very pleased that the Navy post the defense authorization did move the sailors into better living conditions, but they are temporary. There still needs to be a permanent solution for this barracks issues and the living conditions to make sure that they are appropriate. I wanted to ask for your commitment, Dr. Davidson, if you are confirmed, will you examine this issue and work to ensure the Navy in its Fiscal Year 2017 budget looks at this issue, honors its commitments, and really complies with the direction of the Senate Armed Services

Committee on this issue?

Dr. DAVIDSON. Yes, Senator. Thank you for highlighting that and for your leadership. If confirmed, I will take a look at the progress being made and ensure that we are working to ameliorate the situation.

Senator AYOTTE. Thank you. Thank you very much. I also wanted to ask each of you, on the issue of auditing, auditing being services. It has been a great frustration in this committee, as you know, over the years on the auditing of the Pentagon. I wanted to ask each of you what your commitment will be—we have repeatedly seen the deadline slip, and we know that if we look across the rest of government, that being able to make a valid financial audit does not happen in the Pentagon, but happens in so many other areas of government.

I would like each of your commitment that you are going to prioritize this because this has been a frustration for this committee for years.

Mr. MURPHY. Senator, you have my commitment, if confirmed, that this is a top priority.

Dr. DAVIDSON. Senator, you have my commitment as well. Thank you.

Ms. DISBROW. You have my full commitment.

Senator AYOTTE. Thank you, because as we look at the resource challenges, we want to be able to make sure that we can tell the taxpayers of this country that we are accounting for all of the dollars, and that we are ensuring that we do the best to make sure that those dollars are spent wisely.

That said, we have had recently so much testimony before this committee about the problems with issues within the Pentagon, issues with how we get the best for our warfighter. Something that General Flynn said recently before our committee very much struck me. Essentially what he said was that it was the Pentagon that he felt most often—"I found myself fighting the Pentagon as much or more than our enemies."

We have seen time and time and again where our warfighters do not get what they need, or the process upon which they have to go through or, you know, the examples that are given in Secretary Gates' books and other examples just are absolutely wrong. I want to hear from each of you what are we going to do to make sure this changes so that when our warfighters need something in theater, that there is a way that we get it to them as soon as possible so that they can continue to defend our Nation and defeat our enemies?

Ms. DISBROW. Senator, every day my focus is combat power, and that involves readiness for today's fight, modernizing for tomor-

row's fight. We continue to look at processes to include the warfighting requirements process to make sure that it is well—reviewing with combatant commanders what those needs are, where the capability gaps are, and how to best and quickly solve those gaps.

We are working with the acquisition community to change the way we acquire systems and to ensure we are getting innovative solutions into our processes for decision quickly, and that we are pushing that capability to the warfighter as quickly as possible. You have my commitment, if confirmed.

Dr. DAVIDSON. Senator, you have my commitment that I will work with the Navy leadership and the Marine Corps leadership to ensure that we put the focus on the combatant commanders and on the warfighter. All of our processes should be looked at with that lens in mind. If I am confirmed, you have my commitment that I will absolutely do that.

Mr. MURPHY. Senator, absolutely. What we will bring to this job as chief management officers of our respective branches, we need to be thinking about how this affects the warfighter, and empowering them to do what is necessary to keep our families safe. You absolutely have my commitment.

Senator AYOTTE. Thank you.

Chairman MCCAIN. Dr. Davidson, I hope you will look at that issue there of the living conditions. It is not acceptable, and it is not very helpful to the All-Volunteer Force. I hope you will give that some priority.

Senator King because of his advanced age would like to go ahead of Senator Donnelly.

[Laughter.]

Senator KING. I have so many thoughts now.

[Laughter.]

Senator KING. I appreciate it. I do have to be at an Intelligence Committee meeting.

Ms. Disbrow and Dr. Davidson, you all will each be facing decisions involving long-term major investments in new or rebuilt weapons systems. The *Ohio*-class submarine has already been mentioned, and the long-range strike bomber. Experience has taught us that this is where the problems of overruns come most dramatically in a new or a major upgrade.

The other challenge is that both of those systems will be 40-year assets. With technology changing at the rate that it does, we have had an extraordinary series of hearings here on procurement and on technology and integration. I hope that you will pay particular attention to, A, the potential for catastrophic overruns in new programs, and B, the challenge of building a new platform that is modular, if you will, or modifiable so that we do not face technological obsolescence 10 years into a 40-year platform.

Dr. Davidson, I know you have given some thought to this subject.

Dr. DAVIDSON. Yes, Senator. I think it is really important that we take a hard look at our acquisition processes, and also the private sector in how they innovate quickly because I think you are absolutely right that we have to worry about long lead time programs that could potentially not keep pace with the threat. That

is something that I am very concerned about, and I think we need to take a look at it.

I think that there have been a lot of lessons learned from some of the acquisition problems that we have had in the past, and if confirmed, I will work with the Navy leadership, Sean Stackley, in particular, our acquisition assistant secretary, to make sure that we apply those lessons going forward, especially given the challenge of things like the *Ohio* replacement, which definitely will——

Senator KING. There have been many lessons. I want to be sure they have been learned.

Dr. DAVIDSON. I agree.

Senator KING. Ms. Disbrow?

Ms. DISBROW. Yes, Senator. The focus specific to our long-range strike bomber, which is a critical capability, we were focused on life cycle costs to keep costs down by stabilizing requirements. We are very focused on what you described as this open system approach to acquiring this capability area so we can rapidly keep up with changing technology and bring it in without as much concern for integration, and without the length of time that many of our past programs have taken. That is the focus of this important program.

Senator KING. Mr. Murphy, it seems to me one of the crucial requirements of our Army in these days is training other people. We have been through a long series of training in Iraq. It does not appear to have been all that effective. I would hope that this might be a focus. How can we train other fighters effectively so that when the time comes we do not have to send in our own troops to take care of a situation in Mosul or Raqqa?

I commend to you some serious thought and research on what works, what has not worked, again, lessons learned, because I think this is becoming a more and more important mission.

Mr. MURPHY. Senator King, I think you saw the Chief of the Staff of the Army, General Milley, just yesterday at the Center for National Security come out and talk about those advise and assist battalion brigades that are necessary, experts like John Nagel, who is now headmaster at Haverford School, has talked about that. He served under General Petraeus like I have. Those type of systems in place I think are critical when you project in the future what it will be over the next 50 years, what we need to be doing.

I will say to you, Senator, it is not just about training them to fight so we can come home, but it is also that political solution that is desperately needed so they have the will to fight, so they believe in their government. When you look at the Sunni population from Damascus to Baghdad, you know, we need to encourage them that they have a government that they can believe in. Or whatever it is, that political solution needs to be found just as well.

Senator KING. I completely agree. If the government in Baghdad had been more inclusive starting 10 years ago, we might not have had the rise of ISIS, or at least the ease with which they took that territory.

One final, and this falls into the category of a suggestion. We have been talking about headquarters staff and how to reduce it. There are two different approaches. One is a big reorganization and re-looking. Another that often can work without the disruption of a total reorganization is a combination of what amounts to a hir-

ing freeze and attrition because in any workforce, there is 5 or 10 percent attrition in any year.

If you have somebody who is in charge of saying do we really need to refill this position, you avoid a lot of the disruption, and yet you will get where you want to get in a systematic way. In my experience, one person in your organization has to be in charge of saying, okay, we need to fill this positon or we do not, combine that with reorganization. It is an effective way to get there, sometimes more effective than waiting for the big reorganization that never seems to come.

Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Rounds?

Senator ROUNDS. Thank you, Mr. Chairman. Ms. Disbrow, the U.S. Army operates some of the same medium-altitude ISR platforms as the Air Force does. But they use warrant officers and enlisted personnel to supervise and to conduct some ISR end strike operations, and their units are led by a few officers. Compare that with the Air Force where we are using officers throughout that same operation.

What is your assessment of the Air Force reintroducing a warrant officer program or using enlisted personnel to operate its remotely-piloted aircraft [RPA] fleets to increase the manning and reduce costs as well as really manning level stress, which right now I understand is occurring. Could you share that with us?

Ms. DISBROW. Senator, it has been my experience that our airmen can do anything we ask and train them to do. They are a highly capable force. Our Secretary and Chief are taking a hard look at enlisted and how to integrate enlisted skills to include our RPA stressed force.

Right now, the main focus is on increasing the training pipeline, which is really the root cause for the shortfall we have. But the Secretary and Chief are finalizing their findings, and I expect them to share those findings shortly on how to integrate the enlisted force in the RPA career field area. We have experience in space as well as other intelligence areas of integrating well our enlisted force.

Senator ROUNDS. You would be open to such a proposal?

Ms. DISBROW. Senator, I remain open to all proposals.

Senator ROUNDS. Very good. Senator King started with a line of questioning right after the chairman had earlier begun this. But I would like to begin with Dr. Davidson and then follow up with Ms. Disbrow. In addition to the more than $2 billion in cost growth on each of the *Ford*-class aircraft carrier, key systems on the USS *General R. Ford* continue to demonstrate technology immaturity and be concurrently designed and built, most notably, the advanced arresting gear, which has incurred a development cost that has quadrupled, and development time that has nearly tripled.

If confirmed, what role would you envision playing in controlling the cost of aircraft carriers and ensuring individual accountability? But even more, the suggestion is that we have the NDAA directed study of future aircraft carrier alternatives that would replace or supplement *Ford*-class aircraft carriers.

Specifically my question is this. Do we start over again, or do we look at duplicating what is a system which has now gone through

the development phase? How do you reconcile starting over, looking at other alternatives as directed by the NDAA study, or simply copying or duplicating what we have found successful? How do you look at the two? I am going to ask this of both of you two.

Dr. DAVIDSON. Yes, Senator, I think that is exactly the challenge that we face. Number one, in taking the lessons that we have learned from the problems with the *Ford* to include making sure that you have advanced technology that is already ready to go, that you have defined requirements, and that you have a stable program, and a trained acquisition workforce that knows how to oversee these programs and that knows how to balance it overall. Those are important lessons taking forward no matter which route we choose.

That said, I look forward to reviewing the report on alternatives and to see if there are affordable ways to ensure that we continue to have a carrier fleet that will be able to project the power that we need to do.

Senator ROUNDS. Would it not be fair to assume that if we are going to duplicate what we are already doing, the cost per copy should go down and not up?

Dr. DAVIDSON. Yes, Senator, I think that that is their desire. If I am confirmed, I will take a look at that to make sure that that is the direction that we are headed.

Senator ROUNDS. Specifically with the LRSB [long-range strike bomber] that we are looking at, if we start out suggesting a certain number be built and then we average the cost of the design development over that number, if we do not produce that number of LRSBs, then the cost per unit would go up. Would you be committed that if we identify an appropriate number which should be built, that we follow through with the number of LRSBs that we originally started out with? Would you support that that is an appropriate directive long term for the Air Force?

Ms. DISBROW. These kinds of cost overruns are unacceptable, and I do support and I do commit to this acquisition strategy that we are developing for this very important capability area. You have my commitment, Senator.

Senator ROUNDS. Did we learn anything with the F–22?

Ms. DISBROW. We have learned lessons from all our major acquisitions. It is about matching the acquisition strategy to the technology maturity, and to do that and lay that schedule in in a realistic way——

Senator ROUNDS. Specifically, though, with the F–22, we did not plan on just building 200 units, and yet that is what we ended up with. Was that a mistake to shut it down early?

Ms. DISBROW. The F–22 is an incredibly capable aircraft. We would love to have more of that aircraft. We need to watch as we go forward with these aircraft programs that we are——

Senator ROUNDS. Is it not fair to say, though, that the cost per unit would have gone down if we would have been building more than the number than we had originally intended?

Ms. DISBROW. Senator, I agree with that type of math, yes.

Senator ROUNDS. Thank you. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman. Secretary Disbrow, I want to thank you and your family. Dr. Davidson, I want to thank you and your family. Congressman Murphy, I was privileged to serve with you in the House for a number of years. You, and Jenny, and your family are close friends, and we are honored by all of you stepping up to serve our country.

One of the areas that we have continued to focus on here, and I know that your various forces have as well, is ending suicide, ending suicide among our men and women. You are responsible for readiness. You are responsible for training. You are the chief management officers.

I want to make sure that one of your main focuses is getting that number to zero. It is over 400 again last year. It looks like we will be over 400 again this year. Every one of those young men and women is somebody's husband or wife, mom or dad, brother or sister.

One of the areas that has been challenging is stigma. I want to make sure that you are willing to work on eliminating that stigma, and making it a sign of strength that people go to try to have somebody to talk to.

Mr. MURPHY. Absolutely, Senator. As you know, the signature injuries of the Iraq-Afghanistan War are TBI, traumatic brain injury, and PTSD, post-traumatic stress disorder. Of the 2.7 million Iraq-Afghanistan veterans, over a half million have PTSD.

We need to make sure that our soldiers, our warfighters when they come home have the resources necessary. Now, part of that is the stigma, is to make sure that they understand that just like physical health is very important when we have a PT [physical training] test, that that mental health is just as important. That is why the Army has begun an initiative, really embedded help teams in the brigade—at the brigade level where they are to make sure that those soldiers know when they are showing up at PT that they know where those mental health professionals are.

I will say nationwide, there is a mental health professional shortage. We are doing our best to get after it, to get the best and brightest to come in there both on the civilian and the uniform side. But this needs to be a national effort.

Senator DONNELLY. Thank you. Dr. Davidson?

Dr. DAVIDSON. Yes, Senator. This is an issue that I think is an absolute tragedy, and if confirmed it will be an enormous priority for me as I know it already is for the Navy leadership. They are seized with this issue.

The issue of stigma, I think, is really important, and what we need to do is focus on education for the commanders, peers, and chaplains, and that is what the Navy has been focusing on. They have some programs I think that should help, but it is an enormous, enormous tragedy and an enormous problem, and I look forward to working on it.

Senator DONNELLY. Thank you. I think, Secretary Disbrow, you and everyone else will find that the more you push it down to the lowest possible level in terms of responsibility. They are the ones who see it first, who see one of their servicemembers going a little bit sideways. Any efforts you can put into that would appreciated.

Ms. DISBROW. Yes, Senator. Every life is precious, and you have my commitment to do everything to do to change the culture, to look for symptoms, and be there for our people.

Senator DONNELLY. Thank you. Two other things. Each of your organizations has different best practices on how to end suicide. By law, we require you to work together to focus on best practices. If the three of you would continue to talk outside of this room today and over the next year and into the future, the more you talk with each other, you will find that one has something that is working, one has something else that is working. Joint effort helps to move the entire ball along.

Additionally, General Chiarelli has worked very hard on the handoff from the Department of Defense to the VA. We have had a real challenge of what is called the formulary where some of our men and women are receiving certain prescriptions while in DOD to try to work with their mental health challenges, and when they go over to the VA, they are put onto something completely different. We really need you to work with the VA in making this a seamless handoff so that one day they are not in one place, and the next day they are not in another place.

I apologize. I am a little short on time. I just wanted to get into two other things. Congressman Murphy, one of the things we are going to see in the future is we are going to be bringing JLTV [the Joint Light Tactical Vehicle] on line. I want to make sure that as you do that that you look at how you integrate bringing the Humvees that are out there to continue to modernize and upgrade them, as well as bringing JLTV online so you have a whole program of all of those vehicles moving forward. Will you commit to that, sir?

Mr. MURPHY. Yes, Senator.

Senator DONNELLY. Okay. Finally, there are real challenges in what strategy to move forward in Syria and in Iraq. There are a number of different opinions here and elsewhere on no fly zones, on safe zones, on how to best coordinate with the Sunni tribal leaders, how to work best with the Kurds.

We really need you to provide your unvarnished opinion. Going along to get along in this area only causes heartache and trouble. I want to make sure that, all of you have a phenomenal amount of experience, of service to our country. It does not do any of us any good if you put that in a closet. Will you continue here and in your new positions to provide your unvarnished opinion as to what you think is the best way to move forward in strategy and elsewhere?

Mr. MURPHY. Yes, Senator.

Dr. DAVIDSON. Yes, Senator.

Ms. DISBROW. Yes, I will.

Senator DONNELLY. Thank you so very, very much. Thank you, Mr. Chairman.

Chairman MCCAIN. Senator Ernst.

Senator ERNST. Thank you, Mr. Chair, and thanks to all of you for being here. Congratulations on your nominations and to your families as well. We are so glad that you are able to join us today.

We will start with Congressman Murphy and Dr. Davidson, please. As you know, Secretary Carter just recently announced that all occupational specialties will be open not only for men, but now

also for women. I do support providing women every opportunity to serve in any sort of capacity. However, I do want to make sure that standards are not lowered, and that this move is enhancing our military combat effectiveness.

I am a bit disturbed at how it appears the Secretary has somewhat muzzled our agencies and the Services to a point where the Services have not been able to provide us with the data and the input either before the decision was made, and even now after the decision was made, on gender integration within the different Services. I would like some follow up on that.

But for both of you, please, if there are only a small number of women that are able to qualify for combat military occupational specialties [MOS], would you support them lowering the standards to enable a larger number of women to participate in these types of activities? Congressman Murphy?

Mr. MURPHY. Senator, no, I would not. The Army is a standard space organization. We have PT tests, and we have MOSs, military occupational specialties, that are elite units, like our Rangers, our Delta Force, et cetera. They have to go through immense training to go through those schools and capabilities.

There are women in our ranks and in our future ranks that will be able to meet those standards and wanting to do those. They now have access to that. Ranger School is open forever now to women. But we will not lower our standards because it is clear that we have an MOS that has laid out what those capabilities are to accomplish the mission.

Senator ERNST. Very good. Thank you.

Mr. MURPHY. You have my commitment.

Senator ERNST. Thank you. And, Dr. Davidson?

Dr. DAVIDSON. Senator, now that the decision has been made, I assume that if I am confirmed, implementation will be my priority. My guiding principle on this issue is absolutely not to lower the standards and to ensure combat readiness. I was the first woman to fly the C–130 tactical aircraft in the Air Force, and if they had lowered the standards just to let people like me do it, that would have been a tragedy for combat readiness. I am committed to make sure that does not happen.

Senator ERNST. Thank you. I appreciate that very much. I hear the same thing from a number of women that I have served with also that we do not want to see those standards lowered. The second question along that same line of effort, since we have now opened up all of our MOSs to women, let us talk a little bit about Selective Service then. If all of you would participate in the discussion, please. Do you think that Selective Service should now include females, Congressman?

Mr. MURPHY. Ma'am, if confirmed, I am absolutely willing to look into that. I do believe, though, it is a broader national question that needs to be had, and I look forward to working with you and the committee to address it.

Senator ERNST. Thank you.

Dr. DAVIDSON. Senator, I understand that there is a high-level interagency discussion on this issue, and I agree with my colleague that it is an issue for the American people. If I am confirmed, I will look forward to engaging with you in that discussion.

Senator ERNST. Okay. Secretary?

Ms. DISBROW. I do see a need to review the Selective Service processes, and I look forward to working with you. There are many perspectives on this, and I look forward to working with this committee on those.

Senator ERNST. Certainly, and I look forward to that discussion as well.

Chairman MCCAIN. You have all three successfully ducked the question.

Senator ERNST. Exactly, yes. But I do understand there needs to be a very broad discussion about this, but I think that the President has opened that door. I think the Secretary has opened that door now by opening all MOSs to women. I would be proud to have my daughter register for the Selective Service, so I think it is something that we do need to have a serious discussion on. If there is a way that you can influence that, certainly would look forward to your comments as we move forward with this.

Just very briefly, Congressman, I know you are a former company grade officer, and I appreciate your service so very much. We have had a lot of problems. We need some common sense when it comes to acquisition within the Pentagon, and we can talk further about this, but small arms upgrades in the Army. We have seen the request for proposals that have been put out on just a simple handgun. I would like to have your commitment that we will take a look at this and make sure that we are moving forward in a smart manner.

Mr. MURPHY. Absolutely, ma'am. Yes.

Senator ERNST. Okay. I know my time is up. Thank you, Mr. Chair.

Chairman MCCAIN. Dr. Davidson, you had no role in causing the C–130 to be the most uncomfortable aircraft in the inventory to ride in. Do you bear any responsibility for that?

Dr. DAVIDSON. I feel your pain, Senator.

Chairman MCCAIN. Senator Manchin?

Senator MANCHIN. Thank you, Mr. Chairman, and I want to thank all of three of you and your families for the support they give you, for willing to be confirmed for this job.

My question to all three of you is going to be why do you want the job and what is your first reason or your first priority when you are confirmed? Ms. Disbrow, we will start with you. Why do you want the job?

Ms. DISBROW. I feel I can make a difference, Senator. My focus for my entire career has been all about combat power, and I see shortfall areas. I see readiness problems. I see processes that need reform. I think I can make a difference.

Senator MANCHIN. What have you identified as the number one problem, and what do you want to change?

Ms. DISBROW. Readiness and——

Senator MANCHIN. That is the biggest.

Ms. DISBROW.—and meeting demands while we are modernizing.

Senator MANCHIN. Doctor?

Dr. DAVIDSON. Senator, I would like this job because I think we are at an incredibly important inflection point in the United States. We have to reset and also think about modernizing for the future.

My priority is also readiness. The Navy has some serious shortfalls when it comes to aviation readiness and ship maintenance. If confirmed, those will be my first priorities.

Senator MANCHIN. Pat?

Mr. MURPHY. Senator, I joined the Army when I was 19 years of age, and I joined because I love my country. When the President asked me to serve in this capacity, I had to check with my boss first, but once I got the green light I said yes. It is because we are at a defining moment in the Nation's history, and we need the best and the brightest to be in these roles to make sure we get after it against ISIS and against other folks that are trying to do our families harm.

My top priority, sir, and what I am most excited about is that chief management officer role. We have to get after it when we talk about redundancies, when we talk about spending, when we talk about auditability, and these issues. We cannot come back to Congress year after year after year and say we are working on it, we are working on it. We need to execute.

Senator MANCHIN. I will ask all three of you another question. What is the greatest threat the United States of America faces? We will start with you, Congressman.

Mr. MURPHY. Senator, I would concur with General Milley, the Chief of Staff of the Army, who says that Russia is our number one strategic threat. But the immediate threat to our families right now I would say would be ISIS. If confirmed, I will do everything I can to let my voice be heard as a former warfighter to make sure that we are getting after it strategically and tactically.

Dr. DAVIDSON. Senator, I also agree with the chairman, the vice chairman, and other defense leaders that Russia is the greatest strategic threat, but that we also have to remain focused on the ISIS threat currently.

Ms. DISBROW. Senator, I think the greatest threat is that we need to keep ahead of our adversaries and how quickly they are changing. There are adversaries we are not even aware of. I think our biggest threat is continuing to keep a laser focus on keeping ahead of our adversaries.

Senator MANCHIN. Admiral Mullen about 5 years ago when I first came to the Senate testified before us, and the question was asked of him what the greatest threat the United States faces. I thought I would hear the same as I heard from you all. He said without blinking an eye the debt of this Nation is the greatest threat that we face because we will not be able to maintain everything that you all are concerned about.

How concerned are all three of you about the debt this Nation faces, and also the Department of Defense not even being able to stay on track to get an audit done by 2017? The only agency in the Federal Government that is not audited. What is your commitment to getting this place audited? Doctor, we will start with you and go right to down the line.

Dr. DAVIDSON. Senator, I agree that we should not exacerbate the problems that we already face by complicating our own processes here at home and our own budgeting processes. If confirmed, I will make it a priority to focus on the audit problem. I know that

the Navy and Marine Corps are making some progress there, but that there is a long way to go.

Senator MANCHIN. Congressman Murphy?

Mr. MURPHY. Senator, to me it is a great threat. We need to get after it. I was a Blue Dog for a reason. I put forth and passed legislation like the Improper Payments Recovery Act, which identified tens of billions of dollars that we were improperly paying. I look forward to using that legislation and other legislation to get after it within the Department of Army, and it is long overdue.

Ms. DISBROW. You have my full commitment to audit. This is something that needs to continue to progress. We have found many weaknesses, and we are working those hard. We are on track to meet the Congress' requirements for full audit.

Senator MANCHIN. Let me just say as I finish here, is that the military is the thing that keeps us united as a Nation, if you will, but also it is the one that keeps us in a bipartisan effort. This committee works in a bipartisan effort. I think the support we receive back home is bipartisan for our military. But they want to make sure that we are being efficient in how we do things and the amount of money that we are spending, and not just keeping that we are short on funds, but we spend the money wisely.

There are redundancies throughout the entire Department. If you listen to GAO [Government Accountability Office] reports and everybody else's reports on this, but it just will not change from within. For some reason, it inherently will not change. That is why I was asking you what is your passion because you have to have a passion to go in there and want to make change. You are going to ruffle some feathers, so I would hope that you all would take that passion with you and make change. Thank you.

Chairman MCCAIN. Senator Sullivan.

Senator SULLIVAN. Thank you, Mr. Chairman, and I want to thank the nominees for their service to our country and willingness to serve, and I also want to thank the families. I know how much the families also serve even though they might not have the title, so it is great to see so many families here.

Congressman Murphy, I want to dig into a couple of issues relating to the Army. First, the whole issue of the tooth-to-tail ratio. I know General Milley has been very focused on this. As a matter of fact, I saw Acting Secretary Fanning at the Army-Navy game. Sorry, Jack, about the result there.

Senator REED. Thank you, sir.

[Laughter.]

Senator SULLIVAN. Okay. But I think it is a really important issue, and we are hearing about it all the time. One example recently just in testimony a couple of weeks ago, the Office of the Secretary of Defense has 77 flag officers. Is our U.S. Army tooth-to-tail ratio too strongly focused on the tail? If so, what do we do to fix it? I know it is a big concern of the Chief of Staff of the Army as well as Acting Secretary Fanning.

Mr. MURPHY. Senator, it is an absolute concern. I do believe the Army's focus is on the tooth, but that does not mean that we do not need to make improvements in the tail. Part of that effort——

Senator SULLIVAN. You think we are too heavily weighted. If you look at the U.S. military compared to almost any other military in the world, we are very, very heavy on the tail.

Mr. MURPHY. Senator, I look forward to work with you on this. I would say to you that——

Senator SULLIVAN. What is your opinion?

Mr. MURPHY. I am concerned, and I think that we need to increase the tooth and less in the tail. I think, Senator, you do that first by saying what is the tooth. I look at studies like McKenzie and others——

Senator SULLIVAN. Is a brigade combat team—an airborne brigade team, a tooth?

Mr. MURPHY. Yes.

Senator SULLIVAN. Yes. I think General Milley would agree that we are too heavy in the tail, and I want to get your commitment certainly to work with this committee to actually focus more on the warfighter.

Mr. MURPHY. You have that commitment, Senator.

Senator SULLIVAN. There is a lot of talk about Russia, and a lot of the members of the Joint Chiefs in the past year when they came up for their confirmation hearing talked about Russia as the number one threat.

One area that has been a focus of the committee is in the Arctic, and the Russians have dramatically, dramatically built up their forces in the Arctic: four new BCTs, just this year a new Arctic military command, 11 new airfields. Just last week they announced deploying cutting-edge S–400 missile defense systems in the Arctic. Do you know what the U.S. Army is planning on doing in the Arctic right now?

Mr. MURPHY. Are you asking me, Senator?

Senator SULLIVAN. Yes.

Mr. MURPHY. Sorry, I just want to make sure. I am aware of what the Army plan is that they are looking at, that they have not made a commitment to yet.

Senator SULLIVAN. What is that just so people understand——

Mr. MURPHY. Senator, as you know, Chief of Staff of the Army Milley is reviewing that decision, but it is that are we going to make a brigade combat team to make it a battalion level and not a brigade level.

Senator SULLIVAN. Again, that is the ultimate tooth, right, for the U.S. military, a brigade combat team, an airborne brigade combat team, the ultimate kick in the door capability. What do you think Vladimir Putin would think of that if we are removing the only airborne BCT in the Arctic, the only airborne BCT in the entire Asia-Pacific while the Russians dramatically build up their forces? How do you think Vladimir Putin would react to that?

Mr. MURPHY. Senator, I think that is a hypothetical. I am not——

Senator SULLIVAN. It is not a hypothetical. I guarantee you he is looking at the issue right now.

Mr. MURPHY. Senator, I think the Russian president looks at that we have 80,000 troops in the Pacific, and I think he looks at the fact that we have done this——

Senator SULLIVAN. Taking our only airborne BCT, one of the most strategic assets in the U.S. military in the entire Asia-Pacific, in the entire Arctic, and we are getting rid of it. What do you think Vladimir Putin would think of that when he is building up in the region? Huge.

Mr. MURPHY. Senator, I think that is why the new leadership in the Army, which I am not part of yet, but if confirmed I will be, is reviewing that decision.

Senator SULLIVAN. Let me ask another question. Because this committee and the Congress are concerned about the Arctic, we had a commitment in the NDAA for an OPLAN [operational plan] plan for the Arctic, first time ever. The Secretary and General Dunford both committed to make that a robust OPLAN for the Arctic.

If confirmed, I would like your commitment to make sure we have an OPLAN first with the Secretary and the chief of staff or the chief of the armed services committed to saying it would be a robust OPLAN. I would like your commitment if confirmed to make sure we are not moving a single soldier out of the Arctic until that OPLAN is completed. I believe I have gotten this commitment from General Milley.

A frustration of mine, though, has been when I go home, I hear that our troops are continuing to move forward with disbanding the 425, which is not the commitment that I received from the Army senior leadership. I need right now here, if confirmed, you would confirm to make sure we first complete this robust Arctic OPLAN before we move a single soldier out of the Arctic. Can I get that confirmation?

Mr. MURPHY. Senator, you have my commitment that I will review it and that I will do that as you—whether it was you in the Marine Corps or me as a paratrooper in the 82nd Airborne Division, when we are at the rough ranges, it is ready, aim, fire, not fire, aim, ready.

Senator SULLIVAN. Exactly. Will you make sure we get after it?

Mr. MURPHY. I know General Milley is after this. He is going to the Arctic. I am not trying breaking any news, but he is going to Alaska to visit, and he is, I believe, planning to go to the JRTC [Joint Readiness Training Center] down in Louisiana. You have my commitment, Senator, that I will review it when I get in there and brief you and the whole SASC to make sure that we are doing the right thing.

Senator SULLIVAN. But not moving a single soldier out of the Arctic until that OPLAN is completed. That is the commitment——

Mr. MURPHY. That is my understanding that is what——

Senator SULLIVAN. That is the commitment I need from you right now.

Mr. MURPHY. That is the commitment that I believe that the Army, that General Milley has made to you currently, Senator. I concur with General Milley, yes.

Senator SULLIVAN. Thank you.

Chairman MCCAIN. Senator, I think you made your point.

[Laughter.]

Chairman MCCAIN. Senator Shaheen.

Senator SHAHEEN. First of all, congratulations to each of you, and thank you very much to your families and to each of you for your willingness to continue to serve the country because each of you have actually been serving.

I want to begin, Assistant Secretary Disbrow, with you. As you may be aware, the Pease International Tradeport in Portsmouth, New Hampshire, because of previous activity of the Air Force being there, the three wells that are used by the community have been contaminated. The Air Force has been very good at coming up and listening to people in the community, hearing the concerns that they have, and taking responsibility to address the situation.

But I just want to make sure that if confirmed that you will commit to ensuring that the Air Force continues to provide the resources that are necessary to complete the well treatment systems and to continue the work with the local community.

Ms. DISBROW. Senator, you have my commitment. We are working hard with you and your team to ensure we are identifying those who may have been exposed. We are working the cleanup effort, and we continue to work with you on the blood level testing issue.

Senator SHAHEEN. Thank you very much. Dr. Davidson, I am not going to reiterate what Senator Ayotte said about the base housing at the shipyard, but it is something obviously that Senator King and I will also continue to watch very closely, and appreciate your willingness to ensure that action is taken to address that.

In one of the hearings we have had in the last few weeks about military reform, one of the issues that we heard from people testifying was concern about cutbacks to research and development that would affect the capacity of our military to have the innovation that it needs to stay ahead of the competition, to stay ahead of the national security challenges to the country.

A number of people testifying talked about the Small Business Innovation Research [SBIR] Program and how important that is in developing new technologies. They also talked about the role of small businesses because so much of our innovation comes from small business. I know that it has been a challenge getting DOD up to the commitment that it has to ensure that a certain percent of contracts, 5 percent of its business, go to small businesses.

Can each of you talk about the challenges you see to ensuring that we continue to work with small businesses, which are so critical to our defense industrial base in this country, and about what you think we can do to remove some of those obstacles to ensuring that our small businesses are working closely with DOD. Congressman Murphy, I will ask you to begin.

Mr. MURPHY. Thank you, Senator. It is critical. I mean, 98 percent of the business of the workers in America are small business. I am in the private sector now. I work for an actual law firm. We cater to small businesses. These are small businesses, 16,000 of them that are mostly privately held.

It is critical, and we need to make sure that when we partner, that they understand what we are trying to do, and they understand that they need to be on time and on budget. A lot of times because they are so agile, they are performing, in many cases, over performing. You have my commitment that we continue that focus.

Senator SHAHEEN. Dr. Davidson, are there any specific actions that you think can be taken to ensure that we continue this effort in a robust way?

Dr. DAVIDSON. Yes, Senator. I share your enthusiasm for this issue, and I appreciate your leadership. I know that the Navy has programs to reach out to small businesses, and that they actually have been doing fairly well at that. I think that the challenge that we need to work on going forward is the barriers that we have of small businesses actually trying to work with the government. Sometimes it is so overwhelming for them.

Senator SHAHEEN. Right.

Dr. DAVIDSON. I look forward, if confirmed, to working with the committee to the extent that some of those are legislative, but many of the ones that are policy oriented, the Navy can get on right away.

Senator SHAHEEN. I would agree the Navy has been very effective, particularly with the SBIR Program. Secretary Disbrow.

Ms. DISBROW. Senator, the Air Force also has this as a concern area. We actually exceeded our goal for 2015 for the percentage of obligations that went to small businesses. We exceeded by 4 percent our target for a total of 18 percent.

We also have a small team that works on the headquarters Air Force staff that does this every day. They work for the Under Secretary position. If confirmed, I will help guide and focus them on this critical area. They have developed a great website that gets to what my colleague raised as an issue, which is how do small businesses bring their innovative ideas in. They are able to actually expose what they are doing to our team so that we can match them to the right places where we are looking for proposals.

Senator SHAHEEN. Great. Thank you all very much.

Chairman MCCAIN. Senator Nelson.

Senator NELSON. Thank you, Mr. Chairman. All of you are exceptionally qualified for these positions, and I congratulate you.

Dr. Davidson, you were an Air Force officer. Is that going to put you in an uncomfortable role being in the Navy?

Dr. DAVIDSON. Senator, actually I think my having been an Air Force officer helps me bring a joint focus to my leadership in the Navy.

Senator NELSON. This will sound parochial, and in part it is, but one of the lessons of Pearl Harbor was that you do not put all your eggs in one basket. You disperse your assets. Presently, well, shall I say formerly, we always have with our aircraft carriers in the Atlantic Fleet, presently they have not been dispersed. They are all in one home port, and I have pictures where all five aircraft carriers were tied up at the same time. Do you have any thoughts about dispersing?

Dr. DAVIDSON. Senator, I appreciate the issue of dispersing from a geopolitical and a national security perspective. If confirmed, I am open to any ideas to look at that issue.

Senator NELSON. The policy of the United States Navy, just so you know since you said you are open to looking at all issues. The policy of the United States Navy from every CNO [Chief of Naval Operations] for the last 15 years that I have been here, and previous to that for every CNO, is you disperse your assets, just like

we have in the Pacific Fleet. We have the six aircraft carriers homeported in three ports for the obvious reason.

Because of the budget crunch, the work on dispersing the Atlantic fleet five carriers was stopped or, shall I say, delayed. It will be an issue in front of you. Secretary Mabus knows this issue inside and out, the CNO, the previous CNO, and every CNO going way back.

At some point we are going to have to just face the music so that you do what we have always done, not only in the Pacific, but also the Atlantic. It just does not make sense from a national security standpoint to put all of them in one place.

That second place, and I said it is going to sound parochial, and it is. That second place has always been Mayport, Florida and Mayport is ready. The channel was dug. It is down below 50 feet. It is ready. They bring the carriers in there from time to time. But the long and short of it is that you have to then go in and put in the nuclear facilities for homeporting, and that is an expenditure. But at the end of the day, that is an expenditure that we have to make.

Secretary Disbrow, we are going to have some major expenditures in the Air Force. Of course, the cost overruns have been really something on the F–35, but now as we look to the future, B–52s that are a lot older than you have to be replaced, and the long-range strike bomber would eventually replace them as well as the B–1s. We would still keep the B–2s. What do you think about that?

Ms. DISBROW. Senator, we have to begin that planning of the heel-to-toe tradeoff so that we do not have gaps in this critical bomber area.

Senator NELSON. Okay, Mr. Chairman.

Chairman MCCAIN. Thank you very much. Thank you. We will, depending on how long the smooth running operation, well-oiled machine runs here in the Senate, we will see if we can get your nominations through before we leave on a well-deserved Christmas vacation. Senator Reed?

Senator REED. Again, let me thank you, Mr. Chairman, for scheduling these hearings and moving so expeditiously to get these confirmations completed. Thank you, Mr. Chairman.

Chairman MCCAIN. Thank you. Thanks to the witnesses and their families.

This hearing is adjourned.

Mr. MURPHY. Thank you.

[Whereupon, at 11:05 a.m., the hearing was adjourned.]

[Prepared questions submitted to the Honorable Patrick J. Murphy by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Committee has recently held a series of hearings on defense reform. What modifications of Goldwater-Nichols Department of Defense Reorganization Act of 1986 provisions, if any, do you believe would be appropriate?

Answer. The ongoing hearings focused on the Goldwater-Nichols Reorganization Act of 1986 are both timely and necessary. The Goldwater-Nichols framework for National Security has served the Nation well, but our current global environment is dramatically different from the Cold War environment of the 1980s. If confirmed, I will fully support the hearings as required. If significant amendments are passed, I will ensure the Army fully coordinates and executes implementation of those amendments.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. As a third generation veteran, strong family values and accountability were instilled by my mother and father. My father's time in the Navy, and as a Philadelphia police officer, as well as my mother's service to the Catholic Church and legal profession, taught by example what leadership looks like. My public service and private sector experience make me uniquely qualified to serve in this position. I have dutifully served our Nation in some capacity for over twenty-three years, highlighted by two operational deployments (Iraq and Bosnia) as an Army officer, as an assistant professor at the United States Military Academy, serving on the national security committees as a member of the House of Representatives in the Armed Services, Appropriations, and the Select Intelligence Committees, and even today as a member of the United States Military Academy Board of Visitors. As a small business owner, law firm partner serving as outside general counsel to small businesses, and as an academic, I possess the unique public and private sector background to perform the duties of Chief Management Officer. If confirmed, I look forward to serving as the Army's Under Secretary.

DUTIES

Question. Section 3015 of title 10, United States Code, states the Under Secretary of the Army shall perform such duties and exercise such powers as the Secretary of the Army may prescribe.

What is your understanding of the duties and functions of the Under Secretary of the Army?

Answer. By statute, the Under Secretary of the Army performs such duties and exercises such powers as the Secretary of the Army prescribes. By regulation, the Under Secretary is the Secretary's principal civilian assistant and principal advisor on matters related to the management and operation of the Army. To that end, the Under Secretary is charged with communicating and advocating Army policies, plans, and programs to external audiences, including Congress, interagency partners, foreign governments, nongovernmental organizations, and the American public. The Under Secretary also advises the Secretary on the development and integration of Army programs and the Army budget. Finally, pursuant to section 904 of the National Defense Authorization Act for Fiscal Year 2008, the Under Secretary is the Chief Management Officer of the Department of the Army.

Question. What recommendations, if any, do you have for changes in the duties and functions of the Under Secretary of the Army, as set forth in section 3015 of title 10, United States Code, or in Department of Defense regulations pertaining to functions of the Under Secretary of the Army?

Answer. If confirmed, I will review and assess the duties and functions currently assigned to, and performed by, the Under Secretary, and I will discuss with the Secretary of the Army any changes I believe may be necessary to enhance the Under Secretary's ability to support the Secretary of the Army's efforts to ensure that the Department of the Army is effectively and efficiently administered.

Question. Assuming you are confirmed, what additional duties, if any, do you expect will be prescribed for you?

Answer. I am confident that the Acting Secretary will assign me duties that most appropriately support his efforts to ensure that the Department of the Army is effectively and efficiently administered, taking into consideration my background and experience.

Question. Section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, directs the Secretary of a military department to designate the Under Secretary of such military department to assume the primary management responsibility for business operations.

What is your understanding of the business operations responsibilities of the Under Secretary of the Army?

Answer. By statute and regulation, the Under Secretary is assigned the position of Chief Management Officer of the Army. In that position, the Under Secretary is

the principal adviser to the Secretary of the Army on the effective and efficient organization and management of the Army's business operations, and is responsible for carrying out initiatives the Secretary of the Army approves for the business transformation of the Army.

Question. How do you perceive your role in setting the agenda for the Army Chief Management Officer?

Answer. I perceive my role as the Chief Management Officer would include recommending to the Secretary of the Army methodologies and measurement criteria to better synchronize, integrate and coordinate the business operations of the Department of the Army. In addition, I perceive that my role as the Chief Management Officer would include developing and submitting to the Secretary of the Army for approval a comprehensive business transformation plan and a well-defined enterprise-wide business system architecture and transition plan.

RELATIONSHIPS

Question. If confirmed, what would be your working relationship with:

The Secretary of Defense.

Answer. The Secretary of Defense, as head of the Department of Defense, possesses full authority, direction, and control over all of its elements. If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I would communicate with the Secretary of Defense on matters involving the Department of the Army. I would cooperate fully with the Secretary of Defense to ensure that the Department of the Army fulfills the Administration's national defense priorities and, mindful of my role as the Army's Chief Management Officer, I would make certain that the business operations of the Army are effectively and efficiently organized and managed to ensure their optimal alignment in support of Department of Defense and Department of the Army missions.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense performs such duties and exercises such powers as the Secretary of Defense may prescribe. The Deputy Secretary is also the Chief Management Officer of the Department of Defense. If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I would be responsible to the Secretary of Defense—and to his Deputy—for the operation of the Army. I would also be responsible for providing information to the Deputy Secretary of Defense regarding the Army's business operations to assist him in the performance of his duties as the Chief Management Officer of the Department of Defense.

Question. The Chief Management Officer and Deputy Chief Management Officer of the Department of Defense.

Answer. The Deputy Chief Management Officer of the Department of Defense assists the Deputy Secretary of Defense in synchronizing, integrating, and coordinating business operations within the Department of Defense. If confirmed as Under Secretary, I will provide information to the Deputy Secretary of Defense and the Deputy Chief Management Officer regarding the Army's business operations to assist them in the performance of their Chief Management Officer duties, and I will work closely with the Deputy Chief Management Officer on the full range of matters involving the management of the Department of Defense.

Question. The Secretary of the Army.

Answer. The Secretary of the Army is the head of the Department of the Army and is responsible for, and has authority to conduct, all of its affairs. If confirmed, my relationship with the Secretary of the Army will be close, direct, and supportive. As Chief Management Officer, I would be accountable to the Secretary for the effective and efficient organization and management of the Army's business operations and for carrying out initiatives he approves for the business transformation of the Army. I understand that all of my actions would be subject to the authority, direction, and control of the Secretary of the Army.

Question. The Chief of Staff of the Army.

Answer. The Chief of Staff of the Army is the senior military advisor to the Secretary of the Army, is directly responsible to the Secretary of the Army, and performs his duties under the authority, direction, and control of the Secretary of the Army. The Chief of Staff also performs the duties prescribed for him by law as a member of the Joint Chiefs of Staff. It is vital that all leaders of the Department of the Army, both civilian and military, work closely together as one team to face the many challenges confronting our Nation. If confirmed, I will coordinate with the Chief of Staff of the Army in the performance of my duties.

Question. The Assistant Secretary of the Army for Civil Works.

Answer. The Assistant Secretary of the Army for Civil Works has, as a principal duty, the overall supervision of missions associated with the development and man-

agement of the Nation's water resources, support for commercial navigation, restoration, protection and management of aquatic ecosystems, flood risk management, and engineering and technical support services. If confirmed, I will build a strong professional relationship with the Assistant Secretary, and I would cooperate fully with the Assistant Secretary in advancing and defending the Army's Civil Works Program.

Question. The other Assistant Secretaries of the Army.

Answer. The four other Assistant Secretaries of the Army set the Army's strategic direction by developing and overseeing policies and programs within their respective functional areas. If confirmed, I will work to establish and maintain close, professional relationships with each of the Assistant Secretaries, and I will foster an environment of cooperative teamwork to ensure that we work together effectively on both the day-to-day management and long-range planning needs of the Army. In particular, in my role as the Chief Management Officer of the Army, I will coordinate with the Assistant Secretaries in addressing any matter related to business operations or business transformation that may impact their respective domains.

Question. The General Counsel of the Army.

Answer. The General Counsel is the chief legal and ethics officer of the Department of Army and serves as counsel to the Secretary and other Secretariat officials. The General Counsel's duties include providing legal and policy advice to officials of the Department of the Army, as well as determining the position of the Army on all legal questions and procedures. If confirmed, and particularly given my experience as an Army Judge Advocate, I will work to establish and maintain a close, professional relationship with the General Counsel of the Army, and I will actively seek his or her guidance to ensure that Army policies and practices are in strict accord with the law and the highest principles of ethical conduct.

Question. The Inspector General of the Army.

Answer. The Inspector General of the Army is charged with inquiring into, and reporting on, the discipline, efficiency, readiness, morale, training, ethical conduct and economy of the Army, as directed by the Secretary of the Army or the Chief of Staff of the Army. If confirmed as Under Secretary, I will work to establish and maintain a close, professional relationship with The Inspector General of the Army to ensure the effective accomplishment of these important duties.

Question. The Surgeon General of the Army.

Answer. The Surgeon General is the principal advisor to the Secretary of the Army and to the Chief of Staff of the Army on the military health service system. In that role, The Surgeon General is charged with maintaining a medically ready military force, as well as a trained and ready medical force. If confirmed, I will work to establish and maintain a close, professional relationship with The Surgeon General to ensure that the Army's health care systems and medical policies effectively and uniformly support the Army's objectives, responsibilities, and commitments across the total force.

Question. The Army Business Transformation Office.

Answer. In accordance with section 908 of the National Defense Authorization Act for Fiscal Year 2009, the Secretary of the Army established the Office of Business Transformation to assist the Army Chief Management Officer in carrying out business transformation initiatives. The Office of Business Transformation is headed by the Director of Business Transformation, who is appointed by and reports to the Army Chief Management Officer. If confirmed, I will work closely and directly with the Army Business Transformation Office in carrying out initiatives the Secretary of the Army approves for the business transformation of the Army.

Question. The Judge Advocate General of the Army.

Answer. The Judge Advocate General of the Army is the legal advisor to the Chief of Staff of the Army, the Army Staff, and members of the Army generally. In coordination with the Army General Counsel, The Judge Advocate General serves as the military legal advisor to the Secretary of the Army. The Judge Advocate General also directs the members of the Judge Advocate General's Corps in the performance of their duties and, by law, is primarily responsible for providing legal advice and services regarding the Uniform Code of Military Justice and the administration of military discipline. If confirmed as Under Secretary, I look forward to establishing a close, professional and inclusive relationship with The Judge Advocate General, and I will always welcome her views regarding any legal matter under consideration.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard Bureau is a principal advisor to the Secretary of Defense, through the Chairman of the Joint Chiefs of Staff, on matters involving non-federalized National Guard forces and on other matters as determined by the Secretary of Defense. The Chief of the National Guard Bureau is also the

principal advisor to the Secretary of the Army and the Chief of Staff of the Army on matters relating to the Army National Guard. If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I will establish a professional relationship with the Chief of the National Guard Bureau, and I will work closely with him to utilize the talents available within the Army National Guard to strengthen the Total Army.

Question. The Director of the Army National Guard.

Answer. The Director, Army National Guard is responsible for assisting the Chief, National Guard Bureau in carrying out the functions of the National Guard Bureau, as they relate to the Army National Guard. If confirmed, I will establish and maintain a close, professional relationship with the Director, Army National Guard to foster an environment of cooperative teamwork between the Department of the Army and the National Guard Bureau. I will also seek the input of the Director of the Army National Guard on all matters of policy and procedure that may impact Army National Guard soldiers and their families.

Question. The Army Chief of Chaplains.

Answer. From the earliest days of the Army, chaplains have been an integral part of the total force. Chaplains are often the first to respond to incidents of death, combat casualty, suicide, and sexual assault. The programs that the Chaplains lead serve to bolster soldier and family resiliency in these difficult times. The Army Chief of Chaplains leads the Army Chaplains Corps in its primary mission of providing religious support to the Army, and advises the Secretary of the Army and Chief of Staff of the Army on all matters of chaplaincy. If confirmed as Under Secretary, I will work to establish and maintain a close, professional relationship with the Chief of Chaplains because I understand the importance of, and value in, consulting with him in the exercise of my responsibilities.

Question. The Under Secretaries of the Navy and Air Force.

Answer. If confirmed, I will work to establish and maintain a close, professional relationship with the Under Secretaries of the Navy and the Air Force, and I look forward to engaging in frank exchanges of advice and opinions with them regarding issues that impact all the military departments.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges, if any, that you would confront if confirmed as Under Secretary of the Army?

Answer. I believe that the Army's primary challenge will be to meet the Nation's security needs with reduced and uncertain budgets. With the spread of ISIL, the resurgence of Russia and the growth of China, the world is increasingly complex, and combatant commanders' demand for forces is not diminishing. Yet, the Army has been downsizing, and I have been advised that the fiscal uncertainty caused by sequestration hinders planning and the efficient execution of the Army's mission.

Question. If confirmed, how would you prioritize and what plans would you have, if any, for addressing these challenges?

Answer. Given our complex geopolitical situation and uncertain funding, one of my priorities, if confirmed, will be to assist the Secretary of the Army provide ready forces to combatant commanders as efficiently and effectively as possible. I have been advised that several important initiatives are underway that will assist the Army in accomplishing this goal. For example, the Department of Defense is reviewing personnel policies and compensation reforms as part of its Force of the Future initiative, and the Army is supporting ongoing efforts to reexamine Goldwater-Nichols. I have also been advised that the Army is making progress in auditability and the processes for maintaining readiness. If confirmed, I look forward to leading and supporting these efforts.

Question. What do you consider to be the most serious problems in the performance of the functions of the Under Secretary of the Army?

Answer. It is my understanding that one of the most serious problems in the performance of the functions of the Under Secretary is that the bureaucratic processes required to manage a large, diverse organization like the Army can also stifle innovation and limit agility. Organizational innovation and agility are critical in ensuring the United States Army meets the needs of the Nation and takes care of its soldiers during a period of constrained resources and personnel reductions.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. I will work closely with the Army's principal officials to ensure that our management processes are agile, efficient, innovative, and accountable. These processes must ensure Army readiness to meet the needs of the Nation and takes care

of soldiers and their families in the most resource effective manner. Aggressive but reasonable timelines are critical in tackling these problems.

Question. How will you manage the recommendations of the National Commission on the Future of the United States Army? Its report is expected in February 2016.

Answer. If confirmed, I will thoroughly review the Commission's recommendations and assist the Secretary of the Army in taking appropriate action on those recommendations.

Question. What is your assessment of the Army's Aviation Restructuring Initiative? Are its objectives reasonable? Do you think its cost avoidance goals are achievable? Are the equities of the National Guard and Reserves being adequately addressed? Is it the best plan for the Total Army?

Answer. I have been briefed that ARI provides greater combat capability at lower cost than proposed alternatives, achieved by divesting the Army's oldest aircraft fleets and rationally distributing its modernized aircraft between the components. I have also been briefed that it promotes a modernized aircraft fleet in the Army National Guard and Army Reserve. I am told that ARI underwent numerous external reviews, to include those by GAO and OSD's CAPE office, which validated its cost savings and operational capability estimates. Based on what I have learned thus far, ARI appears to be a sound and achievable response to the significant fiscal constraints the Army faces as a result of the Budget Control Act. If confirmed, however, I look forward to the report of the National Commission on the Future of the Army and the insights on Army's aviation structure that they will provide.

PRIORITIES

Question. If confirmed, what broad priorities will you establish?

Answer. One of my broad priorities will be to assist the Secretary and Chief of Staff of the Army to rebuild readiness across the Army. After a decade of counter-insurgency operations followed by downsizing and new emergent demands, readiness is difficult to rebuild. The Army needs to institutionally adapt to the new environment—to train and ready forces for the wide range of warfighting missions required to meet the security needs of a complex world. This touches not just our combat units, but institutionally how we can become more efficient across "Man, Train, Equip" to produce and sustain readiness. Additionally, the Army needs to prepare for the future in developing and investing our soldiers and future leaders, in pursuing sound modernizations strategies, and in adopting effective doctrine. Another one of my top priorities will be to take care of soldiers, civilians and families, in particular those who have seen so many combat tours. The Army has adapted before and can adapt to these challenges.

DUTIES AND RESPONSIBILITIES AS CHIEF MANAGEMENT OFFICER

Question. Section 904 of the National Defense Authorization Act for Fiscal Year 2008 designates the Under Secretary of the Army as the Army's Chief Management Officer (CMO). Section 908 of the National Defense Authorization Act for Fiscal Year 2009 requires the CMO of each of the military departments to carry out a comprehensive business transformation initiative, with the support of a new Business Transformation Office.

What is your understanding of the duties and responsibilities of the Under Secretary in his capacity as CMO of the Department of the Army?

Answer. By statute and regulation, the Under Secretary is assigned the position of Chief Management Officer of the Army. In that position, the Under Secretary is the principal adviser to the Secretary of the Army on the effective and efficient organization and management of the Army's business operations, and is responsible for carrying out initiatives the Secretary of the Army approves for the business transformation of the Army. In addition, as the Chief Management Officer, the Under Secretary is responsible for developing and submitting to the Secretary of the Army for approval a comprehensive business transformation plan and a well-defined enterprise-wide business system architecture and transition plan.

Question. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?

Answer. My public service and private sector experience make me uniquely qualified to serve in this position. My Active Duty Army service (including two deployments) and my service as a lawmaker on the House Armed Services, Appropriations, and Intelligence committees, informed by being a small business owner, allow for a unique perspective to lead change in the Army as the Chief Management Officer. If confirmed, I look forward to serving as the Army's Under Secretary.

Question. Do you believe that the CMO and the Business Transformation Office have the resources and authority needed to carry out the business transformation of the Department of the Army?

Answer. As I understand the authorities prescribed in law and by the Secretary of the Army, and the resources currently available to the Department, I believe the position and office are properly resourced and able to accomplish the necessary business transformation efforts of the Army. If confirmed, I will consult with the Secretary of the Army; the Army Chief of Staff; the Director of the Office of Business Transformation; and the Department of Defense's Deputy Chief Management Officer for their perspectives and assess the current situation as to whether any additional authorities or resources are needed to continue to achieve meaningful transformation.

Question. What role do you believe the CMO and the Business Transformation Office should play in the planning, development, and implementation of specific business systems by the military departments?

Answer. The Chief Management Officer and the Business Transformation Office play leading roles in successful implementation of business systems for the Army. The Army Chief Management Officer and the Office of Business Transformation achieve the integration of its business management decisions through effective governance, utilizing the Army Business Council in particular, which provides overall synchronization of the department's business activities and ensures vertical integration from the Office of the Secretary of Defense down through all business activities of the Army. If confirmed, I will work with the Office of Business Transformation and the other leaders of the Department of Defense in continuing the momentum to drive the evolution of the maturing enterprise architecture and supporting business systems within the Army's business operations, leading to increased readiness and efficiency.

Question. What changes, if any, would you recommend to the statutory provisions establishing the position of CMO and creating the Business Transformation Office?

Answer. The legislation that originally established the Service Under Secretaries as Chief Management Officer s, and created the business transformation offices, has driven tremendous change and positive improvements for the Department of the Army. If confirmed, I will work closely with the Secretary of the Army, the DOD Deputy Chief Management Officer and the Deputy Secretary of Defense to determine the need for statutory changes in order to further increase the effectiveness of our critical business transformation efforts.

Question. Section 2222 of title 10, United States Code, requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the Business Transformation Agency has developed the top level architecture while leaving it to the military departments to fill in most of the detail. The Army's business systems, like those of the other military departments, remain incapable of providing timely, reliable financial data to support management decisions.

If confirmed, what steps, if any, would you take to ensure that the Army develops the business systems and processes it needs to appropriately manage funds in the best interest of the taxpayer and national defense?

Answer. Well defined, understood, and applied enterprise business processes reflecting best business practices and supported by modern system technology are central to funds management and the Army's ability to provide trained and ready forces at best value to the Nation. If confirmed, and in the capacity of Chief Management Officer, I will ensure the Army optimizes business systems and processes to meet the needs of national defense while maintaining dedicated stewardship of the funds entrusted to it. In this regard, I will seek the advice of subject matter experts, both inside and outside the Department of Defense to ensure we are following best business practices and employing state-of-the-art financial systems, as well as capitalizing on the results of our ongoing schedule of financial audits to improve processes and systems.

Question. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of the Army's business systems?

Answer. Absolutely. A well elaborated integrated enterprise business architecture details how the Army conducts its core title 10 U.S. Code functions and how supporting business information technology systems support process execution. Comprehensive and enterprise-wide architecture is the starting point to implement transition plans from Army legacy business systems to its modern systems and to identify opportunities for greater effectiveness.

Question. What steps would you take, if confirmed, to ensure that the Army's enterprise architecture and transition plan meet the requirements of section 2222?

Answer. Section 2222 is a powerful tool that ensures the Army continues to employ best practices in its business processes. If confirmed, I will ensure that the Army's enterprise architecture and transition plan meets the requirements contained in section 2222. I will ensure a continuous review and, where appropriate, revision, of our defense business processes in order to implement the most streamlined and efficient business processes practicable, and to minimize customization of commercial business systems.

Question. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding managers accountable?

Answer. Timely and accurate financial and business information are critical enablers for Army senior leaders to make the best resource-informed decisions that guide and direct the Army in providing trained and ready forces wherever and whenever needed. If confirmed, as the Under Secretary and Chief Management Officer of the Army, I will be a strong advocate for "management by fact" as accurate data is the key to making the optimal decisions to ensure the long term defense of our Nation. I will hold leaders and managers throughout the Army accountable for the focused application of resources to generate readiness and to provide best-in-class support to soldiers in the performance of their important missions.

Question. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not routinely available for these purposes?

Answer. I would find that to be unacceptable. If confirmed, I would take steps to discover the root causes of why financial and business information was inaccurate or unavailable. I would address deficiencies by implementing systemic changes in processes and hold leaders and managers directly responsible for implementing and sustaining those changes.

Question. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to Army managers?

Answer. I will play the central role in leading and managing Army business operations. I will execute this by ensuring that the right policies and directives are in place to guide Army business operations and that governance structures are effectively functioning to enable Army senior leader performance assessment, and identification of and direction for improvement opportunities. I will also empower and hold Army leaders and managers accountable for ensuring the availability and accuracy of data and information for improvement of business processes.

HEADQUARTERS STREAMLINING

Question. The Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the military departments.

If confirmed, what would be your role in streamlining functions, as well as identifying and implementing reductions in the Department of the Army headquarters?

Answer. I anticipate playing a key and leading role in the analysis and streamlining of processes and functions in the Army. We must lead by example. Every dollar we can save in such a review can directly contribute to increased readiness of our operational force, and I am therefore committed to a relentless pursuit of such efficiencies. I am also aware that the Army implemented a plan to reduce all of its two-star headquarters and above by 25 percent over the period 2015–2019, and implemented a comprehensive delayering of the Department Headquarters which increased supervisors' spans of control from 4 to 8 and reduced 2 layers of bureaucracy. If confirmed, I would anticipate overseeing the continued implementation of those plans as well as identifying additional opportunities to streamline our headquarters.

Question. What areas and functions, specifically and if any, do you consider to be the priorities for possible consolidation or reductions within the Department of the Army?

Answer. If confirmed, as the Army's Chief Management Officer, I intend to make the identification of opportunities for consolidation or reduction a major priority. We must lead by example. While I have not yet had the opportunity to begin that process, if confirmed, I will initially focus on two methods to prioritize my efforts. First, I will focus on those areas which if consolidated or reduced would provide the most savings. Secondly, I will focus on those areas and functions where the Department of the Army most significantly deviates from best practices in the private sector, not

because the Army should necessarily resemble a business, but because those areas might be the most likely in need of significant transformation.

Question. To the extent that the Department of the Army has functions that overlap with the Department of Defense, Joint Staff, or military departments, what would be your approach to consolidating and reducing redundancy?

Answer. I will follow a disciplined and deliberate approach in analyzing potential redundancies between the headquarters of the Army and the other major headquarters of the Department of Defense. Redundancies and overlap among headquarters potentially represent major resource savings which could be re-applied to generating increased levels of Army readiness, a commodity in great demand. First, we must assess the necessity of a redundant function. Once we verify the need for the function, in conjunction with the other leaders of the Department of Defense, an unbiased determination where the function is most appropriately performed will be made, whether it is at the Department of the Army, another Military Service, a Defense Agency or in the Office of the Secretary of Defense. We must carefully balance the need for efficiency by centralizing functions with the effectiveness of decentralizing those very same tasks. If confirmed, I will bring a fresh and impartial view to those tough questions and make those recommendations to the Army, which I believe will best contribute to the long term defense of this Nation.

END STRENGTH

Question. In this year's budget request and Future Years Defense Program, the Department proposes making additional cuts to the Army's Active and Reserve component end strengths.

In your view, can the Army meet national defense objectives at the end strength levels proposed under the current budget agreement? What about at the end strength levels that would be necessary after fiscal year 2018 after this budget agreement expires?

Answer. With the Bipartisan Budget Act levels of funding, the Army will be able to support a total Army end strength of 980,00 (450,000 Active component (AC); 335,000 Army National Guard (ARNG); 195,000 United States Army Reserve (USAR)) through Fiscal Year 2017. The Army leadership has said that this is the lowest acceptable level to meet the Defense Strategic Guidance with significant risk. I have been advised that the Army is also reducing civilian manpower commensurate with military end strength reductions. In the event of full sequestration, the Army would be forced to reduce to make significant reductions. These end strength levels would severely compromise the Army's ability to meet current combatant commander's demand, and the requirements of the Defense Strategic Guidance to defeat an adversary in one major combat operation while simultaneously denying the objectives of an adversary in a second theater.

Question. What is your understanding of the Army's ability to meet these goals without forcing out soldiers who have served in combat over the past 10 years with the implicit promise that they could compete for career service and retirement?

Answer. The Army has worked to minimize involuntary separations by reducing new accessions and utilizing greater promotion selectivity. Of the approximate 76,000 reductions since 2012, only about 4,400 (5.8 percent) were involuntary. Unfortunately, it is my understanding that the Army may not be able to continue to meet the end strength goals without additional involuntary separations.

Question. To what extent will the Army have to rely on involuntary separations through 2018? How will the budget agreement affect this?

Answer. I am aware that in order to achieve an Active Component end strength of 450,000 by 2018, a reduction of 40,000 soldiers, where approximately 14,000 (35 percent) involuntary separations will be required. Without the budget agreement, we would potentially have had to lower end strength even further which would require more involuntary separations.

Question. What programs are in place to ensure that separating and retiring servicemembers are as prepared as they can be as they enter civilian workforce?

Answer. In my experience and through briefings, I have witnessed the coordination with the Department of Veterans Affairs, as the Department of Labor, as the Small Business Administration, and the Department of Defense, the Army has developed an enhanced version of its transition assistance program. Called the soldier for Life—Transition Assistance Program (SFL–TAP), this commander's program features soldier counseling and training sessions, employment and career workshops, and education opportunities, all while maintaining leadership focus on, and involvement in, each soldier's transition process. SFL–TAP affords soldiers the opportunity to prepare for successful post-Service careers

Question. What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress has provided the past few years?

Answer. The Army has provided proposals to obtain additional authorities to responsibly shape the force. If confirmed, I will assess the need for additional authorities, and if necessary, work with the Congress to garner support.

Question. In your view, should the number of general and flag officers in the Army be reduced commensurate with the drawdown of total Army end strength?

Answer. I have not had the opportunity review the linkage between the number of General Officers in the Army, current force structure, and overall end strength. If confirmed, I commit to reviewing any such analysis conducted to date, and, if appropriate, make recommendations to the Secretary. If no such analysis has been conducted, I will recommend the Secretary direct it.

Question. What are your views on the appropriate size and mix of the Active Duty Army, and the Reserve components?

Answer. The Army remains committed to the Total Force Policy. The Active component (AC), Army National Guard (ARNG), and the United States Army Reserve (USAR) all have important roles as part of the Total Force. The AC provides responsiveness and flexibility; the ARNG and USAR provides depth, staying power, and unique skills. The Army needs all three in the right combination to meet the Defense Strategic Guidance in the most effective and efficient manner. The 2014 Quadrennial Defense Review establishes Army end strength at 980k (450k AC; 335k ARNG; 195k USAR). If confirmed, I will ensure the Army utilizes the Total Army Analysis process for determining the forces required to meet Defense Strategic Guidance and component mix given authorized end strength.

ARMY RECRUITING AND RETENTION

Question. The retention of quality soldiers, officer and enlisted, Active Duty and reserve, is vital to the Department of the Army.

How would you evaluate the status of the Army in successfully recruiting and retaining high caliber personnel during a period of sustained overall decrease in end strength?

Answer. I have seen firsthand that even in a challenging recruiting and retention market, the Army continues to attract the Nation's most talented young men and women. As I have been briefed, currently only about 29 percent of today's youths age 17–24 are eligible for military service. The Army continues to recruit high quality personnel averaging 97 percent high school graduates, 0.4 percent CAT IVs (soldiers who scored in the 10–30 percent of the Armed Forces Qualification Test). Additionally, the Army continues to use enlistment waivers judiciously, only granting them for 11.2 percent of new recruits for fiscal years 2012–2015. The Army has also exceeded retention objectives during this period, retaining only the most highly qualified soldiers. Many soldiers will ultimately leave the Army during the drawdown, but the Army must continue to retain and recruit soldiers with high potential for future Service, balance the force with critical skills, experience, and fill mission-essential units. It is clear that costs for recruiting and retention incentives and for advertising are rising. If confirmed, I will work with Army leaders to ensure sustaining the All Volunteer Force remains a strategic imperative for the Army and evaluate the progress of our efforts.

Question. What initiatives would you take, if confirmed, to further improve Army recruiting and retention, in both the Active and Reserve components?

Answer. I will ensure that both our Recruiting and Retention programs are focused on recruiting and retaining only the highest quality soldiers during the drawdown. I also will take steps to ensure that the Army can continue to develop indicators that help identify applicants that are more likely to succeed in service and lessen the chances that new soldiers leave the Army before the end of their terms of enlistment. These measures offer the potential to reduce recruiting and training funds. If confirmed, I will ensure that leaders charged with the success of these programs have the tools needed to successfully recruit and retain the highest quality personnel.

READINESS

Question. What is your assessment of the current readiness of the Army to meet national security requirements across the full spectrum of military operations?

Answer. I am aware that as part of the Joint Force, the Army delivers decisive, expeditionary, and adaptive strategic land power for the Nation. In fact, the Army has more than 190,000 soldiers in over 140 worldwide locations accomplishing a variety of combatant command military operations. However, given decreasing resources and shrinking capacity, the Army is mortgaging future readiness and re-

sponse capabilities. As a result, the Army may be challenged to defeat a regional adversary without having to utilize resources and units needed to simultaneously deter aggression, assure allies, and conduct foundational activities elsewhere in the world.

ACQUISITION ISSUES

Question. The National Defense Authorization Act for Fiscal Year 2016 emplaced myriad changes to defense acquisition processes, including reinserting service chief influence and accountability into acquisition processes.

Do you support the acquisition reform provisions in the Fiscal Year 2016 National Defense Authorization Act?

Answer. Yes. I support efforts between the Department and the Congress to improve the acquisition system by streamlining processes, improving access to technological innovation, and professionalizing the acquisition workforce. If confirmed, I will review the impact of the legislative changes in processes and requirements in order to fully assess the effects on Army acquisition.

Question. What additional acquisition-related reforms do you believe the Committee should consider?

Answer. I am aware the Department is currently working to implement changes established under the Fiscal Year 2016 National Defense Authorization Act. I would want to first assess the impact and effects of these reforms before determining whether additional changes are needed. If confirmed, I look forward to the opportunity to closely review the legislation, and to work with the Department and the Congress in determining the appropriateness of any additional changes.

Question. How can the Department and the Army better access and integrate commercial and military technology to remain ahead of its potential adversaries?

Answer. Our warfighters must have the technical and tactical advantage over our enemy. This technological advantage over our adversaries is critical to our Nation's success. If confirmed, I would first assess the efficacy of existing authorities, processes, and procedures to access commercial technology and their utility in developing Army capabilities, and make recommendations, as appropriate.

Question. If confirmed, how will you synchronize your acquisition responsibilities with the Army Chief of Staff?

Answer. The Army Chief of Staff plays a critical role in the development of requirements and ensuring the resources necessary to successfully develop and field programs. In this role, the Chief of Staff brings a unique perspective with a wealth of operational experience that is invaluable when generating and prioritizing military equipment requirements. If confirmed, I would work closely with the Army Chief of Staff to ensure that we make the appropriate tradeoff requirements in pursuit of warfighting capabilities while ensuring responsible use of our taxpayers' dollars.

Question. What is your assessment of the size and capability of the Army acquisition workforce?

Answer. I have not yet had the opportunity to assess firsthand the size and capabilities of the Army acquisition workforce against the Army's acquisition needs. If confirmed, I will work with Army leaders to review and ensure that our workforce is properly sized and trained for effective and efficient delivery of warfighting capabilities to our soldiers. We must ensure our warfighters have the technical and tactical advantage over our enemy.

Question. If confirmed what steps would you take to ensure that the Department of the Army has an acquisition workforce with the size and capability needed to manage and reverse the acquisition problem?

Answer. The Army acquisition workforce requires critical skills in a diverse range of disciplines, to include contracting, program management, systems engineering, cost estimating, and risk management. If confirmed, I will first assess the current size and capability mix of the workforce before determining what, if any, steps are necessary to ensure the workforce is positioned to effectively and efficiently deliver critical capabilities to our warfighters.

AUDIT READINESS

Question. The Department of Defense remains unable to achieve a clean financial statement audit. The Department also remains on the Government Accountability Office's list of high risk agencies and management systems for financial management and weapon system acquisition. Although audit-readiness has been a goal of the Department for decades, DOD has repeatedly failed to meet numerous congressionally directed audit-readiness deadlines.

What is your understanding and assessment of the Army's efforts to achieve a clean financial statement audit by 2017?

Answer. My understanding is that the Army has developed a plan to achieve a clean financial audit statement by 2017. I am aware of the DOD published Financial Improvement Audit Readiness plan to achieve audit readiness. If confirmed, I will examine the Army's and DOD's plans and work to identify any potential improvements to help the Army achieve financial auditability by Congressionally mandated deadlines. If confirmed, I will ensure a clean financial statement audit will be a top priority.

Question. In your opinion, is the Department of the Army on track to achieve these objectives, particularly with regard to data quality, internal controls and business process re-engineering?

Answer. The Army is on track to achieve these objectives, but, if confirmed, I will review current Army processes and ensure the Army executes a fully coordinated plan.

Question. If not, what impediments may hinder the Army's ability to achieve this goal and how would you address them?

Answer. The Army has identified a series of risks to achieving these objectives that include system shortcomings. If confirmed, I will review those potential system shortcomings, will provide my assessment to the Committee, and will do everything in my power to execute on this critical goal.

Question. What steps will you take, if confirmed, to ensure that the Army moves to achieve these objectives without an unaffordable or unsustainable level of one-time fixes and manual work-arounds?

Answer. Budgets are moral documents and proper analysis and execution is critical to our warfighters. In addition to personally assessing progress on a regular and consistent basis, if confirmed, I will reinforce the governance structure that the Army has put in place so that the Army is focused on developing and achieving Army-wide, cost-effective, and sustainable solutions. Additionally, if confirmed I will work closely with senior leaders to establish a 'tone from the top' that reinforces that audit activities are not simply checklists. It is about transforming the way the Army conducts its business enabling us to create a long-lasting infrastructure fully compliant with accounting standards and sustainable despite potential fiscal uncertainty.

ARMY MODERNIZATION

Question. In general, major Army modernization efforts have not been successful over the past decade or more. Since the mid-1990's, Army modernization strategies, plans, and investment priorities have evolved under a variety of names from Digitization, to Force XXI, to Army After Next, to Interim Force, to Objective Force, to Future Combat System and Modularity. Instability in funding, either as provided by DOD or Congress, has been cited by the Army and others as a principal cause of program instability. For the most part, however, the Army has benefited from broad DOD and Congressional support for its modernization and readiness programs even when problems with the technical progress and quality of management of those programs have been apparent—the Future Combat System is a recent example.

What is your assessment, if any, of the Army's modernization record?

Answer. I think overall the Army has had too many failed modernization programs over the last ten years; some of them major programs. The cause of some of these failures appears to be overly ambitious requirements, funding instability or a slow, bureaucratic acquisition process. The Army modernization effort has worked well in addressing important needs for current operations remaining focused on requirements that could be rapidly delivered to meet the needs of our warfighters. If confirmed, I will do my best to ensure major Army modernization programs are managed properly, with reasonably achievable requirements, and in a fiscally responsible manner.

Question. What is your assessment of the Army's Tactical Wheeled Vehicle Strategy?

Answer. I believe the Army has a solid Tactical Wheeled Vehicle Strategy. The strategy was approved in December 2014. The Army has made significant investments over the recent conflicts to modernize and increase protection of its tactical wheeled vehicles. The strategic objectives are: increased soldier protection; fleet operations to provide broad warfighting capabilities to combatant commanders such as sustainment, medical evacuation, and recovery; enabling mission command functions; providing mobility in various operational environments; and maintaining a

healthy industrial base. The centerpiece of the tactical wheeled vehicle strategy is fielding the Joint Light Tactical Vehicle in the near term.

Question. What is your assessment of the Army's Combat Vehicle Modernization Strategy?

Answer. It is my initial assessment that the Combat Vehicle Modernization Strategy (CVMS) provides an effective framework for enabling brigade combat teams the appropriate combination of lethality, mobility, and protection to achieve overmatch against threats. The strategy addresses near-to-mid-term capability gaps for Infantry Brigade Combat Teams and Stryker Brigade Combat Teams. The Army will also invest in incremental improvements (Engineering Change Proposals) of our current platforms in order to improve the Armored Brigade Combat Team's ability to fight and win in a complex world.

Question. If confirmed, what actions, if any, would you propose to take to achieve a genuinely stable modernization strategy and program for the Army?

Answer. I will work to ensure the Army's modernization strategy focuses on providing necessary capabilities that satisfy the needs of both the combatant commanders and our nation's leadership. It is important that the Army's modernization programs have reasonably achievable requirements that prioritized to allow for trade space and that the highest priority capabilities receive should consistent and unwavering oversight and advocacy from Army Senior Leaders. If confirmed, I will also work with the Office of the Secretary of Defense and Congress to secure stable and predictable support to allow the Army to manage programs as efficiently as possible.

Question. What is your understanding and assessment of the Army's modernization investment strategy?

Answer. My initial impression is that more investment is needed, however, I understand that the strategy is designed to modernize the highest priorities within fiscal limitations. I understand that the Army strategy is to adapt its current equipment to gain or regain lost capability as our potential adversaries increase theirs, to evolve current equipment to avoid obsolescence and meet emerging gaps, and to innovate to develop new tools and methods that permit Army forces to address future demands, and stay ahead of determined enemies. If confirmed, I will undertake a comprehensive assessment of the strategy to ensure that it is appropriate given the fiscal and operational environment facing the Army.

Question. In your view does the Army's modernization investment strategy appropriately or adequately address current and future capabilities that meet requirements across the spectrum of conflict?

Answer. I think the modernization strategy is appropriate given current fiscal constraints. In our rapidly changing national security environment, if confirmed, I will work to ensure the Army's strategy is appropriate to meet emerging threats across the spectrum.

Question. If confirmed, what other investment initiatives, if any, would you pursue in this regard?

Answer. I will ensure the Army is investing in cross-cutting capabilities that can enhance multiple equipment portfolios, such as the active protection system that can be used on multiple combat platforms and other vehicles, directed energy or autonomous systems, and cyber security. The Army should invest in areas identified as potential vulnerabilities and in any areas that may have been bypassed over the past decade while it was investing in capabilities required by the conflicts in Iraq, Afghanistan, and Syria.

Question. If confirmed, what actions, if any, would you propose to ensure that all these initiatives are affordable within the current and projected Army budgets?

Answer. I will evaluate the affordability issues of these initiatives and seek to align the Army's investment strategy with its highest priority warfighting challenges, and ensure that the Army's major programs receive the requisite oversight, advocacy and funding stability.

Question. In your view, what trade-offs, if any, would most likely have to be taken should budgets fall below or costs grow above what is planned to fund the Army's modernization efforts?

Answer. Reduction in budgets or growth in costs above what is planned will require the Army to make some tough choices, to include deferring on and potentially terminating programs to fill more important capability gaps. If confirmed, I look forward to working with the stakeholders to fully understand the costs and risks associated with the budget reductions.

Question. In your view, should the Army trade-off requirements within a program in order to make that program affordable?

Answer. Yes. If confirmed, I would seek to prioritize must-have capabilities within the program while trading-off less critical capabilities, or ones at higher risk of

being achieved due to technology immaturity, to ensure the program remains affordable. The Army may also have to consider reducing planned procurement quantities to keep programs affordable.

ARMY WEAPON SYSTEMS PROGRAMS

Question. What is your understanding and assessment of the following research, development, and acquisition programs? Are all programs delivering or sustaining capabilities that are suitable, reliable and survivable? Are all programs within cost, timeline and performance?

Warfighter Information Network Tactical.

Answer. My understanding is that the Warfighter Information Network Tactical program provides the Army a secure, high-speed, high-capacity networking backbone for mobile, ad-hoc networks in tactical environments, and underpins the Army's Tactical Network modernization efforts. The program is focused on the development of key networking capabilities that have been tested and are currently deployed and utilized by warfighters in Afghanistan. I have been briefed that the Warfighter Information Network Tactical program is within cost, timeline, and performance against current requirements.

Question. Distributed Common Ground System—Army.

Answer. I understand that the Distributed Common Ground System—Army is the Army's weapon system for Intelligence Analysts supporting current operations worldwide in Africa, Afghanistan, Iraq, and Korea. It provides ground stations to receive, process, and disseminate sensor data and information; workstations for intelligence, weather, geospatial, and space operations analysts; tactical, operational, and theater strategic server capabilities; and a worldwide enterprise that provides access to over 700 data sources and intelligence reach back and tactical over watch capabilities. I have been briefed that the Distributed Common Ground System—Army system is within cost, timeline, and performance. I am aware that this system has drawn criticism, and, if confirmed, I am committed to an objective evaluation of the system's performance.

Question. Ground Combat Vehicle (GCV).

Answer. The Ground Combat Vehicle program, which was concluded in 2014 due to budget limitations, was developed as a new Infantry Fighting Vehicle (IFV) to replace the Bradley IFV. I have been briefed that the Ground Combat Vehicle program is no longer active, but when it was, it was within cost, timeline, and performance.

Question. Stryker Combat Vehicle, including the Stryker Lethality Upgrades.

Answer. The Stryker Combat Vehicle is an acquisition program that has proven to be highly successful in Iraq and Afghanistan, and will remain a significant part of the Army's force structure for the foreseeable future. The Army is pursuing upgrades to the Stryker Combat Vehicles to increase both the survivability and lethality of the fleet in response to urgent operational needs.

In response to poor performance against improvised explosive devices, the Army retrofitted Stryker vehicles with a more survivable Double V–Hull designed underside. My understanding is that the blast-deflecting Double V-hull improvements have saved numerous lives in Afghanistan.

In an effort to increase the lethality of the Stryker vehicles against emerging threats abroad, the Army will integrate 30mm cannons with an unmanned remote turret into a number of the vehicles. Providing an improved direct fire weapon system to support infantry at a greater range will improve the lethality of the Stryker fleet against a wide array of targets.

I have been briefed that the Stryker Combat Vehicle program is within cost, timeline, and performance.

Question. Joint Light Tactical Vehicle (JLTV).

Answer. The Joint Light Tactical Vehicle (JLTV) is a Joint Army and Marine Corps development program, which consists of a Family of Vehicles that are capable of performing multiple mission roles. The JLTV will be designed to provide protected, sustained, and networked mobility for personnel and payloads across the full spectrum of military operations. JLTV addresses force protection performance and payload limitations in current High Mobility Multipurpose Wheeled Vehicles, while providing more off-road mobility, fuel efficiency, and reliability than Mine-Resistant Ambush Protected All-Terrain Vehicles. I have been briefed that the JLTV program is within cost, timeline, and performance.

Question. M1 Abrams tank modernization.

Answer. The Abrams tank is anticipated to be the Army's primary ground combat system through at least 2045. The age of the current Abrams tank fleet is low—6 to 7 years, on average. As a result of lessons learned in Iraq, the Army is pursuing

incremental improvements to the Abrams tank designed to buy back power deficiencies, improve protection and lethality, and provide the ability to accept future network and protection upgrades. These improvements will enable the Abrams Tank to maintain its leading edge in measures of survivability, lethality, and maintainability. I have been briefed that the Abrams Tank modernization program is within cost, timeline, and performance.

Question. M2 Bradley infantry fighting vehicle modernization.

Answer. The Bradley Family of Vehicles has been an integral part of the Army's force structure for decades, and will be continue to be so for the foreseeable future. As such, modernization of the fleet is critical. Over the past years, the Army has made incremental improvements to the Bradley variants that will buyback power deficiencies, improve protection and provide the ability to accept future network and protection upgrades. The Bradley fleet is now undergoing two additional improvements initiatives to upgrade the mobility, power generation and cooling capabilities lost by increasing the survivability and upgrading the network. I have been briefed that the M2 Bradley infantry fighting vehicle modernization program is within cost, timeline, and performance.

Question. Paladin Integrated Management (PIM) self-propelled howitzer modernization.

Answer. The Army is fully committed to the Paladin M109A7 Family of Vehicles, formerly known as PIM. The M109A7 will replace the current Paladin M109A6 Self Propelled Howitzer and Field Artillery Ammunition Support Vehicle starting in Fiscal Year 2017. The M109A7 will deliver responsive, all-weather, operationally adaptable, and offensive and defensive fires in support of the Armored Brigade Combat Team maneuver force, while keeping pace with the Abrams and Bradley. I have been briefed that the PIM modernization program is within cost, timeline, and performance.

Question. Armored Multipurpose Vehicle (AMPV).

Answer. The AMPV will replace the M113 Family of Vehicles (FoV) within the Armored Brigade Combat Team, which have become operationally irrelevant due to inadequate mobility, survivability, and force protection, as well as the lack of size, weight, power, and cooling necessary to incorporate future technologies. The AMPV will replace five M113 FoV mission roles with the following variants: Mission Command, Medical Treatment, Medical Evacuation, General Purpose, and Mortar Carrier. The first prototypes are scheduled to be delivered in December 2016. I have been briefed that the AMPV program is within cost, timeline, and performance.

Question. AH–64E Apache modernization and Manned-Unmanned Reconnaissance.

Answer. The Apache is the Army's only heavy attack helicopter, and is an invaluable asset on the modern battlefield, providing an immeasurable contribution to combat power. The Apache's history dates back to the 1980's, and the latest version, the AH–64E, is the second remanufacture of that proven system.

Manned-Unmanned Teaming (MUM–T) is a force-multiplying capability in which the AH–64E Apache receives video feeds and target coordinates from Army's Gray Eagle and Shadow Unmanned Aircraft. This greatly increases the Apache's combat lethality and survivability by providing the pilot increased situational awareness prior to engaging the threat.

Both the Apache modernization efforts and the MUM–T capability are delivering and sustaining capabilities that are suitable, reliable, and greatly enhance survivability for our soldiers.

I have been briefed that the AH–64E Apache modernization and Manned-Unmanned Reconnaissance program is within cost, timeline, and performance.

Question. Joint Tactical Radio System (JTRS).

Answer. The radios in the former JTRS program comprise a critical aspect of the Army's and the Department's network modernization effort, and are the foundation of the Army's tactical network and communications. The radios provide man-portable, vehicle-mounted, and aerial communication and data transport services for the Army's tactical network. It is my understanding that the Army's strategy for the acquisition of these systems is to conduct full and open competition designed to leverage industry innovation and capability, reducing the long developmental lead times of the original JTRS program. I have been briefed that the JTRS program is within cost, timeline, and performance.

Question. Joint Multi-Role rotorcraft program

Answer. The Joint Multi-Role Technology Demonstrator is a Science and Technology effort to help inform capabilities and requirements for the planned Future Vertical Lift Program. I have been briefed that the Future Vertical Lift program is not yet an acquisition program, so it does not have a cost and schedule baseline yet.

Question. Small arms modernization.

Answer. The Army's small arms modernization efforts provide for the maturation, demonstration, testing and evaluation for emerging technologies in small arms. The ultimate goal is to provide soldiers with world-class weapons systems that achieve overmatch, and which are suitable, reliable, and survivable on current and future battlefields. Currently, it is my understanding that the Army is focused on developing weapons system improvements that will enhance the lethality, target acquisition and tracking, fire control, training effectiveness, and reliability of weapons.

I am aware the Army's portfolio of small arms modernization programs includes the XM17 Modular Handgun System, designed to replace the M9 pistols currently in use by the Army; the M2A1 Machine Gun; and the M4A1 Carbine.

I have been briefed that the small arms modernization program is within cost, timeline, and performance.

Question. Personal protective equipment modernization.

Answer. The Army provides soldiers with the best protective equipment in the world. Over the past ten years the Army has fielded, and continuously improved, protective equipment that saves soldiers' lives. It is my understanding that soldiers are equipped with a complementary suite of protective capabilities (body armor/combat helmets) that guard against multiple threats associated with ballistic, blast, and blunt force events, including ballistic projectiles and fragmentation from Improvised Explosive Devices. These improvements are drastic compared to what I personally experienced in Iraq in 2003–2004.

My understanding is that the Army's next generation PPE system is the soldier Protection System (SPS). The objective of the SPS program is to develop a modular, scalable, and tailorable system that is designed to defeat current threats at a reduced weight in comparison to our existing PPE.

I have been briefed that the personal protective equipment modernization program is within cost, timeline, and performance.

Question. AN/TPQ–53 Counter Fire Radar.

Answer. The AN/TPQ–53 (Q–53) Counter Fire Radar is a new generation of counter fire sensor with the flexibility to adapt to uncooperative adversaries and changing missions, a vital capability on today's battlefield. The Q–53 detects, classifies, tracks and determines the location of enemy indirect fire. The Q–53, replacing the current Q–36/37 Counter Fire Radars, provides enhanced performance including greater mobility, increased reliability and supportability, and the increased capability to determine the location of enemy fire in either 360-degree rotating or 90-degree stationary modes. The AN–TPQ 53 radar is on track from a cost, schedule perspective. The radar experienced performance issues during tests but we are back on track and the program is moving forward to production.

MINE RESISTANT AMBUSH PROTECTED (MRAP) VEHICLES

Question. What is your understanding and assessment of the Army's long term strategy for the retention, disposal, utilization, and sustainment of its large MRAP vehicle fleet?"

Answer. The Army is retaining the best, most modern MRAPs necessary for its requirements, and where appropriate, excess equipment is made available to other agencies, activities, and nations. If confirmed, I will review the Army's MRAP strategy and make recommendations as necessary.

ARMY-RELATED DEFENSE INDUSTRIAL BASE

Question. What is your understanding and assessment of the systems and processes for identifying, evaluating, and managing risk in the Army's organic and commercial defense industrial base?

Answer. The Army continually assesses the industrial base and makes adjustments as necessary, while maintaining compliance with legal and policy requirements, to appropriately manage and maintain a viable, ready industrial base. If confirmed, I will review the Army's industrial base strategy and make recommendations as necessary.

Question. Should Army acquisition leaders consider impacts on the industrial base when addressing requirements for recapitalization or modernization of major end items such as tanks, tactical wheeled vehicles or key repair parts?

Answer. It is my belief that Army acquisition leaders should consider impacts to the industrial base when addressing recapitalization or modernization requirements in order to make the best decisions for the total force. Army materiel must be available, reliable, sustainable, and affordable. Army acquisition leaders must consider all aspects of acquisition, including impacts to the industrial base, to be responsive to the needs of the warfighter.

Question. If confirmed, what changes, if any, would you pursue in systems and processes to improve identification, monitoring, assessment, and timely actions to ensure that risk in the Army-relevant sectors of the defense industrial base is adequately managed in order to develop, produce, and sustain technically superior, reliable, and affordable weapons systems?

Answer. If confirmed, I will review and assess the existing systems and processes the Army uses to identify potential risk to the industrial base, and monitor its overall health. I will work with Army leadership to implement required improvements to ensure that the defense industrial base remains reliable, cost-effective, and prepared to meet the Army's current and future strategic objectives.

ARMY SCIENCE AND TECHNOLOGY

Question. What is your understanding and assessment of the role that Army science and technology programs have played and will play in developing capabilities for current and future Army systems?

Answer. Over more than a decade of war, our warfighters have had the technical and tactical advantage over our enemies. The world has witnessed the value and impact that technologically enabled capabilities are critical to our warfighters. I have been briefed that the Army's Science and Technology (S&T) mission is to enable soldiers to dominate the battlefield, both today and tomorrow. The Army's S&T Enterprise includes more than 11,000 scientists and engineers, has been essential to developing near-term fixes for warfighter's urgent needs. The strong technical expertise they provide has led to many fielded capabilities in response to both Operational Needs Statements (ONS) and Joint Urgent ONS. From what I have learned, the Army S&T Enterprise is aligned with and meeting the needs of the current and future warfighter.

Question. Given the budget, how will you ensure that Army science and technology programs will successfully transition to operational warfighting capabilities?

Answer. The Army has established a thirty-year modernization plan to guide Science and Technology investments and provide a more deliberate and systematic planning of technology insertion into programs of record. I believe that to prevent, shape, and win future conflicts in an ever-changing world, Army Science and Technology must deliver timely technological solutions that address top priority capability gaps. Science and Technology remains a critical investment to ensure our soldiers maintain a technological edge over potential adversaries. These investments are required to develop and mature enabling technologies. If confirmed, I would support continued investment in this area and ensure that it successfully transitions to the Army's current and future acquisition programs. Given the great uncertainty about, and increasing complexity of, future national security threats, I believe it is especially important that the Army also continues investing in basic research and development.

Question. If confirmed, what metrics would you use to judge the value and the investment level in Army science and technology programs?

Answer. Historically, developing metrics associated with S&T has been exceedingly difficult. I have been advised that continuity of both funding and focus areas are keys to success within S&T, both from a technology development perspective as well as to maintain core competencies. I am told that the Army does measure how well S&T is aligned to warfighter needs and how well S&T transitions. If confirmed, I will challenge the S&T community to continue to develop additional metrics that will aid in assessing whether the Army is adequately invested.

ARMY LABORATORIES AND RESEARCH, DEVELOPMENT AND ENGINEERING CENTERS (RDEC)

Question. What role should Army laboratories play in supporting current operations and in developing new capabilities to support Army missions?

Answer. Army laboratories should deliver technology-enabled solutions for current conflicts and develop technologies that enhance the Army's ability to prevent, shape, and win future conflicts. If confirmed, I will work to ensure that Army laboratories fulfill these important roles.

Question. If confirmed, how will you ensure that the Army laboratories and research and development centers have a high quality workforce, laboratory infrastructure, resources, and management, so that they can continue to support deployed forces and develop next generation capabilities?

Answer. I fully recognize the important role that the science, technology, engineering, and mathematics workforce and laboratory facilities have in facilitating the Army of the future. If confirmed, I will learn more about the specific issues and

challenges facing Army laboratories and centers and ensure they have the necessary tools and personnel to effectively perform their missions.

Question. Do you support the full utilization of authorities established by Congress under the Laboratory Personnel Demonstration program that is currently being run in many Army RDECs?

Answer. Yes, I have been informed that the authorities established by Congress under the Laboratory Personnel Demonstration Program have given the laboratories and engineering centers the flexibility and tools necessary to manage and incentivize Army personnel performing this critical function. If confirmed, I will seek to ensure that the Army is taking full advantage of the authorities provided by Congress under this program.

Question. Do you believe that all RDECs in the Army's Research, Development and Engineering Command (RDECOM) need enhanced personnel authorities in order to attract and retain the finest technical workforce? Would you support expansion of the Laboratory Personnel Demonstration authorities to all of RDECOM's laboratories and engineering centers?

Answer. All the RDECOM laboratories and centers are currently part of the Laboratory Personnel Demonstration, and that this provides important management flexibility for the laboratory directors allowing them to shape their workforce and remain competitive with the private sector. If confirmed, I will assess the effectiveness of these existing authorities, recommend changes, and execute as needed and appropriate.

Question. Do you believe that the Army's laboratories and engineering centers should have a separate, dynamic personnel system, uniquely tailored to support laboratory directors' requirements to attract and retain the highest quality scientific and engineering talent?

Answer. If confirmed, I would fully examine this issue to better understand the potential benefits and costs of such a system. With the exception of a few organizations, it is my understanding that the Laboratory Personnel Demonstration program provides the laboratory directors with the ability to attract and retain the highest quality scientific and engineering personnel.

Question. How will you assess the quality of Army laboratory infrastructure and the adequacy of investments being made in new military construction and sustainment of that infrastructure?

Answer. If confirmed, I will engage the appropriate Army organizations and stakeholders to better understand the challenges facing our Science and Technology infrastructure and develop solutions to ensure we are making the necessary investments in this important area.

Question. Are you concerned about the current or future supply of experts in defense critical disciplines, particularly personnel with appropriate security clearances, to hold positions in defense laboratories?

Answer. The Army must and will compete with the private sector to attract and retain the highest quality personnel in critical, emerging areas such as materials science, biotechnology, and cyber. It is my understanding that Army laboratories have benefited from a number of congressionally authorized personnel flexibilities allowing them to mitigate many of the concerns related to hiring clearable experts. In addition, these same authorities provided the directors of each of the Army laboratories management flexibility to ensure that their laboratories possess the research programs and facilities to entice the highest quality personnel. I also understand that the Army has been investing in Science, Technology, Engineering, and Mathematics education to ensure a future workforce that includes well-trained scientists and engineers. If confirmed, I will work to ensure the Army continues to have the authorities necessary to access a high quality workforce both current and future.

ARMY TEST AND EVALUATION (T&E) EFFORTS

Question. If confirmed, how will you ensure that the Army's test and evaluation infrastructure is robust enough to ensure that new systems and technologies are tested to verify their combat effectiveness and suitability?

Answer. I will ensure the acquisition and the test and evaluation enterprise continually assesses the adequacy of the Army's test and evaluation infrastructure to support current and planned future test events. I will also take into consideration the Office of the Secretary of Defense's annual reports to Congress on developmental and operational test and evaluation as well as the Test Resource Management Center's annual budget certification focused on test and evaluation infrastructure in accordance with 10 USC 196(e)(2). If confirmed, I will take steps to protect the funding necessary to maintain a robust Army test and evaluation infrastructure.

Question. What metrics will you use to assess the quality of the Army's T&E infrastructure?

Answer. If confirmed, I will assess the adequacy of the Army's Test & Evaluation infrastructure and the metrics used to support the testing requirements of Army and Department of Defense acquisition, test, and evaluation professionals.

Question. If confirmed, how would you ensure that weapon systems and other technologies that are fielded by the Army are adequately operationally tested?

Answer. I will ensure that the operational test community has adequate resources to independently verify that acquisition systems and technologies employed by soldiers under operationally realistic conditions and are operationally effective, operationally suitable and survivable prior to deployment of the systems and technology.

ARMY INFORMATION TECHNOLOGY PROGRAMS

Question. What major improvements would you like to see made in the Army's development and deployment of major information technology systems?

Answer. The Army has a number of efforts to modernize the network; however, the current budget extends our modernization efforts out to 2022. My goal, if confirmed, would be to accelerate the modernization to the left to meet increasing cybersecurity threats and ensure we derive maximum benefit from increased capacity, efficient network operations and improved cybersecurity posture.

The Army must continue to streamline the IT and Cyber acquisition process so that we may procure and quickly transition the necessary information technologies to stay ahead of the threat, which requires current and cutting edge technologies.

Question. How will you encourage process and cultural change in organizations so that they maximize the benefits that new enterprise information technology systems can offer in terms of cost savings and efficiency?

Answer. A key aspect of culture change is to continue to ensure that cybersecurity, threat awareness and sound cyber practices are instilled throughout the Army as an institution. The Army is working closely with DOD, the other Services and across the interagency community to ensure we improve our cyber hygiene and heighten our cybersecurity posture.

If confirmed, I will encourage the Army to continue to implement its IT management reforms initiated in 2012, and continue supporting Secretary Carter's initiative to reinvigorate DOD's relationship with our IT & Cyber industry partners. This is key to tapping the innovation present in the private sector and for enhancing our ability to rapidly identify and take advantage of changes in the technology environment.

Question. What is the relationship between Army efforts at implementing enterprise information technology programs and supporting computing services and infrastructure to support Army missions and efforts being undertaken by the Defense Information Systems Agency?

Answer. I have been briefed that the Army looks to DISA as a service provider for enterprise services such as email, communication transport, and application hosting. DISA sees the Army's efforts as setting the stage for the other Services to take advantage of DISA's enterprise services and is using the Army as a catalyst to pave the way for a better Joint Information Environment across the Department of Defense.

The Army is working closely with DISA on a number of efforts to include: Enterprise Resource Programs, mobile pilots, Joint Regional Security Stacks and Multi-Protocol Layered Switching which is a huge effort for DISA and currently the biggest Army effort to build the capacity necessary to support enterprise capabilities.

INVESTMENT IN INFRASTRUCTURE:

Question. Witnesses appearing before the Committee in the past have testified that the military services under-invest in both the maintenance and recapitalization of facilities and infrastructure compared to private industry standards. Decades of under-investment in DOD installations has led to substantial backlogs of facility maintenance activities, created substandard living and working conditions, and made it harder to take advantage of new technologies that could increase productivity. These challenges have been exacerbated by current budget pressures.

What is your assessment of the Army's infrastructure?

Answer. I am aware there is a substantial backlog of facility maintenance. The Army has one of the largest real property inventory portfolios in the federal government, spread over a broad geographic footprint—both domestic and overseas. The Department is now in its fourth year of budget caps under the Budget Control Act, which have resulted in sizable underinvestment in facilities, impacting the Army's ability to sustain its current infrastructure. This continued underfunding ultimately

results in greater costs down the line, as small repairs turn into much larger problems. To that end, if confirmed, I will prioritize resources on facilities that build readiness to maintain life, health, and safety standards.

Question. If confirmed, what actions if any would you propose to increase resources to reduce the backlog and improve Army facilities?

Answer. The Army should address critical maintenance problems before they develop into bigger and more expensive projects. I also believe more predictable funding is essential to facility investment planning and strategic decision making. As the Army downsizes, it has excess and poor quality facilities, which are unsustainable at the current funding levels. Budget predictability and modification of the Budget Control Act would help the Army provide adequate funding for the sustainment, restoration, modernization, and military construction accounts to meet infrastructure needs. If confirmed, I will focus on reducing the Army's footprint, while adding precision to its facility investments.

BASE CLOSURE AND REALIGNMENTS

Question. The Department of Defense has repeatedly requested a Base Realignment and Closure (BRAC) round.

Do you believe another BRAC round is necessary? If so, why?

Answer. Senior Leaders within the Defense Department and the Department of the Army have repeatedly stated the need for another round of BRAC to reduce excess infrastructure. Declining budgets and force reductions underscore the need to avoid spending resources on excess infrastructure. With the Army's announced force structure reductions to an Active end strength of ~450,000, I believe the Army must be provided the authority to analyze and where necessary reduce excess infrastructure. BRAC is a proven process that saves significant sums of money.

Question. If confirmed and if Congress were to authorize another BRAC round, how would you go about setting priorities for infrastructure reduction and consolidation within the Department of the Army?

Answer. BRAC is a strict statutory process by which DOD can close or realign military installations. It requires a meticulous, objective, and well documented analysis, with a focus on reducing capacity, not capabilities. If confirmed, I will ensure the Army uses military value as the primary consideration and treats all bases equally using the approved 20 year force structure plan and statutory selection criteria to develop recommendations to the Commission and Congress.

Question. If confirmed and if Congress were to authorize another BRAC round, what is your understanding of the responsibilities of the Army in working with local communities with respect to property disposal?

Answer. Specific Army responsibilities for property disposal can only be determined after the recommendations are approved. If confirmed I will ensure DOD resources are made available to assist affected local communities in planning the redevelopment of surplus Army properties.

Question. It has been noted repeatedly that the 2005 BRAC round resulted in major and unanticipated implementation costs and saved far less money than originally estimated.

What is your understanding of why such cost growth and lower realized savings have occurred?

Answer. BRAC 2005 primarily supported Army Transformation while the Army force structure was increasing and tens of thousands of soldiers returned to the U.S. from overseas requiring the construction of new facilities. Nearly half of the BRAC 2005 recommendations focused on opportunities to enhance military value available under BRAC authority to move forces and functions. I understand that BRAC 2005 is still saving the Army $1 billion per year on a net $13 billion investment (7.7 percent annual investment yield). It was also produced a significant improvement in military value (which was the goal).

Question. How do you believe such issues could be addressed in a future BRAC round?

Answer. A future BRAC round could be structured differently than BRAC 2005 so as to focus on infrastructure consolidation and cost savings in response to a reducing force structure. This future BRAC would look more like 1990s-era BRAC rounds with relatively short payback periods. The payback for Army BRAC recommendations during these rounds averaged 2 years. The Army had about 30 "efficiency" recommendations in BRAC 2005. Those "efficiency" recommendations have an average payback period of 3.4 years and produce over half a billion dollars in annual savings.

RELIGIOUS GUIDELINES

Question. In your view, do Department of the Army policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Yes. I am aware that the Army and DOD policies ensure that every request for religious accommodation is evaluated equally on a case-by-case basis, given the unique facts of each case, for all soldiers, regardless of their faith background or belief or non-belief system.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact good order and discipline?

Answer. Yes, I am aware that current law and policy protect and accommodate individual expressions of belief, or non-belief that do not impact good order and discipline.

Question. In your view, do existing policies and practices regarding public prayers offered by Army chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. The Army does not have a policy regarding public prayer by Army chaplains. As a matter of practice, however, chaplains are encouraged to be considerate of the audience as they pray in accordance with their own religious tradition. The Chaplain Corps trains Army Chaplains to perform or provide religious support to soldiers in a diverse and pluralistic environment. Training and the leadership of supervisory Chaplains ensures that religious beliefs and expression are protected in practice. While it appears Army's training programs and practices strike an appropriate balance, if confirmed, I will assess this matter to ensure that the approach is effective and appropriate.

Question. What is your assessment of measures taken at the Military Academy to ensure religious tolerance and respect?

Answer. As a member of the United States Military Academy (USMA) Board of Visitors, I am familiar with the measures taken at the Military Academy to ensure religious tolerance and respect. The Superintendent and Commandant take this issue very seriously and hold frequent sensing sessions to review religious tolerance. The USMA Chaplain's office has developed rules for religious discussions among cadets, faculty, and staff and has issued guidance for attending religious events. If confirmed, I will assess the effectiveness of these efforts at USMA and will monitor this area carefully across the entire force.

DELIVERY OF LEGAL SERVICES

Question. What is your understanding of the respective roles of the General Counsel and Judge Advocate General of the Army in providing the Secretary of the Army with legal advice?

Answer. The General Counsel is the legal counsel to the Secretary of the Army and the chief legal officer of the Department of the Army. The duties of the General Counsel include coordinating legal and policy advice to all members of the Department regarding matters of interest to the Secretariat, as well as determining the position of the Army on any legal question or procedure.

The Judge Advocate General of the Army is the legal advisor of the Secretary of the Army, the Chief of Staff of the Army, the Army Staff, and members of the Army generally. The Judge Advocate General also directs the members of the Judge Advocate General's Corps in the performance of their duties and, by law, is primarily responsible for providing legal advice and services regarding the Uniform Code of Military Justice and the administration of military discipline.

Question. What are your views about the responsibility of the Judge Advocate General of the Army to provide independent legal advice to the Chief of Staff of the Army?

Answer. I fully support the statutory provision that prohibits any officer or Department of Defense employee from interfering with the ability of The Judge Advocate General to give independent legal advice to the Chief of Staff of the Army. The Chief of Staff does not appoint The Judge Advocate General, and does not have the personal authority to remove her. This enables The Judge Advocate General to provide independent legal advice.

Question. What are your views about the responsibility of staff judge advocates within the Army to provide independent legal advice to military commanders throughout the Army establishment?

Answer. I fully support the statutory provision that prohibits any officer or Department of Defense employee from interfering with the ability of judge advocates to give independent legal advice to their commanders. Staff Judge Advocates understand that the Army is the client and they are trained and instructed at The Judge Advocate General's Center and School on the importance of providing independent legal advice to commanders.

JUDGE ADVOCATE GENERAL CORPS RESOURCING

Question. What is your understanding of the current and projected manpower requirements in the Army JAG Corps?

Answer. As a former Army Judge Advocate, I am very interested in this topic. Based on my experience, I understand the important role that Judge Advocates play in providing legal advice to soldiers, their families, and commanders at all levels. I have not had the opportunity to thoroughly review the Army JAG Corps' current manning levels or future requirements but assure you that, if confirmed, I will undertake such a review to ensure that the Army JAG Corps is properly manned to support commanders in all aspects of their mission.

Question. If confirmed, will you review the judge advocate manning within the Army and determine whether current Active Duty strengths are adequate?

Answer. Yes, if confirmed I will review judge advocate manning and work with The Judge Advocate General to ensure current Active Duty strengths are adequate. As the Army continues to have emerging legal support missions in areas such as cyber, military justice, and legal assistance, I will continue to consult The Judge Advocate General and the G–1 to ensure there are also adequate levels of manning for the legal support missions for soldiers, family members, retirees and the Army.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. What is your assessment of the Army's sexual assault prevention and response program?

Answer. From my initial review of the data, I see positive progress and indicators that the Army Sexual Harassment/Assault Response and Prevention (SHARP) is going in the right direction. However, I also believe that there is still much work to be done. The Army must continue to increase reporting and decrease prevalence. The Army must also focus on the issue of retaliation to ensure that victims feel safe in reporting and that we have established a command climate that demands dignity and respect for all soldiers, civilians and family members.

Question. What is your assessment of the Army's programs to address and prevent retaliation or reprisal against individuals who report sexual harassment or sexual assault?

Answer. Sexual harassment and sexual assault are a cancer to our Army. The Army has been working proactively to address retaliation and reprisal against individuals who report sexual harassment or sexual assault. Past efforts have included the expedited transfer program and the implementation of the Special Victim Counsel. Most recently, the Army has spoken with and surveyed victims, implemented policy to prohibit retaliation, developed training to assist soldiers in identifying and preventing retaliation, and implemented policy to investigate and monitor all allegations of retaliation. While I believe these programs and efforts are good steps, if confirmed, I will assess their effectiveness and recommend additional measures if necessary.

Question. What do you see as the greatest challenges to the success of those programs? If confirmed what changes if any would you make to improve those programs?

Answer. The greatest challenge is eliminating sexual harassment and assault while simultaneously maintaining an environment that encourages and facilitates victim reporting. Achieving a balance between these complementary goals contributes directly to individual soldier and unit readiness. A matter of critical importance, if confirmed I will assess and monitor closely to ensure that the Army continues to make progress toward achieving this end state.

Question. What is your assessment of Army programs and policies to hold individuals accountable for retaliation or reprisal against individuals who report sexual assault or sexual harassment?

Answer. If confirmed, I will conduct an assessment to ensure policies are sufficient to hold individuals accountable for their actions. Army Directive 2014–20 prohibits any soldier from retaliating against a victim, an alleged victim or another member of the Armed Forces based on that individual's report of a criminal offence. As a former judge advocate, I know soldiers may be punished for acts of retaliation under Article 92 of the Uniform Code of Military Justice. I have been advised that

when Army CID initiates a sexual assault investigation, it will also now initiate and conduct subsequent investigations relating to suspected threats against the sexual assault victim, including minor physical assaults and damage to property. If confirmed, I'll ensure these policies are working to hold people accountable to rid our Army of this cancer.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. As a former military prosecutor and leader, I believe protecting the victim of sexual assault is imperative. Army policy favors unrestricted reporting as a bridge to offender accountability. Some victims do not want an investigation for a variety of personal reasons. Restricted reporting is a vital avenue to allow these soldiers to obtain advocacy, medical, mental health, and legal services. I have been advised that the services and support provided to victims who initially make a restricted report sometimes provide victims with the confidence to convert to an unrestricted report. I believe we should continue to allow victims options and multiple avenues for reporting sexual assault at this time.

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. I firmly believe that commanders, and all Army personnel occupying leadership positions, should be held accountable for setting, training and enforcing the highest standards for supporting victims of sexual assault.

Specifically, committed and engaged leadership and robust prevention campaigns at the squad leader level are critical to providing the necessary support to victims of sexual assault. Commanding officers are also responsible for setting positive command climates that not only help prevent the crime of sexual assault but also provide a safe environment where victims feel confident coming forward to report. The entire chain of command is responsible for creating a climate that prevents sexual assault, protects the victims from retaliation or reprisal, and holds the perpetrators fully accountable in accordance with appropriate legal processes. We must not rest until we rid the Army of the cancer of sexual assault.

Question. What is your assessment of the Department of the Army's implementation of the requirements to establish special victim's counsel?

Answer. From what I have observed, after legislative efforts, the Army's rapid implementation of this program, which provides independent legal representation for victims of sexual assault, has been very successful in providing essential legal assistance to victims throughout the Army. Comprising approximately 75 Special Victims' Counsel at 34 installations, positive feedback from clients supports the Army's decision to place these counsel at local installations to maximize face-to-face interaction, the most effective means of delivering these critical services. These counsel have been aggressively protecting victims' rights and allowing them to make informed decisions during the military justice process. Victims are also able to swiftly address retaliation concerns with the assistance of these Special Victims' Counsel. These efforts have gone a long way, but we cannot stop until we rid the Army of the cancer of sexual assault.

Question. What is your understanding of the adequacy of Army resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. After legislative efforts, the Army has dramatically transformed victim response services in recent years, to include professionalizing Sexual Assault Response Coordinator and Victim Advocate education, implementing a Special Victim's Counsel Program, and establishing one-stop shops for victims in Sexual Harassment/Assault Response and Prevention Resource Centers. However, we must continue to do all we can to prevent the scourge of sexual assault on our forces, and provide the victims of this intolerable crime the medical, psychological, and legal assistance they need. If confirmed, I will be committed to ensuring that adequate Army resources and programs exist so we can rid the Army of the cancer of sexual assault.

Question. What is your view of the steps the Army has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. I believe the Army has made significant, measurable progress to prevent sexual assaults both at home and in deployed locations. There is, however, much more work to be done. I am committed to combating this crime and cancer to our troops.

Question. What is your view of the adequacy of the training and resources Army has in place to investigate and prosecute allegations of sexual assault?

Answer. The Army has one of the best training programs for sexual assault investigators in the Nation and, as a result, the Army's investigators bring exceptional investigative capabilities to each installations' special victim teams. I am also aware

of the Army's development of a special victims' prosecution capability, which consists of uniquely-trained counsel focused solely on the prosecution of sexual assault and family violence crimes. These Special Victims' Prosecutors respond to every allegation of sexual assault that arises in their geographic areas and work closely with local Staff Judge Advocates and trial counsel to ensure the best advice is given to investigators and commanders, and to ensure the appropriate disposition in each case. While the training and resourcing of specially-selected and trained investigators and prosecutors has been a focus of the Army's efforts, if confirmed, I will closely and continually monitor this critical work. We cannot rest until the cancer of sexual assault is gone from our Army.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. As a former military prosecutor and with the changes—driven by statute and policy—the Army has made, over the last few years, I believe the commander is central to sexual assault prevention within the Army. The commanding officer of every unit is the centerpiece of an effective and professional warfighting organization. They are charged with building and leading their team to withstand the rigors of combat by establishing a climate of dignity, respect, and trust in their unit. Leaders at every level must be held accountable to rid our troops of this cancer.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. The issue of sexual assault in the Army will be one of my primary areas of focus. Ridding our Army of this cancer is a top priority and readiness issue. Significant changes to law and policy have occurred in this area over the last few years, including requirements for additional legal training for commanders at all levels, and reducing the Commander's authority in the clemency phase of sexual assault cases, to name only a few. The military justice system has recently undergone the most comprehensive revision since its implementation more than 50 years ago. Additionally, the Secretary of Defense directed the establishment of the Military Justice Review Group to conduct a comprehensive review of the military justice system. If confirmed, I would want to review all of these changes and to determine their effect on the current military justice process in sexual assault cases prior to making an assessment on further changes, including the use of judge advocates outside the chain of command making such determinations.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Army?

Answer. I believe that the Army has made progress but there is additional work still to be done. If confirmed, I am committed to ensuring continued progress. The Army focused significant efforts on senior leadership engagement to address this cultural issue. To achieve continued progress, the Army is placing additional emphasis on junior leader/first line leaders with programs like "NOT IN MY SQUAD" encouraging first line leaders to achieve the culture of dignity and respect necessary to eradicate sexual assault in our Army.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. The Army employs many contractors and civilian employees. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as federal employees. Both contractors and civilians make up an integral part of the Department's total workforce.

Do you believe that the current balance between civilian employees and contractor employees best serves the Army?

Answer. Although I have worked with both Department of the Army civilians and contractors, I do not have current knowledge of any issues indicating these two components of the force are out of balance. The most effective make up for one element of the Army will not necessarily be the same for another, so determining optimal efficiency and effectiveness across the force requires detailed analysis. If confirmed, I will review and should I become aware of an imbalance or an inefficient use of taxpayer dollars, I am committed to providing the Secretary my best advice, within current statutory limitations, to remedy the situation.

Question. In your view, has the Department utilized contractors to perform basic functions in an appropriate manner?

Answer. Again, although I have worked with both Department of the Army civilians and contractors, I do not have sufficient current knowledge to assess whether or not the Department is utilizing contractors in an appropriate manner when performing basic functions. If confirmed, I will review and should I become aware of

an inappropriate use of contractors, I am committed to providing the Secretary my best advice to remedy the situation.

Question. Do you believe that the Army should undertake a comprehensive reappraisal of "inherently governmental functions" and other critical government functions, and how they are performed?

Answer. The Army Staff has briefed me that current law requires the Army to do so through the Inventory for Contractor Services review process. If confirmed, I will review and should I discover the Army is not in compliance with this statutory requirement, I will immediately recommend to the Secretary a plan for coming into statutory compliance.

Question. Are there non-monetary reasons why the Army would need or desire one type of manpower over the other? If so, provide relevant examples where of those reasons? Under what circumstances should cost be used as the primary factor?

Answer. If confirmed, I will assess under what circumstances, within existing statutory and policy constraints, cost should be used the primary factor in the Army using one type of manpower over another. As a general rule, military personnel should perform military duties, maximizing combat power and bolstering readiness.

Question. If confirmed, will you work to remove any artificial constraints placed on the size of the Army's civilian and contractor workforce, so that the Army can hire the number and type of employees most appropriate to accomplish its mission?

Answer. By law, the Army does not manage its civilian workforce based on caps, End Strength levels or Full Time Equivalent levels. Instead the Army manages its civilian workforce based on workload, available funding, and Total Force Management statutory and policy requirements governing the mix between military, civilian employees and contractors. The Federal Acquisition Regulations require most contracts to be "performance based" rather than "personal services" arrangements unless personal services are specifically authorized by statute. By law, the Army provides input to Department of Defense plans for reducing civilian and contract funding as a percent of military funding reductions. This requires managing both civilian employees and contractors based on cost savings, rather than manpower levels, and strategically programming for both civilian and contract funding when developing Agency budgets. If confirmed, I will work to remove artificial constraints placed on the size of the Army's civilian and contractor workforce and ensure the Army is compliant with statutory requirements.

WOMEN IN COMBAT INTEGRATION

Question. Army recently completed its review of military occupations closed to service by women, prior to the Secretary and Chief of Staff essentially recommending that all positions be opened.

What is the military necessity to allow women to serve in the combat arms? Is there a shortage of qualified men? Does the Army assess women are as suitable, reliable and survivable as men in close combat?

Answer. Access to a greater pool of qualified individuals who meet Army standards will improve our readiness. Women have already shown their capability in combat, most recently in Iraq and Afghanistan, and the Army will continue to be a standards-based organization.

Question. The Marine Corps' research demonstrated that women suffered higher injury rates among women than men when engaged in field combat exercises and training. Did Army research show the same? If so, does that concern you with respect to potential impact to female soldiers?

Answer. The Army reviewed an extensive amount of published research and injury data provided by the Public Health Center. The published research demonstrates that overall injury rates are higher for women, but higher levels of physical fitness in women reduce injury rates. If confirmed, I will work to ensure the implementation of gender neutral occupational standards and optimal physical fitness programs to place the right soldier in the right job regardless of gender.

Question. Has the Army done a cost benefit analysis of decision to send women to Ranger School? What was the ratio of female volunteers beginning the course to graduates? How does this ratio compare to male volunteers? What is the comparative cost in dollars and man hours for a female Ranger School graduate and compared to that of a male?

Has the Army done a cost benefit analysis of decision to send women to Ranger School?

Answer. The Army began assessing the participation of women in the Ranger Course in May 2014, and gained the Secretary of the Army's approval in January 2015 to proceed with an initial assessment in April 2015. Resource costs associated with that gender integration assessment included necessary facilities changes to es-

tablish designated female living areas and to implement safe and secure measures such as security cameras and reinforced doors. Costs associated with the Ranger Course Assessment also included the Temporary Duty costs of female Observer/ Advisors, which was approximately $866K. This cost was driven by the fact that there were no permanently assigned female cadre in the Airborne Ranger Training Brigade at the time of the assessment and this would not be an enduring/continuing cost.

Question. What was the ratio of female volunteers beginning the course to graduates?

Answer. Nineteen women started the April 2015 Ranger Course Assessment, with three graduating and earning the Ranger Tab (16 percent).

Question. How does this ratio compare to male volunteers?

Answer. The graduation rate for males completing the same April Ranger Course was 33 percent.

Question. What is the comparative cost in dollars and man-hours for a female Ranger School graduate and compared to that of a male?

Answer. The costs are similar for men and women attending the Ranger Course with the exception of female Observer/Advisors, which will not be an enduring cost. The Army is currently determining costs associated with permanently integrating female students into the course (e.g., billeting, latrines, and showers at Ranger training sites).

Question. Do you believe Congress should amend the Selective Service Act to require the registration of women?

Answer. The decision to fully integrate women into our military is an historic decision, and full implementation of this decision requires cooperative efforts across the Department of Defense and Congress, which must decide how this impacts the Selective Service Act. If confirmed, recognizing the significance of this decision, my goal is to ensure the Army implements this change consistent with controlling law and policy, while ensuring continued successful mission accomplishment of individual soldiers and Army units.

Question. If women become subject to the draft, should they also be prepared for involuntary assignment based upon the needs of the Army?

Answer. Over the past 15 years, our volunteer force has proven its ability to succeed against challenging adversaries in rapidly changing environments. If the draft is reinstated, meeting the requirements of the combatant commanders will be the Army's top priority. The primary considerations in assigning a soldier are, and will continue to be, the soldier's current qualifications and ability to fill a valid requirement. The goal is always to place the right soldier in the right job at the right time.

Question. What is your opinion on whether men and women in combat and special forces MOSs should be subject to the same physical requirements for participation in those MOSs?

Answer. The use of gender neutral validated occupational standards and physical requirements ensures readiness across the force. My opinion is that if an individual meets the occupational standards of a specific MOS then they should be allowed to serve. If confirmed, the Army will continue to be a standards-based organization.

Question. In light of Secretary Carter's decision to open all military positions to women, what do you believe are the primary challenges to implementing full integration in the Department of the Army and how do you plan to address them?

Answer. I have been briefed that the Army is taking a deliberate, methodical, standards-based approach to integrating women into previously closed occupations and positions. This analysis will identify the primary challenges to implement full integration.

Question. Tank crews, howitzer sections, infantry squads, engineer squads, mortar squads and scout sections readiness require small unit stability after weapons qualification. These are the building blocks that affect Battalion and Brigade over all readiness. Given available data, women have higher rates of injury. Maternity leave can remove a female soldier from her assigned crew or squad for months. Given these challenges, what is your view on the impact this decision will have on unit readiness?

Answer. I have been advised that the Army is taking a deliberate, methodical, standards based approach to integrating women and we do not anticipate a decrease in readiness when women enter previously closed occupations and positions under current Army policies. The Army is instituting a longitudinal study on physiological injuries on all soldiers to improve the physical readiness of all soldiers.

MATERNITY LEAVE

Question. Navy Secretary Mabus recently announced a change in Department of Navy policy that would provide 18 weeks of maternity leave for sailors.

Would you support extending maternity leave to 18 weeks for soldiers?

Answer. Army soldiers and their families are our greatest asset. I fully support Army maternity leave, but I need to better understand the impact that extending maternity 6-week leave and/or parental leave would have on the readiness of the force during a drawdown before providing an opinion on this issue. If confirmed, I will review the impact extending maternity leave would have on readiness, coupled with the impact an extension of our 6-week policy may have on recruitment and family resiliency.

Question. If so, what would be your plan to augment or back-fill those positions occupied by female soldiers on extended maternity leave? Would you consider utilizing reservists to back-fill those positions?

Answer. Army soldiers, their families, and readiness are our top priority. I need to better understand how extending maternity leave would impact the force. If confirmed, I will review the impact on readiness, and the associated fiscal costs and its effect on recruitment and family resiliency, and I will make a recommendation on how best to mitigate any impacts.

Question. In your view, how would the soldiers account and pay for the cost of additional personnel to fill positions left vacant by soldiers on extended maternity leave?

Answer. I need to better understand how extending maternity leave will impact the force. If confirmed, I will review the impact that an extended maternity leave policy will have on the readiness of the force, to include potential recruitment benefits and family resiliency.

Question. Would the Army require an increase to their authorized end strength to accommodate additional manning requirements?

Answer. I need to better understand how extending maternity leave will impact the force. If confirmed, I will review the readiness impact and costs associated with providing extended maternity leave, to include potential recruitment and family resilience.

Question. Do you support paid uncharged paternity leave for male soldiers in excess of the 10 days afforded by statute? If so, how many weeks do you believe is an appropriate amount of time?

Answer. I need to better understand the impacts of changing the current law regarding paternity leave. If confirmed, I will review the data and any readiness impacts and associated costs that a change in paternity leave would have on Army readiness, cost, and potential recruitment and family resiliency.

Question. Do you believe the Army fully understands the cost of this reform? If so, describe those costs.

Answer. I've been advised that the Army is currently assessing the impact that this reform would have on cost and readiness. If confirmed, I will review the cost and readiness impacts, to include potential recruitment and family resilience benefits, and provide a recommendation.

MORALE, WELFARE, AND RECREATION

Question. If confirmed, what challenges do you foresee in sustaining Army MWR programs in the future fiscal environment?

Answer. soldier and family quality of life is an essential component to our Army. Moreover, family is one of the most important components of retention. We have tremendous programs now. The challenge is to re-shape MWR to address the needs of the families while adapting the programs to be less dependent on appropriated dollars. If confirmed, I will work to ensure the Army's highest priority MWR programs are fiscally sustainable and continue to provide soldiers and families a quality of life they so deserve.

MILITARY HEALTH CARE

Question. In your view, what should the Army Medical Command do to improve access to care in its medical treatment facilities?

Answer. As a former Army judge advocate, I recognize the importance of providing timely and high quality care to our Army family. If confirmed, I will work with the Army Surgeon General to ensure we continue to make focused improvements in access to care and that we are diligent in the governance and oversight of our healthcare responsibilities.

Question. If confirmed, how would you work with the Surgeon General of the Army to improve the healthcare experience for soldiers and their families?

Answer. I am committed to working with The Surgeon General to ensure that soldiers, family members and retirees have access to quality and safe health care where and when it is needed. My focus will be on improving access by expanding the number of portals available to obtain an appointment, and by studying the possibility of leveraging such tools as expanding the use of Telehealth beyond the fixed facility and into the patient's home.

FAMILY READINESS AND SUPPORT

Question. soldiers and their families in both the active and reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for soldiers, and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced, especially in light of current fiscal constraints?

Answer. Our soldiers and their families are our greatest asset. I am aware and believe that continued deployments, rotations, separations and permanent changes of station are very stressful to soldiers and families and that effective programs to reduce that stress are critical to the Army's readiness. If confirmed, one of my top priorities will be adequately resourcing programs that address and prevent negative behaviors such as domestic violence and substance abuse. Another area of great importance to me is soldier and family financial readiness. These programs build resiliency, self-reliance, and confidence to enable soldiers and families to remain Total Army Strong. If confirmed, I will work to ensure the fiscal viability of family programs such as those that provide child care and family advocacy services, as well as effective financial readiness training to soldiers throughout their careers.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the Services continue to be of great concern to the Committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Department of the Army to prevent suicides and increase the resiliency of soldiers and their families?

Answer. Suicide prevention must be a priority and I will personally oversee the Army's Suicide Prevention efforts. The Army's ready and resilient campaign along with targeted and integrated training efforts are working to build protective factors, instill deterrence, prevention and intervention strategies with an aim to identify behaviors, which are associated with suicide. If confirmed, I will ensure that the Army continues to collaborate with our sister services and the Defense Suicide Prevention Office to address common challenges and share best practices and results of Army-specific initiatives.

SUPPORT FOR WOUNDED, ILL, AND INJURED SOLDIERS

Question. Servicemembers who are wounded or injured in combat operations deserve the highest priority from the Army and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from Active Duty if required, and continuing support beyond retirement or discharge.

What is your assessment of the progress made by the Army to improve the care, management, and transition of seriously ill and injured soldiers?

Answer. I am confident in the progress the Army has made to improve the care for our wounded, ill and injured soldiers, but we must continue to maintain and improve upon the great work we have already done for seriously ill and injured soldiers. If confirmed, I will continue to leverage the Medical Command's rigorous organizational inspection program, Army and Department of Defense Inspectors General, the Army Audit Agency, and external audit organizations, such as by the Government Accountability Office, to drive improvements in the care and management of our seriously ill and injured soldiers.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase the Army's support for wounded soldiers, and to monitor their progress in returning to duty or to civilian life?

Answer. Warrior care should remain an Army priority; it is an enduring mission and our sacred obligation. If confirmed, I will ensure that the Army remains committed to ensuring our wounded, ill, and injured soldiers have the best health care

possible to either successfully remain on Active Duty or transition from military service into communities as productive veterans. If confirmed, I would work on these important priorities and continue collaborative efforts with the Department of Veterans Affairs to facilitate the seamless transition for our wounded warriors.

SENIOR MILITARY AND CIVILIAN ACCOUNTABILITY

Question. While representative of a small number of individuals in DOD, reports of abuses of rank and authority by senior military and civilian leaders and failures to perform up to accepted standards are frequently received. Whistleblowers and victims of such abuses often report that they felt that no one would pay attention to or believe their complaints. Accusations of unduly lenient treatment of senior officers and senior officials against whom accusations have been substantiated are also frequently heard.

What are your views regarding the appropriate standard of accountability for senior civilian and military leaders of the Department?

Answer. If confirmed, I will demand accountability from all of our leaders. My view is that the Army should demand that all soldiers and Army civilians abide by the Army values. We will hold leaders accountable for ensuring professionalism, trustworthiness, expertise, and honorable service, while also ensuring that all members receive appropriate due process when they fail to meet Army standards.

Question. If confirmed, what steps would you take to ensure that senior leaders of the Army are held accountable for their actions and performance?

Answer. I will ensure that all allegations of misconduct or performance against general officers and senior executive service civilians, of which I am aware, are properly referred to the Inspector General of either the Army or the Department of Defense for a thorough, impartial investigation, regardless of the perceived credibility or magnitude of the allegation. If asked, I would also provide my best professional advice to the Secretary of the Army regarding the appropriate disposition of any substantiated allegation of misconduct or performance by a senior leader.

MANAGEMENT AND DEVELOPMENT OF THE SENIOR EXECUTIVE SERVICE (SES)

Question. The transformation of the Armed Forces has brought with it an increasing realization of the importance of efficient and forward thinking management of senior executives.

What is your vision for the management and development of the Army senior executive workforce, especially in the critically important areas of acquisition, financial management, and the scientific and technical fields?

Answer. I will work closely with the Army staff to ensure the availability of talented individuals prepared to fill key leadership positions throughout the Department of the Army and the Army-serviced organizations, such as European Command, Africa Command, Southern Command and the majority of the executives assigned to the U.S. Mission to NATO. I have been advised, that in order to meet this goal, the Army will need to continue to leverage talent and performance management programs and that those programs will need to be extended below the executive level to ensure the availability of a strong bench of candidates. I understand the Army has implemented new initiatives for the mid- and senior-graded GS (and equivalent) workforces, and, if confirmed, I intend to continue to promote these to build a diverse bench of leader candidates.

Question. Do you believe that the Army has the number of senior executives it needs, with the proper skills to manage the Department into the future?

Answer. The Army manages senior executives to best meet leadership needs for Army and DOD. I understand that the Army continuously reviews the alignment of senior leader allocations to leadership needs and identifies changes in requirements. If confirmed, I will review this process and make recommendations to ensure the Army has the proper skills for the future.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of the Army?

Answer. Yes.

In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

END-STRENGTH REDUCTIONS

1. Senator AYOTTE. Mr. Murphy, when you look at the current threats to our national security, do you see a strategic justification for the reduction of Army end-strength by 40,000 soldiers?

Mr. MURPHY. No, I do not see a strategic justification. Based on what I know of current threats, the reduction from 490,000 to 450,000 soldiers incurs significant risk with implementing the Defense Strategy.

2. Senator AYOTTE. Mr. Murphy, according to your responses to the advance policy questions, if the Army is required to reduce its size to 450,000 Active Duty soldiers by 2018, this will require that approximately 14,000 soldiers, or 35 percent of reductions, be involuntarily separated. As a veteran of the Iraq War and in your capacity as the nominee to be the Under Secretary of the Army, do you believe that we should avoid as much as possible the involuntary separation of well-performing soldiers, particularly mid-career soldiers who have not earned a retirement?

Mr. MURPHY. Yes, I believe we should avoid as much as possible the involuntary separation of well-performing soldiers. The Army has worked to minimize involuntary separations by reducing new accessions and utilizing greater promotion selectivity. Of the approximately 76K reductions since 2012, only about 4.4K (5.8 percent) were involuntary. Unfortunately, it is my understanding that the Army will not be able to continue to meet reduced end strength levels without additional involuntary separations.

3. Senator AYOTTE. Mr. Murphy, I worked to include section 525 in the National Defense Authorization Act for Fiscal Year 2013 (NDAA), which requires the Services to report to Congress on their use of involuntary separation. I worked to renew this requirement again in this year's NDAA. If confirmed, do you commit to following this law, keeping Congress informed on the Army's use of involuntary separation, and working where possible to avoid the involuntary separation of well-performing soldiers to meet budget-driven end-strength reductions?

Mr. MURPHY. Yes, I commit to following the law. And yes, I will work, where possible, to avoid involuntarily separating well-performing soldiers.

4. Senator AYOTTE. Mr. Murphy, if confirmed, will you let me know if there is anything that I can do to help the Army minimize the need to utilize involuntary separations?

Mr. MURPHY. Yes. To maintain the necessary force structure, the Army requires adequate, sustained funding.

BEST VALUE CONTRACTING

5. Senator AYOTTE. Mr. Murphy, there has been a recent trend in some of the Services to buy more products through Lowest Price Technically Acceptable (LPTA) and reverse auction acquisition methods. I have become aware of cases where these methods have even been used for the procurement of personal protective equipment where safety and quality are critical and the failure of the item could result in combat casualties. Our troops, who put their lives on the line for our freedom and security, should not be sent into harm's way with the cheapest equipment, but rather the best. In combat, as well as in training, quality personal protective equipment can prevent serious injuries and can even be the difference between life and death for our servicemembers. That is why I worked to include section 884 in this year's NDAA, which was recently signed into law. This provision requires the Secretary of Defense to ensure that the Services, in procuring an item of personal protective equipment or a critical safety item, use source selection criteria that is predominately based on technical qualifications of the item, if the level of quality or failure of the item could result in death or severe bodily harm to the servicemember. If confirmed, will you review this provision in the NDAA and ensure that your Service complies with this law?

Mr. MURPHY. Yes. If confirmed, I will work with Army acquisition officials to ensure that our acquisition process comports with law regulation and policy, to include section 844 of this fiscal year's National Defense Authorization Act.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

REBALANCE TO THE ASIA-PACIFIC

6. Senator HIRONO. Mr. Murphy, I am very concerned with ensuring that our Rebalance to Asia-Pacific is more than just rhetoric. What are your views on advancing a tangible rebalance?

Mr. MURPHY. The United States Army in the Pacific (USARPAC) is a robust component of the Nation's Rebalance to the Asia-Pacific region. With over 100,000 soldiers and Army civilians assigned, it is the largest overseas command in the Army, and represents 30 percent of the Defense Department's presence in the Pacific region. Even during the height of combat operations in both Iraq and Afghanistan, the number of soldiers assigned to USARPAC remained relatively constant. Today, the Army is increasing its forward presence west of the international dateline through enduring security cooperation exercises and rotating additional trained and ready forces to the Republic of Korea, despite the Army's ongoing reductions in end-strength (450,000 Active component soldiers by the end of Fiscal Year 2017).

The Army's posture in the Pacific as well as its operational activities such as the Pacific Pathways exercise program, builds our partner capacity, shapes the security environment and sets the theater to project power across the Asia-Pacific. The U.S. Army remains committed to the Asia-Pacific.

7. Senator HIRONO. Mr. Murphy, in your opinion, how are we doing in reassuring our partners and allies in the region that we are serious about the Rebalance and what else should we be doing?

Mr. MURPHY. The Army continues to assure its partners and allies through forward presence, rotational forces, military partnership engagements and exercises. Recently, General Milley co-hosted the 9th Pacific Armies Chiefs Conference in Bali, Indonesia to conduct bilateral and multilateral sessions to determine the best ways to maintain and strengthen regional security. We received positive feedback from our partners on Pacific Pathways and we look to refine and expand the scopes of these exercises and engagements based on recommendations from our allies. If confirmed, I will work closely with Army Senior Leaders to address our focus on the Asia-Pacific rebalance and discuss potential additional efforts to continue to strengthen our partnerships in the region.

ENERGY SECURITY

8. Senator HIRONO. Mr. Murphy, I believe energy security is a vital component to our overall national security. Do you believe the Department of Defense (DOD) has a role to play in U.S. energy security and could you comment on how you view energy security as tied to our overall national security?

Mr. MURPHY. Yes, the Army has a role to ensure we have reliable, accessible, sustainable, and affordable power for national security, as detailed in the Army's Energy Security and Sustainability (ES2) Strategy. Increased reliance on power for

communications, commerce, transportation, health and emergency services; support for homeland and national defense; and the threat of large-scale disruptions can have immediate and detrimental impacts on our economy and our national security.

In particular, the national security vulnerabilities associated with the power grid leave the U.S. open to both small/short-duration and large/long-duration power outages. Energy security allows Army installations to remain force projection platforms and maintain the national security of the United States of America.

ENERGY EFFICIENCY INITIATIVES

9. Senator HIRONO. Mr. Murphy, I applaud DOD's work on energy efficiency initiatives including alternative and renewable energy projects. If confirmed, will you commit to continuing the administration's efforts to expand alternative and renewable energy initiatives?

Mr. MURPHY. Yes, I will continue the Army's efforts to expand alternative and renewable energy initiatives that are focused on enhancing mission effectiveness, while ensuring projects and investments are made with a clear cost-benefit analysis.

MAUI HIGH POWER COMPUTING CENTER

10. Senator HIRONO. Mr. Murphy, I am aware that the Maui High Power Computing Center (MHPCC) as part of the High Performance Computing Modernization Program should be undergoing systems modernizations along with the other computing centers. I want to ensure that the plans for the Maui modernization efforts are sufficiently focused to modernize their systems. If confirmed, will you work to ensure that all of our computing centers are monitored and resourced under the modernization program to ensure that they all have the capability to provide required outputs?

Mr. MURPHY. Yes, if confirmed I will work to ensure that all of our High Performance Computing centers are provided with the appropriate capability to meet their requirements.

11. Senator HIRONO. Mr. Murphy, if confirmed, will you commit to keeping me and my staff informed on the Army's efforts to keep the computers at the MHPCC and the other facilities up-to-date under the High Performance Computing Modernization Program?

Mr. MURPHY. Yes, if confirmed I will commit to keeping you and your staff, along with all other Congressional stakeholders, informed on all High Performance Computing Modernization Program issues.

JOINT USE OF TRAINING RANGES

12. Senator HIRONO. Mr. Murphy, I know that soldiers from the 25th Infantry Division (ID) and other units participate in Pacific Pathways and other important military-to-military training opportunities with our allies in the Asia-Pacific region. These joint training events, several of which happen on Hawaii's training ranges and at the Jungle Operations Training Center, with our allies build trust, increase interoperability, and effectiveness. If confirmed, will you continue to support these training opportunities and the facilities that enable them?

Mr. MURPHY. Yes, the Army will continue to support the training of 25th ID units, Joint units and other allies in the Asia-Pacific region on the ranges and training areas in Hawaii in accordance with the combatant commander's priorities and within the Army's capabilities Training Center.

[The nomination reference of the Honorable Patrick J. Murphy follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
August 5, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The Honorable Patrick Joseph Murphy, of Pennsylvania, to be Under Secretary of the Army, vice Brad R. Carson.

[The biographical sketch of the Honorable Patrick J. Murphy, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF PATRICK J. MURPHY

Education:

Widener University School of Law
- September 1996–May 1999
- Juris Doctorate Degree

King's College
- September 1992–May 1996
- Bachelor of Science

Employment Record:

Fox Rothschild, LLP
- Attorney/Partner
- Philadelphia, PA
- January 2011–current

NBC News/MSNBC
- Anchor/Contributor
- New York, NY
- April 2013–current

University of Chicago
- Visiting Fellow
- Chicago, IL
- August 2012–December 2012

Widener Law School
- Adjunct Professor
- Harrisburg, PA
- September 2011–December 2011

U.S. Congressman
- Washington, DC
- January 2007–January 2011

Cozen O'Connor
- Attorney/Associate
- Philadelphia, PA
- March 2005–January 2007

United States Army
- Captain/Judge Advocate/Prosecutor
- Fort Bragg, NC
- May 2003–December 2004
- Deployed Operation Iraqi Freedom (2003–2004)

United States Army
- Captain/Command Judge Advocate
- Tuzla, Bosnia
- May 2002–September 2002
- Deployed Operation Joint Endeavor (2002)

United States Army
- Captain/Prosecutor/Assistant Professor
- United States Military Academy
- West Point, NY
- May 2000–June 2003

Honors and Awards:

Military Awards:
- Bronze Star for Meritorious Service
- Army Commendation Medal
- Army Achievement Medal (2nd Award)
- Global War on Terrorism Service Medal
- Army Service Ribbon
- North Atlantic Treaty Organization Medal
- Parachutist Badge
- Air Assault Badge
- German Armed Forces Proficiency Badge

Academic Awards:
- Dean's Award, Widener University School of Law

- Trial Advocacy Honor Society—Hush Pierce Award, Widener University School of Law

Other Awards:

- Bronze Medallion Recipient of the Legion of Honor from the Chaplain of the Four Chaplains (2015)
- Ambassador Award, Justice for Vets (2015)
- One of "The Mighty 25" veterans poised to make a difference in 2015, by We Are The Mighty (2014)
- International CLIO Award for collaboration with the Grammy Award-winning band Imagine Dragons and the Wounded Warrior Project (2014)
- Legion of Honor Recipient, Chapel of the Four Chaplains (2014)
- Straight Ally Award, by the Delaware Legacy Fund (2013)
- Equality Champion Award, by the Family Equality Council (2012)
- Profile in Courage Award, Keystone Progress (2011)
- "Lawyer on the Fast Track", by The Legal Intelligencer (2011)
- John F. Kennedy Jr. Award, Brown University (2011)
- International Role Model Award, International Equality Forum (2011)
- Philadelphia Community Advocate Award, Lambda Legal (2011)
- Human and Civil Rights Award, Pennsylvania State Education Association (2011)
- "Who's Who in American Law", by Marquis Who's Who (2011)
- Human Rights Campaign (HRC), National Leadership Award (2011)
- Fenn Award by the John F. Kennedy Presidential Library's New Frontier Award Committee (2010)
- "Top 100 Irish Americans", by Irish America Magazine (2008)
- "Pennsylvania Rising Stars", by Philadelphia Magazine and Law & Politics Magazine (2006 and 2011)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by the Honorable Patrick J. Murphy in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Patrick Joseph Murphy.

2. **Position to which nominated:**
Under Secretary of the Army.

3. **Date of nomination:**
August 5, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
October 19, 1973, Abington, PA.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Jennifer Safford Murphy.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Undergraduate:
Attended: King's College
Degree Granted: Bachelor of Science Degree
Degree Received: May 8, 1996

Graduate:
Attended: Bucks County Community College, September 1991–May 1992
Attended: Widener University School of Law
Degree Granted: Juris Doctorate Degree
Degree Received: May 10, 1999

9. **Employment Record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Attorney/Partner, Fox Rothschild LLP, Philadelphia, PA, January 2011–current
Anchor/Contributor, NBC News/MSNBC, New York, NY, April 2013–current
Visiting Fellow, University of Chicago, Chicago, IL, October 2012–December 2012
Adjunct Professor, Widener Law School, Harrisburg, PA September 2011–December 2011
U.S. Congressman, Washington DC/Bucks County, PA, January 2007–January 2011
Attorney/Associate, Cozen O'Connor, Philadelphia, PA March 2005–January 2007

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Member, United States Military Academy Board of Visitors, West Point, NY, July 2011-present.
Special Government Employee/Foreign Affairs Officer, Department of State, Washington DC, October 2013–October 2014.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Non-equity Partner, Fox Rothschild LLP
Consultant, Countable
Anchor/Contributor, NBC News/MSNBC
Co-Founder/General Counsel, Virtus LLC
Advisor, Dean's National Advisory Board, Widener University School of Law
Member, King's College President's Council
Member, Big Brothers Big Sisters Southeastern Pennsylvania

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Admitted Attorney, United States Supreme Court
Admitted Attorney, United States 3rd Circuit Court
Admitted Attorney, Pennsylvania Supreme Court
Member, Pennsylvania Bar Association
Member, Judge Advocate General's Corps Association
Member, Philadelphia Bar Association
Member, Bucks County Bar Association
Founding Member, Catholic War Veterans Daniel Faulkner Post
Member, Ancient Order of Hibernians
3rd Degree Knight, Knight of Columbus
Life Member, Veterans of Foreign Wars

Life Member, American Legion
Life Member, 82nd Airborne Association
Hockey Coach, Grundy Grizzlies Atoms Hockey Team
Member, St. Michael the Archangel Catholic Church
Senior Advisor, Truman National Security Project
Senior National Security Fellow, Center for American Progress
Senior Advisor, VoteVets.org

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

Democratic Nominee, U.S. Congress, 8th District of Pennsylvania 2006, 2008, 2010.

Democratic Candidate, Attorney General of Pennsylvania, 2012.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Democratic National Convention, Platform Committee Co-Chair, 2008 & 2012.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

Patrick J. Murphy Federal & State Political Contributions 2010 – 2015

Name	Occup/ Employ	Recipient	Type	Date	Amount
PATRICK J. MURPHY	Fox Rothschild	CASEY, ROBERT P JR **VIA** BOB CASEY FOR SENATE INC	CONTR IB	2/2/2015	$500
PATRICK J. MURPHY	Fox Rothschild	CRITZ, MARK **VIA** MARK CRITZ FOR CONGRESS COMMITTEE	CONTR IB	9/30/2012	$1000
PATRICK J. MURPHY	Fox Rothschild	CARTWRIGHT, MATT **VIA** CARTWRIGHT FOR CONGRESS	CONTR IB	9/20/2012	$1000
PATRICK MURPHY	Fox Rothschild	KERREY, J ROBERT **VIA** NEBRASKANS FOR KERREY	CONTR IB	8/23/2012	$250
PATRICK J. MURPHY	Fox Rothschild	MASSACHUSETTS WISCONSIN VICTORY FUND	CONTR IB	11/28/2011	$250
PATRICK J. MURPHY	Fox Rothschild	PA Montgomery County Dem Women's Leadership Initiative	CONTR IB	1/25/2015	$250

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Military:

Bronze Star for Meritorious Service, Iraqi Campaign Medal, Armed Forces Expeditionary Medal, Army Commendation Medal, Army Achievement Medal (2nd Award), Global War on Terrorism Service Medal, Army Service Ribbon, North Atlantic Treaty Organization Medal, Parachutist Badge, Air Assault Badge, German Armed Forces Proficiency Badge.

Civilian:

Bronze Medallion Recipient of the Legion of Honor from the Chaplain of the Four Chaplains (2015).

Ambassador Award, Justice for Vets (2015).

One of "The Mighty 25" veterans poised to make a difference in 2015 by We Are The Mighty (2014).

International CLIO Award for collaboration with the Grammy Award-winning band.

Imagine Dragons and the Wounded Warrior Project (2014).

Legion of Honor Recipient, Chapel of the Four Chaplains (2014).

Straight Ally Award by the Delaware Legacy Fund (2013).

Equality Champion Award by the Family Equality Council (2012).

Profile in Courage Award, Keystone Progress (2011).

"Lawyer on the Fast Track" by The Legal Intelligencer (2011).

John F. Kennedy Jr. Award, Brown University (2011).

International Role Model Award, International Equality Forum (2011).

Philadelphia Community Advocate Award, Lambda Legal (2011).

Human and Civil Rights Award, Pennsylvania State Education Association (2011).

"Who's Who in American Law" by Marquis Who's Who (2011).

Human Rights Campaign (HRC) National Leadership Award (2011).

Fenn Award by the John F. Kennedy Presidential Library's New Frontier Award Committee (2010).

"Top 100 Irish Americans" by Irish America Magazine (2008).

"Pennsylvania Rising Stars" by Philadelphia Magazine and Law & Politics Magazine (2006 and 2011).

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Publications:

April 20, 2015—Supreme Court Amicus Curie Brief in *Obergefell v. Hodges.*

November 20, 2014—Professional Publication Veterans Choice + PC3 = More.

Opportunities for Providers To Serve Local Veterans Health Law Alert with Elizabeth Litten.

June 4, 2014—Professional Publication PC3 Program: An Opportunity for Health Care Providers To Serve Local Veterans Health Law Alert with Elizabeth G. Litten.

May 4, 2014—Newspaper Article, Don't Forget Key Works of U.S. Vets The Philadelphia Inquirer.

March 7, 2014—MSNBC Article, Sexual Assault Bill Goes Down On Procedure, MSNBC.

December 25, 2013—MSNBC Article, How Congress Broke Faith with Our Troops, MSNBC.

November 10, 2013—MSNBC Article, Leaving No One Behind, MSNBC.

November 2013—Book Introductory Chapter, Evolution of Government Policy Towards Homosexuality in the U.S. Military.

November 5, 2013—Newspaper Article, Disabilities Treaty Breaks Down Borders for Vets, Stars and Stripes.

July 18, 2013—MSNBC Article, State's Rights Shouldn't Trump the Individual Right to Vote, MSNBC.

July 3, 2013—MSNBC Article, The Forgotten War and the Lessons of Freedom, MSNBC.

July 2, 2013—Newspaper Article, Tailor Transitions So All Can See Vets' Skills, Stars and Stripes.

June 17, 2013—MSNBC Article, Why Senator Gillibrand is Right about Military Sexual Assault, MSNBC.

May 26, 2013—MSNBC Article, Military Families Have No Better Ally Than Tom Perez, MSNBC.

March 26, 2013—Supreme Court, Amicus Curie brief in United States *v* Windsor.

March 4, 2013—MSNBC Article, How DOMA Hurts Our Military Families, MSNBC.

February 19, 2013—Newspaper Article, Justice Delayed is Democracy Denied The Legal Intelligencer with Melissa Dolin.

February 12, 2013—MSNBC Article, Message to Congress: It's Been Two Months Since Sandy Hook. Act!, MSNBC.

December 11, 2012—MSNBC Article, With Nominations on Hold, Justice Delayed is Democracy Denied, MSNBC.

November 22, 2012—MSNBC Article, Thanksgiving Reminds Us Of Sacrifices Made By Others, MSNBC.

November 10, 2011—Newspaper Article, Congress Has Opportunity to Stand Up for Veterans' Jobs The Morning Call.

September 20, 2011—Huffington Post Article, Ending a Shameful Chapter in Our History, The Huffington Post.

February 2008—Book, Taking the Hill: From Philly to Baghdad to the United States Congress Henry Holt with Adam Frankel.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

I do not keep an archive of written speeches, most of the time I either speak from brief notes or without any written materials.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to Congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this Committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

PATRICK J. MURPHY

This 10th day of November, 2015

[The nomination of the Honorable Patrick J. Murphy was reported to the Senate by Chairman McCain on December 18, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 18, 2015.]

[Prepared questions submitted to the Dr. Janine Anne Davidson by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Committee has recently held a series of hearings on defense reform.

What modifications of Goldwater-Nichols Department of Defense Reorganization Act of 1986 provisions, if any, do you believe would be appropriate?

Answer. The Goldwater-Nichols Act directed momentous change in the Department of Defense. The focus on joint operations, one of the landmark initiatives, was a welcome correction to the stovepiped system of the previous era. It is appropriate after thirty years to assess the degree to which the changes have had the desired effect and whether reform is needed. I welcome the Committee's deliberate and thoughtful effort to address this issue. There is clearly a need for improvement in acquisition, business practices, and personnel management. If confirmed I look forward to working with the committee to identify where Department inefficiencies or operational shortfalls can be identified and mitigated.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I believe my lifelong experience, first in growing up on around naval bases as the daughter of a Navy officer, then as a military officer, a defense civil servant, and more recently as a Deputy Assistant Secretary of Defense, has prepared me to execute the duties of Under Secretary of the Navy. In my career, I have had experience at the tactical, operational, and strategic levels of the national security enterprise. I have deep knowledge of Pentagon processes that will serve me well if confirmed.

DUTIES

Question. Section 5015 of title 10, United States Code, states the Under Secretary of the Navy shall perform such duties and exercise such powers as the Secretary of the Navy may prescribe.

What is your understanding of the duties and functions of the Under Secretary of the Navy?

Answer. U.S. Code states that the Under Secretary shall perform such duties and exercise such powers as the Secretary of the Navy may prescribe. By regulation, the Under Secretary is the deputy and principal assistant to the Secretary in managing the Department of the Navy. The Under Secretary also serves as the Chief of Staff of the Secretariat, the Chief Operating Officer of the Department. In accordance with section 904(b) of the National Defense Authorization Act of fiscal year 2008, the Under Secretary also serves as the Department's Chief Management Officer.

Question. What recommendations, if any, do you have for changes in the duties and functions of the Under Secretary of the Navy, as set forth in section 5015 of title 10, United States Code, or in Department of Defense regulations pertaining to functions of the Under Secretary of the Navy?

Answer. After review of the statutes and regulations, I do not currently recommend any changes. If confirmed, I will propose any changes that I may identify as meriting attention through the appropriate channels.

Question. Assuming you are confirmed, what additional duties, if any, do you expect will be prescribed for you?

Answer. If confirmed, I expect the Secretary to assign me duties that will utilize my strengths and experiences in assisting him with advancing his priorities and vision for the Department of the Navy.

Question. Section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, directs the Secretary of a military department to designate the Under Secretary of such military department to assume the primary management responsibility for business operations.

What is your understanding of the business operations responsibilities of the Under Secretary of the Navy?

Answer. The Under Secretary of the Navy is responsible for overseeing the business operations of the Department and directs that the business environment be more effective and efficient. If confirmed, I will guide and prioritize our business operations opportunities to streamline processes, communicate, and share resources across the DON. Strengthening our fleet's understanding of costs, developing efficient end-to-end business processes, reinforcing business alignment, and managing risks will be the keys to moving the Department toward achieving its business goals.

Question. How do you perceive your role in setting the agenda for the Navy Deputy Chief Management Officer?

Answer. The current fiscal environment necessitates that the CMO focus on business operations. To meet these needs, it would be my role to advocate for the Navy DCMO to transition from our current focus solely on business IT oversight to the full spectrum of an in-house business consultant, capable of bringing cutting edge business capabilities and analysis to the department.

RELATIONSHIPS

Question. Please describe your understanding of the relationship of the Under Secretary of the Navy to the following officials:

The Secretary of the Navy.

Answer. Subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Navy is responsible for, and has the authority necessary to conduct all affairs of the Department of the Navy. The Under Secretary of the Navy is the deputy and principal assistant to the Secretary of the Navy and acts with full authority of the Secretary in managing the Department of the Navy.

Question. The Chief of Naval Operations.

Answer. According to title 10, the Chief of Naval Operations (CNO) performs his duties under the authority, direction and control of the Secretary of the Navy and is directly responsible to the Secretary. The Under Secretary deals directly with the CNO in all Department leadership meetings and when acting in the Secretary's stead. The Under Secretary works most closely with the Vice Chief of Naval Operations (VCNO).

Question. The Commandant of the Marine Corps.

Answer. According to title 10, the Commandant of the Marine Corps performs his duties under the authority, direction and control of the Secretary of the Navy and is directly responsible to the Secretary. The Under Secretary deals directly with the Commandant in all Department leadership meetings and when acting in the Secretary's stead. The Under Secretary works most closely with the Assistant Commandant of the Marine Corps.

Question. The Assistant Secretaries of the Navy.

Answer. Statutorily, there are four Assistant Secretaries of the Navy performing functions and such duties as the Secretary prescribes. If confirmed, I will work with each of the Assistant Secretaries of the Navy to achieve the Secretary's goals.

Question. The General Counsel of the Navy.

Answer. The General Counsel of the Navy serves as the senior civilian legal advisor to the Department of the Navy, the Secretary's chief ethics official and performs such functions as the Secretary of the Navy shall direct. If confirmed, I will work closely with the General Counsel to achieve the Secretary's goals.

Question. The Vice Chief of Naval Operations.

Answer. The Vice Chief of Naval Operations (VCNO) is the second highest-ranking commissioned officer in the United States Navy, and serves as the second-in-command for the CNO. In the event that the CNO is absent or is unable to perform their duties, the VCNO assumes the duties and responsibilities of the CNO. If confirmed, I would foster a close working relationship with the VCNO to ensure that policies and resources are appropriate to meet the needs of the Navy.

Question. The Judge Advocate General of the Navy.

Answer. The Judge Advocate General of the Navy is the senior uniformed legal advisor to the Secretary of the Navy, provides independent legal advice to the Secretary and the Chief of Naval Operations, and performs duties relating to any and all Department of the Navy legal matters assigned by the Secretary. If confirmed, I look forward to developing a good working relationship with the Judge Advocate General and his staff.

Question. The Chief Management Officer and Deputy Chief Management Officer of the Department of Defense.

Answer. The Deputy Secretary of Defense serves as the Chief Management Officer of the Department of Defense. The Deputy Chief Management Officer (DCMO) is the principal staff assistant to the Secretary and Deputy Secretary of Defense for matters relating to the management and improvement of integrated DOD business operations. If confirmed, I will work directly with the Deputy Secretary of Defense (DOD CMO) and the DOD DCMO on the full range of matters involving the management of the DOD.

Question. The Navy Inspector General.

Answer. The Navy Inspector General is the senior investigative officials in the Department of the Navy and is the principal advisor to the Secretary on all matters concerning inspection, investigations, and audit follow-up. When directed, the Navy

Inspector General inquires into and reports upon any matter that affects the discipline or military efficiency of the Department of the Navy. If confirmed, I will work closely with the Inspector General to achieve the Secretary's goals.

MAJOR CHALLENGES AND PROBLEMS.

Question. In your view, what are the major challenges that will confront the next Under Secretary of the Navy?

Answer. The Department of Defense and all of the services are encountering numerous challenges brought on by over a decade of war and the expense associated with resetting the force. These factors along with growing instability around the world directly impact decisions on current programs, support for the warfighter, and investment in future capabilities and requirements. Determining the best balance between meeting current challenges, building a relevant and capable future force, supporting sailors, marines, their families, and the civilian workforce will pose the most significant challenges in the years ahead.

If confirmed, I would work vigorously to address these challenges and priorities and would work closely with DOD, Navy and Marine Corps leadership, and this committee to develop and execute strategies.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. The Secretary of the Navy has articulated clear priorities focused on Presence, People, Platforms, Power and Partnerships. If confirmed, I look forward to working with the Secretary of the Navy, senior military and DOD leadership, and this committee to meet these challenges and priorities

Question. What do you consider to be the most serious problems in the performance of the functions of the Under Secretary of the Navy?

Answer. If confirmed, I expect the most serious problem to be determining the best balance between meeting current challenges, both fiscal and operational, and building a relevant and capable future force, while supporting sailors, marines, their families, and the civilian workforce.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I will work with the Secretary of the Navy to set aggressive, but reasonable timelines and management actions to develop and execute strategies to address the challenges facing our Navy and Marine Corps. In the role as Chief Management Officer, continued improvement to program and budget development, oversight, and the cost effectiveness of acquisition programs, will remain major challenges and priorities.

PRIORITIES

Question. If confirmed, what broad priorities will you establish?

Answer. In 2013, Secretary Mabus established his strategic objectives as Presence, People, Platforms, Power, and Partnerships; supporting these objectives is the priority I would establish. Successful implementation of these priorities allows our sailors, marines, and civilians to maintain the presence globally on which Americans have come to depend.

DUTIES AND RESPONSIBILITIES AS CHIEF MANAGEMENT OFFICER

Question. Section 904 of the National Defense Authorization Act for Fiscal Year 2008 designates the Under Secretary of the Navy as the Navy's Chief Management Officer (CMO). Section 908 of the National Defense Authorization Act for Fiscal Year 2009 requires the CMO of each of the military departments to carry out a comprehensive business transformation initiative.

What is your understanding of the duties and responsibilities of the Under Secretary in the capacity as CMO of the Department of the Navy?

Answer. The CMO's primary duties are to (a) ensure that the Department can carry out its strategic plan, (b) ensure the core business missions of the Department are optimally aligned to support the warfighting mission, (c) establish performance goals and measures for improving and evaluating overall economy, efficiency, and effectiveness and monitor and measure the progress of the Department, and (d) develop and maintain a Department-wide strategic plan for business reform.

To help ensure management processes, information technology, business systems, and administrative services are complementary, integrated and aligned to the Department of the Navy's mission, the duties and responsibilities of the CMO and DCMO are prescribed by the Secretary of Defense so that they may effectively and efficiently organize the business operations of the Department. The duty of the

DCMO is to assist the CMO in carrying out those objectives and, if delegated, assume primary responsibility for those functions.

Question. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?

Answer. The Under Secretary must have a thorough knowledge of the Department of the Navy; understand and respect the cultures of the Navy and Marine Corps as well as the DON's civilian workforce. One should understand the way programs and budgets are developed and be a strong, forward-thinking leader.

If confirmed, I will use my expertise in defense strategy and policy and military operations to perform enterprise responsibilities in the oversight of the Navy's business operations. My diverse experience from serving on active duty as an Air Force officer and pilot, as Deputy Assistant Secretary of Defense of Plans, and as a senior fellow for defense policy at the Council on Foreign Relations and professor of national security has given me extensive exposure and experience in the business practices of the department of defense. This experience will help me to lead the way toward the identification and implementation of business operations improvements.

Considering the importance of business operations as it supports our Navy's direct missions, I believe the CMO and DCMO of DOD should set policy, based on sound best practices, regarding planning, development, and implementation of business practices, and verify that those policies are being followed appropriately and continue to remain best practices as years pass.

However, I also recognize that the job of CMO encompasses a very diverse set of responsibilities and challenges. So I accept that I have much to learn, and will rely heavily on the knowledge and advice of military personnel and civilian experts in the Departments of Defense and Navy.

Question. Do you believe that the CMO has the resources and authority needed to carry out the business transformation of the Department of the Navy?

Answer. I believe the CMO has the resources and authority needed to carry out the business transformation of the Department. If confirmed, I would work with the SECNAV, DOD DCMO, and DOD CMO if I discovered that those resources and authorities were insufficient.

Question. What role do you believe the CMO should play in the planning, development, and implementation of specific business systems by the military departments?

Answer. The CMO and DCMO should apply best practices regarding planning, development, and implementation of business systems and verifying that policies are being followed appropriately in accordance with DOD guidelines, and if confirmed, I would work with the DCMO to institute rigorous investment management and business process reengineering (BPR) procedures for their managed business systems.

Question. What changes, if any, would you recommend to the statutory provisions establishing the position of CMO?

Answer. At this time, I do not believe that any changes are necessary. I am aware that 10 USC § 2222 has recently been modified in section 883 of the FY16 NDAA, which provides much more autonomy for the Military CMOs. However, if confirmed, I would consult with SECNAV, DOD DCMO, and DOD CMO if my experience led me to believe that changes were warranted.

Question. Section 2222 of title 10, United States Code, requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the Business Transformation Agency has developed the top level architecture while leaving it to the military departments to fill in most of the detail. The Navy's business systems, like those of the other military departments, remain incapable of providing timely, reliable financial data to support management decisions. In particular, the Government Accountability Office has reported that the Navy has not yet followed DOD's lead in establishing new governance structures to address business transformation; has not yet developed comprehensive enterprise architecture and transition plan that plug into DOD's federated architecture in a manner that meets statutory requirements; and instead continues to rely upon old, stovepiped structures to implement piecemeal reforms.

If confirmed, what steps, if any, would you take to ensure that the Navy develops the business systems and processes it needs to appropriately manage funds in the best interest of the taxpayer and the national defense?

Answer. If confirmed as the Under Secretary of the Navy, I will work every day to give the Secretary of Defense, Secretary of the Navy, Congress, and American people the highest return on their investment in their Navy and Marine Corps. Furthermore, I will ensure that the proper business case analyses and appropriate es-

tablishment and application of business enterprise architectures support the capability of providing timely, reliable data to support management decisions.

Question. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of the Navy's business systems?

Answer. I believe that a single architecture for an organization as large and complex as the DON is extremely difficult and costly; at this point, what business value it would add is unclear. All standards, policies, and processes should be established to rival the best of those in the private sector. It does mean that I am accountable to ensure the appropriate analysis and process development occurs to transform outdated and inefficient business operations into those that are streamlined, cost effective, and well-planned.

Question. What steps would you take, if confirmed, to ensure that the Navy's enterprise architecture and transition plan meet the requirements of section 2222?

Answer. If confirmed, I will continue to work with DOD DCMO and ensure each of our Defense Business Systems meets the obligations specified in USC § 2222 and DOD DCMO guidance.

Question. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding managers accountable?

Answer. Timely and accurate financial and business information is essential in managing the Department's business operations. In order to make informed decisions, the Department's senior leaders must have credible, reliable, authoritative information at the right time.

Question. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not routinely available for these purposes?

Answer. I would make it a point to understand what business problems were being addressed with this information, prioritize their requirement to have processes in place and appropriate systems subsequently needed to produce the data, and determine what the cost would be to the Navy.

Question. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to Navy managers?

Answer. I believe something we've learned from the efforts surrounding auditability thus far is that it isn't just a comptroller issue, it's something that applies to us all. If confirmed, I will work closely with each of the Assistant Secretaries of the Navy to confirm the establishment of specific requirements and execute measures thereby required to improve the quality of financial information used for decision-making.

HEADQUARTERS STREAMLINING

Question. The Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the military departments.

If confirmed, what would be your role in streamlining functions, as well as identifying and implementing reductions in the Department of the Navy headquarters?

Answer. If confirmed, I will work closely with the key leadership in the Secretariat and the Services to ensure the Navy efficiently meets the consolidation requirements in the NDAA and requirements directed by OSD. I understand that the Navy and Marine Corps have plans in place to meet the streamlining goals, and if confirmed I will continue those efforts.

Question. What areas and functions, specifically and if any, do you consider to be the priorities for possible consolidation or reductions within the Department of the Navy?

Answer. If confirmed I will work with the Navy team to identify the functional areas that can sustain a reduction. At this time I cannot identify which specific functional areas those are. I understand the importance of keeping a workforce in key areas. So if confirmed, I will be sure to minimize the impact on those key functional areas and the warfighting capability functional areas while meeting the reduction goals.

Question. To the extent that the Department of the Navy has functions that overlap with the Department of Defense, Joint Staff, or military departments, what would be your approach to consolidating and reducing redundancy?

Answer. If confirmed, I will work closely with service counterparts, OSD leadership, and the Joint Staff to look for areas of possible consolidation. If confirmed, the focus of this review will ensure that reductions in headquarters staffs do not dimin-

ish warfighting capability. The approach would be deliberate while ensuring compliance with the requirements of the FY16 NDAA.

AUDIT READINESS

Question. The Department of Defense remains unable to achieve a clean financial statement audit. The Department also remains on the Government Accountability Office's list of high risk agencies and management systems for financial management and weapon system acquisition. Although audit-readiness has been a goal of the Department for decades, DOD has repeatedly failed to meet numerous congressionally directed audit-readiness deadlines.

What is your understanding and assessment of the Navy's efforts to achieve a clean financial statement audit by 2017?

Answer. I understand that the Department of the Navy has the Navy and Marine Corps 2015 Schedules of Budgetary Activity under audit by independent public accounting firms as interim steps to achieving the 2017 goal. However, despite progress on strengthening DON's financial management environment, a substantial amount of work remains to be completed if the Department is to achieve a clean audit opinion on all four of the Department of Navy financial statements.

Question. In your opinion, is the Department of the Navy on track to achieving this objective, particularly with regard to data quality, internal controls, and business process re-engineering?

Answer. Following the Department of Defense Financial Improvement and Audit Readiness strategy, I understand that the Department of the Navy is on track to achieve audit readiness on all four of its financial statements in 2017. Navy and Marine Corps have shared and incorporated lessons learned from their respective financial statement audits and other assessments to strengthen the quality of the Department of the Navy's data, tighten internal controls, and implement business process standardization.

Question. If not, what impediments may hinder the Navy's ability to achieve this goal and how would you address them?

Answer. I understand that the Department of the Navy is on track to achieve a clean financial audit by 2017 even though there may be some challenges. Navy, like other federal agencies, has complex and diverse business systems that may make attaining a clean audit a challenge. If confirmed, I will work with the Department leadership to continue the progress toward a clean audit in compliance with the 2017 statutory requirement.

Question. In your view, are the steps that the Navy needs to take consistent with the steps that DOD needs to take to achieve full auditability by 2017?

Answer. I understand that the Department of the Navy is highly dependent on services provided by the Department of Defense. The Department of the Navy's strategy is consistent with and supportive of DOD's ability to also achieve full auditability by 2017.

Question. What steps will you take, if confirmed, to ensure that the Navy moves to achieve these objectives without an unaffordable or unsustainable level of one-time fixes and manual work-arounds?

Answer. If confirmed, I will maintain a steady focus and commitment on all Department efforts that enable audit readiness. This will be critical to success in 2017 and lay the foundation for a sustainable audit environment well into the future. If confirmed, I will review the objectives that have been prepared and determine whether they are reasonable and effective. I will support rationalizing the Department's financial IT systems portfolio, leading to a business environment that supports the warfighter while sustaining clean financial statement audit opinions.

END STRENGTH

Question. In this year's budget request and Future Years Defense Program, the Department proposes making additional cuts to the Marine Corps Active and Reserve component end strengths. The Department proposes reducing the Marine active component to 182,000 by 2020, and plans to keep the Marine Corps forces at 182,000 if sequestration continues.

In your view, can the Marine Corps meet national defense objectives at the strength levels proposed without sequestration? What about at the strength levels proposed with sequestration?

Answer. I understand the Commandant of the Marine Corps has testified that the Marine Corps can meet the requirements of the Defense Strategic Guidance today at the President's Budget levels, but there is no margin. Lowering end strength due to sequestration or enforcement of the Budget Control Act funding caps would not allow the Marine Corps to execute the current Defense Strategic Guidance. A new

strategy would need to be developed that would take into account fewer warfighting units available to deploy in defense of the Nation.

Question. If the Marine Corps must reduce its active component end strength to 182,000, where does the Marine Corps take risk with respect to the national defense strategy?

Answer. I understand the Commandant of the Marine Corps has testified that the Marine Corps has been forced to prioritize near-term readiness for forward deployed marines and assume risk in home station readiness, modernization, infrastructure sustainment, and quality of life programs. If confirmed, I will work with Marine Corps leadership to minimize the risk to overall Service readiness.

Question. What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress has provided the past three years?

Answer. I understand that each of the Services is involved in an OSD-led collaborative assessment of the potential need for legislative reforms to various personnel authorities, which will ensure the Department has the tools necessary to recruit, develop, shape and retain the talent necessary to meet the mission of the Department of the Navy. If confirmed, I will review those efforts in detail to ensure that they are appropriate to meet emerging requirements of the Department in general, and the specific requirements of the Navy and Marine Corps.

Question. In your view, should the number of general and flag officers in the Marine Corps and Navy be reduced commensurate with the drawdown of total Marine and Navy end strength?

Answer. I understand that the Services recently conducted a Congressionally-directed review of active component general and flag officer billets. A similar review is underway now for the reserve component. If confirmed, I will ensure that any recommendations regarding changes in the number of authorized flag and general officers are based on the needs of the Navy and Marine Corps, considering the nature of responsibilities associated with any specific position.

Question. What are your views on the appropriate size and mix of the Active Duty Navy and Marine Corps, and their reserve components?

Answer. The programmed mix of the Total Force should be based on a requirements-based estimate of force size and Active Reserve mix required to meet current and future military challenges in support of the National Defense Strategy. It is essential that we have a deliberative requirements-based approach that provides the highly qualified, trained and experienced force needed to maintain the core capabilities of the Navy. The Marine Corps is the Nation's force-in-readiness and with the current size of our active duty force, meets the current defense planning guidance. It is my understanding that the Marine Corps is adequately sized to meet the current requirement in the short term, but I am concerned about our capacity to meet unexpected operational demands, especially in the event of a Major Contingency Operation. The current reserve mix supports active duty employment as the Marine Corps plans to integrate reserves to support the range of military operations.

Question. How does Navy support to the ground forces in the form of individual augmentee missions affect Navy end strength requirements?

Answer. The individual augmentee (IA) mission is an additional work requirement and therefore is not factored into the NDAA-mandated end strength value. So, the total end strength requirement will be unchanged by the IA mission.

TRANSFORMATION

Question. If confirmed as the Under Secretary of the Navy, you would play an important role in the ongoing process of transforming the Navy and Marine Corps to meet new and emerging threats.

Concerning capability and capacity to meet new and emerging threats, what are your goals regarding transformation of the Navy and Marine Corps?

Answer. A major challenge today is keeping pace with our adversaries under fiscal constraints and uncertainty. Resource limitations require that we be innovative in our approach to ends, ways and means, while also ensuring that capability, capacity and readiness are properly balanced to meet the new and emerging threats. If confirmed, one of my goals would be to transform the Navy and Marine Corps to be an even more efficient, highly capable and ready force.

LOW DENSITY/HIGH DEMAND FORCES

Question. If confirmed, how would you address the Department of the Navy's challenge in manning low density/high demand units, ratings, and occupational specialties?

Answer. Continued application of targeted, discretionary special and incentive pays, such as the Selective Reenlistment Bonus (SRB) or officer community-specific

continuation pays will be key in addressing recruiting and retention requirements among critical skill areas, particularly those in the high-demand, low-density skill sets. Carefully managed special and incentive pays can yield the desired force levels, but they must be periodically reviewed to ensure they maintain their efficacy while providing an appropriate return on investment. Although special and incentive pays are a proven method for increasing retention, if confirmed I will investigate additional avenues for managing talent across the Navy and Marine Corps, with a special emphasis on those areas of high demand and in highly competitive occupational specialties.

NAVY AND MARINE CORPS MILITARY AND CIVILIAN PERSONNEL MANAGEMENT

NAVY AND MARINE CORPS RECRUITING AND RETENTION

Question. The retention of quality sailors and marines, officer and enlisted, Active Duty and Reserve, is vital to the Department of the Navy.

How would you evaluate the status of the Navy and Marine Corps in successfully recruiting and retaining high caliber personnel?

Answer. I know that for several years Navy has enjoyed recruiting and retention of highly qualified sailors in unprecedented numbers. I would anticipate that maintaining such a high-quality force, particularly as the economy improves, will become increasingly challenging, while no less critical to meeting the Navy mission requirements and providing options to national leadership. Having previously made institutional investment, the Marine Corps is achieving all Total Force recruiting requirements. Retention is continuously assessed as both the world changes and demographics of our Nation change.

Question. What initiatives would you take, if confirmed, to further improve Navy and Marine Corps recruiting and retention, in both the Active and Reserve components?

Answer. If confirmed, I will continuously monitor the data on recruiting and retention to ensure the Department not only has the right numbers of sailors and marines, but that it attracts and retains the best talent among America's next generation. I will do everything in my power to ensure the authorities, incentives, and technologies needed to maintain this high quality force, with the capabilities necessary to meet emerging global challenges are available to the Department and Navy and Marine Corps leaders.

DELIVERY OF LEGAL SERVICES

Question. What is your understanding of the respective roles of the General Counsel and Judge Advocate General of the Navy in providing the Secretary of the Navy with legal advice?

Answer. The General Counsel of the Navy serves as the chief legal officer for the Department of the Navy (DON) and the principal legal advisor to the SECNAV and the Secretariat. The Judge Advocate General is the senior uniformed legal advisor for the Department and the SECNAV, as well as the principal legal advisor to the Chief of Naval Operations. My understanding is that the General Counsel and the Judge Advocate General have distinct roles in providing legal advice to the Secretary of the Navy (SECNAV).

Question. What are your views about the responsibility of the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant to provide independent legal advice to the Chief of Naval Operations and the Commandant of the Marine Corps, respectively?

Answer. In order to execute their statutory responsibilities established in title 10, U.S. Code, it is imperative that the Judge Advocate General and Staff Judge Advocate to the Commandant employ their knowledge, experience and judgment to provide independent legal advice pertaining to their respective Services. My understanding is that the Judge Advocate General is specifically responsible for providing independent legal advice, and reports directly to, the Secretary of the Navy and the Chief of Naval Operations. The Staff Judge Advocate to the Commandant is the senior uniformed attorney in the Marine Corps and is the primary legal advisor to the Commandant of the Marine Corps and Headquarters, Marine Corps on matters falling under the Staff Judge Advocate's cognizance. The Judge Advocate General and Staff Judge Advocate to the Commandant are responsible for formulating and implementing policies and initiatives pertaining to the overall provision of legal services pertaining to their respective Services.

Question. What are your views about the responsibility of staff judge advocates within the Navy and Marine Corps to provide independent legal advice to military commanders in the fleet and throughout the naval establishment?

Answer. Staff judge advocates must use their independent professional legal judgment in providing advice to commanders in order to meet operational requirements and execute day to day responsibilities. Such advice must be consistent with applicable professional responsibility requirements and community oversight.

JUDGE ADVOCATE RESOURCING

Question. Several years ago the Center for Naval Analyses (CNA) completed a study of manpower requirements for the Navy in which it concluded that the Navy's Judge Advocate General Corps was significantly understrength for its mission. Over the past several years this Committee has promulgated significant modifications to the military justice system.

What is your understanding of the current and projected manpower requirements in the Navy JAG Corps?

Answer. Based on current and programmed manning, I believe the Navy JAG Corps has the manpower to meet its required legal mission.

The Navy JAG Corps' continued ability to recruit, access, and retain high quality legal talent is critical to meeting JAG Corps manpower requirements. It is important to note that the recruiting environment has become increasingly competitive, with applications to the Navy JAG Corps dropping by more than half over the last five years as law school admissions have fallen to their lowest level since 1973. At the same time, the cost of a legal education has increased dramatically, with Navy JAG Corps accessions currently reporting an average total student loan debt exceeding $149,000. The DON will continue to be sensitive to these issues to ensure the Department maintains the necessary capacity.

Question. What is your understanding of the sufficiency of the number of Active Duty judge advocates in the Marine Corps to provide legal support for all the Marine Corps' missions?

Answer. Judge Advocates play a critical role in the Marine Corps. Advising on a range of critical issues from sexual assault to operational concerns, Marine Judge Advocates are key advisors who are highly valued and utilized by commanders. I have not had the opportunity to review the current and future manning requirements. If confirmed, I am committed to studying the issue to ensure that Marine Judge Advocates continue to play an integral role in the Marine Corps.

Question. If confirmed, will you review the judge advocate manning within the Navy and Marine Corps and determine whether current Active Duty strengths are adequate?

Answer. Yes.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. What is your assessment of the Navy's sexual assault prevention and response program?

Answer. The Navy has demonstrated that sexual assault prevention and response is a priority. It is apparent to me that the Navy is continually looking for ways to confront this criminal activity and create an environment that facilitates prompt reporting and enables victim care. Secretary Mabus, Admiral Richardson, and General Neller are each personally engaged. This senior-leader partnership has been a key feature since at least 2009. It is my understanding that victim support has been dramatically improved, training programs have been transformed for the better, and commanders understand their responsibilities.

I understand the Navy seeks a Department-wide culture of respect, where sexual assault is never tolerated and ultimately eliminated, where all sexual assault survivors receive support and protection, and where offenders are held appropriately accountable. I understand the importance and the scale of what to the Department must achieve, and I accept the challenge of breaking new ground in doing so. Nothing else is more consistent with our core values of Honor, Courage, and Commitment.

Question. What is your assessment of Navy and Marine Corps programs to address and prevent retaliation or reprisal against individuals who report sexual harassment or sexual assault?

Answer. I understand that retaliation, including ostracism and maltreatment, is a crime punishable under the UCMJ. I understand that in addition to training senior leadership on this matter, a key component to the Department of the Navy's response is confronting such conduct through strengthening leadership skills among managers at the lower ends of the chain of command and in individual workplaces. The Department is building new and better training tools for that right now. They are also working in partnership with DOD on strategies to identify cases and assess

our responses. If confirmed, I will continue to assess this closely and take appropriate measures.

Question. What do you see as the greatest challenges to the success of those programs?

Answer. If confirmed, I would actively seek to ensure the Navy implements all legislative and Department initiatives and that we continue to actively asses the effects of these programs to eliminate sexual harassment and sexual assault.

Across these endeavors, I see three fundamental challenges.

The first involves sustaining commitment and efforts in ways that accurately convey their central and enduring importance.

The second is continuing to adapt our training and response process as we continue to understand the dynamics of the problem.

The third is deriving accurate measures of success. For example, as awareness is raised about the Department's new initiatives for victim assistance and prosecutions, an increase in the number of reports may or may not indicate an actual increase in the number of incidents. It may simply demonstrate that more victims feel comfortable coming forward.

Question. If confirmed what changes if any would you make to improve those programs?

Answer. If confirmed, I would look for best practices across the Service and Departments. Each Service and Military Department is taking innovative measures to combat sexual assault. We don't have to do everything exactly the same, and our working environments differ importantly, but there is more we could learn from each other. I believe it will be important to maintain an ongoing critical assessment and be willing to change course when necessary.

Question. What is your assessment of Navy and Marine Corps programs and policies to hold individuals accountable for retaliation or reprisal against individuals who report sexual harassment or sexual assault?

Answer. The Department of the Navy (DON) seeks to achieve a culture of gender respect, where sexual assault is never tolerated and ultimately eliminated, where all survivors receive support and protection, and where offenders are held appropriately accountable. I will find it intolerable when those with the courage to report a sexual assault or sexual harassment are subjected to reprisal, maltreatment, or ostracism.

The Navy has a criminal and Inspector General processes to address retaliation in all forms. Additionally, the Service JAGs are working with DOD to review legal definitions and clarify when command action is warranted. The Department is working with DOD on strategies to utilize local Sexual Assault Response Coordinators to receive and report better information on cases as they arise, and to ensure that individual information is reviewed by installation Case Management Groups for the purpose of protecting and supporting sexual assault survivors. Furthermore, they are also developing interactive, live-action training programs that directly address issues of peer support for sexual assault survivors—building on prior successes and lessons learned with a similar approach to promoting bystander intervention with regards to retaliation.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. Both restricted and unrestricted reporting of sexual assaults are valuable tools for supporting sexual assault survivors. Both seem to be well accepted by sailors and marines. Restricted reporting provides some individuals with a mechanism to seek support more on their own terms. I support that opportunity. The most important things we can do is to get victims to come forward. We cannot address this problem unless victims come forward.

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. Victims of sexual assault must be supported. Sexual assault prevention and victim support are fundamental leadership responsibilities. Commanders are accountable for the mission readiness of their commands, that is, their ability to do their job when called to do so. The health, welfare, and safety of their personnel need to be the number one priority to ensure mission effectiveness. That means commanders are ultimately accountable for the physical and mental well-being of the sailors and marines under their charge. Commanding officers must not only set the tone for command climate through words and deeds, they must also ensure a positive command climate through training and leadership. If confirmed, I will ensure Navy and Marine Corps leaders at all levels have the resources they need to implement command-wide training on how to support survivors and to implement military policies regarding sexual assault prevention and response.

Question. What is your assessment of the Department of the Navy's implementation of the requirement to establish special victim's counsel?

Answer. I understand that it is working well. The Victims' Legal Counsel (VLC) serves as a personal legal advocate to ensure victims are in the best position to leverage all of the tools available to them. Most Navy VLCs have built strong relations with local commanding officers and Sexual Assault Prevention and Response (SAPR) program personnel. Their unique role is well respected. As of 11 Dec 15, Navy VLC have assisted 1,759 sexual offense victims. VLC Survey feedback indicates victims are extremely satisfied with the services provided by their VLC and feel they have a voice in the process.

Question. What is your understanding of the adequacy of Navy resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. It is my understanding that effective services are widely available, and sexual assault victims receive a high priority for care and support. I am aware that the Department has established significant resources to provide support to victims, including Sexual Assault Response Coordinators (SARC), deployed resiliency counselors, and Victims' Legal Counsel (VLC), as well as Victim Advocates who, together, represent a full spectrum of resources available to support a victim's physical, emotional and legal needs. I understand major naval commands have added Sexual Assault Prevention and Response (SAPR) officers at the rank of Commander or higher to ensure commands are responsive; and I understand the medical community strives to provide individuals with compassionate, competent, and victim-centered care.

Question. What is your view of the steps the Navy has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. The Navy and Marine Corps are expeditionary forces that are forward deployed. As such, the Navy engagement in combatting sexual assault is worldwide. Both Services have deployed robust training efforts and command engagement Department-wide and have world-wide resources for victim support and criminal investigations. If confirmed, I will continue to watch and be vigilant and demand improvements where they need to be.

Question. What is your view of the adequacy of the training and resources Navy has in place to investigate and prosecute allegations of sexual assault?

Answer. I understand that Navy and Marine Corps criminal investigators and litigators are well trained. NCIS has hired cadre of approximately 18 criminal investigators to respond to and investigate sexual assault cases. I understand the Department has hired an additional 54 NCIS agents to focus on sexual assault investigations—specifically in response to the increased NCIS workload resulting both from policy requirements to investigate all allegations of sexual assault of any nature, and from the success of Department-wide efforts to make sailors and marines more comfortable in reporting sexual assaults in the first place. Recent efforts have also explored using Reserve or Active Duty Masters-at-Arms personnel to work with NCIS in investigating some cases but not conducting victim interviews. The average caseload trended down in fiscal year 2015 (to 2014) and the average time from initial notification to "active complete" status is now under 100 days. In addition to implementing the VLC program both the Navy and marines have implemented special training for lawyers in sexual assault case management.

In 2007 the Navy's Military Justice Litigation Career Track (MJLCT) was established to identify, develop, and retain judge advocates who demonstrate military justice knowledge and trial advocacy skills. Due to the effectiveness of this program, an experienced cadre of litigation specialists is spread across the Navy's prosecution offices. This includes nine regional Senior Trial Counsel who litigate, oversee, and assist the prosecution of the most complex cases while supervising, mentoring, and training subordinate trial counsel. As a general matter, the Navy's most junior trial counsel would have undergone at least two years of formal training and on-the-job training in all JAGC principle practice areas before taking on any cases as lead prosecutor. Additionally, MJLCT officers and other judge advocates occupying litigation billets are provided advanced training focused on various aspects of sexual assault litigation, prosecution and defense.

If confirmed, I would monitor these programs and encourage and support NCIS and the JAG corps in seeking opportunities to advance continued training and resources to address recognized needs in this area.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. Command leadership is the lynchpin of military culture and command climate. Leaders at every level, from the Secretariat to the deck plate and the fire team are our best and most critical asset in achieving culture change. Culture

change does not happen overnight, but requires sustained focus by and communication from leadership.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. If confirmed, the issue of sexual assault in the Navy and Marine Corps will be a priority focus for me. I would support any policy change that enhances the confidence in the military's justice system and ensures that every Sailor and Marine has a safe working environment.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Navy?

Answer. My priority, if confirmed, will be to sustain the emphasis on current efforts. I would ensure these programs are meeting their intended purposes and are beneficial to victims and to the Navy in combating sexual assault. I would carefully consider the recommendations of the Judicial Proceedings Panel (JPP) and of independent review groups that can improve the Navy's sexual assault prevention and response program. In addition, I would seek to review and evaluate the training of leadership at all levels ensure Navy leaders are equipped to create and sustain command climates that are intolerant of sexual assault and in which victims of sexual assault can feel safe as they continue to serve the Navy and Marine Corps.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. The Navy employs many contractors and civilian employees. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as federal employees. Both contractors and civilians make up an integral part of the Department's total workforce.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of the Navy?

Answer. I do believe we must continuously evaluate our total workforce balance to meet the requirements of 10 USC 129a, to determine the most appropriate and cost efficient mix of military, civilian and contractor personnel to perform the mission of the Department of Defense. As requirements change so could the balance of the workforce.

Question. In your view, has the Department utilized contractors to perform basic functions in an appropriate manner?

Answer. I do believe that contractor personnel have been used appropriately. However, as previously noted we must continuously evaluate our workforce mix and the use of contractors to ensure they are being used efficiently and for the appropriate mission sets/requirements.

Question. Do you believe that the Navy should undertake a comprehensive reappraisal of "inherently governmental functions" and other critical government functions, and how they are performed?

Answer. I do not have any reason to believe that the DON needs a comprehensive reappraisal of "inherently governmental functions" and other critical government functions. I believe this to be a continuous process of workforce balancing and that effort is even more critical in downsizing environments as reductions need to be made smartly to have the least impact on our ability to perform the mission.

Question. Are there non-monetary reasons why the Navy would need or desire one type of manpower over the other? If so, provide relevant examples where of those reasons? Under what circumstances should cost be used as the primary factor?

Answer. Yes, there are non-monetary reasons that could drive the use of different types of manpower. Clearly, the type of requirement impacts the reasoning, i.e. is it a military or inherently governmental function. But other factors such as skill set requirements, schedule (urgency of requirement), expected duration of effort, etc. all impact the manpower decision process. Example could be in cyber where urgent need for technical expertise, not currently organic to the DON, would need to be acquired from the private sector. Cost tends to be a primary factor when commercial type functions—not impacted by the other factors mentioned—are evaluated for accomplishment.

Question. If confirmed, will you work with other appropriate officials in the Navy to review the contractor and civilian force mix for cost and mission effectiveness?

Answer. I will work with the appropriate officials in the Navy on the balance of our workforce as I see the manpower equation as one of the primary areas impacting both our resources and our ability to execute mission.

Question. Would you agree that the balance between civilian employees and contractor employees in performing Navy functions should be determined by the best interests of the Navy and its mission requirements?

Answer. Yes, I agree with that statement.

Question. If confirmed, will you work to remove any artificial constraints placed on the size of the Navy's civilian and contractor workforce, so that the Navy can hire the number and type of employees most appropriate to accomplish its mission?

Answer. Yes, if confirmed I will work with Department officials to determine if there are constraints that impact our ability to hire the right workforce to efficiently and effectively accomplish the mission of the DON.

WOMEN IN COMBAT INTEGRATION

Question. The Marine Corps recently released the results of their major research study on combat integration. Before reviewing the report, Secretary Mabus indicated that he will not support any exceptions to policy to close any ground combat elements to women.

Will you commit to conducting a thorough review of the report?

Answer. I am aware that Secretary Mabus is a strong advocate of opening all occupational specialties to women and that he made that recommendation based on his careful review of all available data including the Marine Corps Ground Combat Element Integrated Task Force (GCEITF) report. If confirmed, I would avail myself of all information and facts related to the issue.

Question. The Marine Corps' research demonstrated that women suffered higher injury rates among women than men when engaged in field combat exercises and training. Does that concern you?

Answer. The health and welfare of all servicemembers is of great concern to me. The studies that were conducted provided a significant amount of data concerning the physiology, types of injuries, and injury rates sustained by both men and women. Through this research, I am confident that we can improve our training to mitigate these risks.

Question. Do you believe Congress should amend the Selective Service Act to require the registration of women?

Answer. I understand that the Department of Defense is working with the Department of Justice to appropriately address the issue of how the decision to open all combat arms positions and units to women may impact the selective service act.

Question. If women become subject to the draft, should they also be prepared for involuntary assignment based upon the needs of the Navy?

Answer. Secretary Carter's decision ensures that our all-volunteer military has access to the broadest range of talent, men and women, that the U.S. has to offer. In the highly unlikely event of a draft, requiring women to register with Selective Service would not necessarily mean women members would be forced to serve in the same capacity as men.

Question. What is your opinion on whether men and women in combat and special forces MOSs should be subject to the same physical requirements for participation in those MOSs?

Answer. I support SECDEF's guidance in his 3 Dec 2015 memo that states "The Services will continue to apply previously developed and validated operationally relevant and objective standards for all career fields to assure that leaders assign tasks and career fields throughout the force based on ability, not gender. This approach is integral to preserving unit readiness, cohesion, and morale, and it will continue to form the foundation for full integration." Currently, physical fitness tests are gender normed to gauge a servicemember's general health and fitness which is why the Marine Corps developed operationally-relevant, occupation-specific, gender-neutral standards specific to each physically demanding job. If confirmed, I will work to ensure that all standards are operationally relevant and accurately reflect the tasks required to accomplish the mission and that women meet the same standards as men for the same MOSs.

Question. What is your opinion on whether men and women in the combat MOS should have the same physical fitness tests for the duration of their careers?

Answer. Navy uses Navy-wide physical fitness tests that are gender- and age-normed independent of a servicemember's career field. For specific jobs, including combat MOSs, all members of a given MOS should meet the same physical standards required for that job as long as they serve in that position. Both the Marine Corps and Navy certified that their physical standards are current and in accordance with public law as of September 30, 2015. If confirmed, I will work to ensure that equitable opportunities exist for both men and women.

Question. In light of Secretary Carter's decision to open all military positions to women, what do you believe are the primary challenges to implementing full integration in the Department of the Navy and how do you plan to address them?

Answer. The primary challenges to implementing full integration are addressing the concerns raised by various Services' studies as articulated in SECDEF's 3 Dec 2015 memo. These concerns include:

- Transparent Standards—Assigning tasks and career fields throughout the force based on ability, not gender;
- Population Size—Addressing equipment sizing, supply, and facilities;
- Physical Demands and Physiological Differences—Addressing ways to help mitigate the injury rate and impact to individuals and the teams they are assigned;
- Conduct and Culture—Addressing attitudes toward team performance through education and training;
- Talent Management—Addressing recruiting, retaining, and advancing based on merit-based system;
- Operating Abroad—Addressing presence of women in cultures where complications may occur due to cultural restrictions;
- Assessment and Adjustment—Addressing monitoring, assessment, and adjustment issues to enable sustainable success.

MATERNITY LEAVE

Question. Secretary Mabus recently announced his plan to provide 18 weeks of maternity leave for sailors.

Do you support the Secretary's decision to allow 18 weeks of maternity leave for sailors?

Answer. Yes, I believe the Services must ensure that the All-Volunteer Force continues to remain competitive with America's workforce and evolve with the changing times to address the needs, desires and goals of those sailors and marines who selflessly serve and sacrifice for our nation. This initiative provides a better balance between the need to retain high-performing, highly-educated and experienced sailors and marines, in whom we have already heavily invested.

Question. If confirmed, what would be your plan to augment or back-fill those positions occupied by female sailors on extended maternity leave? Would you consider utilizing reservists to back-fill those positions?

Answer. The Navy and Marine Corps' standard process for replacing all losses for operational units uses the enlisted distribution system management with similar skills to back fill at-sea units. These re-assignments can negatively affect billet "fit" for both sea and shore commands, but do not create at-sea manning gaps for deploying commands. Commands have the option to request reservists to back-fill those positions, if funding is available. The Marine Corps does not back-fill positions occupied by female marines on Additional Maternity Leave (AML). If confirmed, I will work with Navy and Marine Corps leaders to determine the degree to which the new maternity leave policy requires adjustments to current procedures for augmenting or back filling.

Question. In your view, how would the Navy account and pay for the cost of additional personnel to fill positions left vacant by sailors on extended maternity leave?

Answer. It is my understanding that Navy has implemented plans to mitigate the impact of 18 weeks of maternity leave on operational units. Navy's standard plan for replacing losses to operational units, including those for maternity leave, leverages sailors at shore establishments with similar skills to back fill at-sea units. It is my understanding that this mechanism has the capacity to absorb Navy's historical at-sea pregnancy rates. The Marine Corps does not back-fill positions occupied by female marines on Additional Maternity Leave (AML).

Question. Would the Navy require an increase to their authorized end strengths to accommodate additional manning requirements?

Answer. I do not believe that Navy and/or Marine Corps feels an increase in end strength is necessary to accommodate the policy, but that it will require careful management and monitoring to ensure that operational readiness is not adversely impacted or a burden is placed on other sailors or marines to accommodate a member on maternity leave. The policy naturally includes flexibility and discretion for when members may take the leave, and permits it to be taken over multiple periods to meet the needs of both the member and the Services.

Question. Do you support paid uncharged paternity leave for male sailors in excess of the 10 days afforded by statute? If so, how many weeks do you believe is an appropriate amount of time?

Answer. Given the higher percentage of male servicemembers currently serving, any substantial increase in paternity leave could impact readiness. An increase in the current 10 days of uncharged paternity leave afforded by statute would have to be carefully examined to thoroughly understand those impacts, and any resulting second or third order effects. If confirmed, I will investigate how best to balance the

needs of Navy and Marine families against the requirement to remain combat ready to determine if changes to the paternity leave policy are needed, and at what cost they might be implemented.

Question. Do you believe the Navy fully understands what the cost of this reform will be? If so, describe those costs.

Answer. The Department of the Navy has not yet been able to accurately determine the cost of the reform. Future attempts will be made to understand the complex monetary and non-monetary (e.g., retention) costs associated with the reform.

MORALE, WELFARE, AND RECREATION

Question. If confirmed, what challenges do you foresee in sustaining Navy and Marine Corps MWR programs in the future fiscal environment?

Answer. It is vitally important not to marginalize MWR program contribution to readiness and retention in the Marine Corps. If confirmed, I will work with the Services to ensure program relevance and sustainability. In a fiscally constrained environment, it is critical to optimize MWR's revenue generating capability and to protect the profitability of the military exchanges that help fund MWR programs.

MILITARY HEALTH CARE

Question. In your view, what should the Navy's Bureau of Medicine and Surgery do to improve access to care in its medical treatment facilities?

Answer. Timely access to health care—where and when it's needed—is a top priority for Navy Medicine. Navy Medicine is focused on continual improvements to medical care to sailors, marines and their families. Examples that Navy is exploring and implementing include: virtual care, mobile convenience, and telemedicine solutions in order to keep sailors, marines and their families healthy and on the job. If confirmed, I would support the Bureau of Medicine and Surgery's efforts to improve both access and convenience through such innovative, 21st century solutions.

Question. If confirmed, how would you work with the Surgeon General of the Navy to improve the healthcare experience for sailors, marines and their families?

Answer. Keeping sailors, marines and their families healthy and on the job is Navy Medicine's top priority. The Navy does provide services that don't require a trip to the hospital, and it is my understanding that they are expanding those services. However, when services are needed at a hospital, the Navy is working to ensure it is easy and timely to get those services, and that those services are top quality and patient-centered.

If confirmed, I would work with the Surgeon General of the Navy to continue those efforts and drive toward, and resource, the tenets of a high reliability organization. Grounded in the sacred trust we share in caring for America's sons and daughters, our sailors, marines and their families deserve the best healthcare experience possible.

FAMILY READINESS AND SUPPORT

Question. sailors, marines and their families in both the active and reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for sailors, marines and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced, especially in light of current fiscal constraints?

Answer. Sailors, marines and their families are the Department of the Navy's greatest assets. Understanding and addressing their needs can be more challenging in times of war or contingency operations, particularly in a fiscally constrained environment. This requires a focus on communication. If confirmed, I will work with the Services to ensure that, to the greatest extent possible, the Department remains agile and responsive to the needs of servicemembers and their families, within fiscal realities. Whether assisting them in transitioning to civilian life, or supporting their financial health throughout their service, addressing their needs and desires will be essential to success.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the Services continue to be of great concern to the Committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Department of the Navy to prevent suicides and increase the resiliency of sailors and marines and their families?

Answer. I share the Department of the Navy view that every suicide is a tragedy, and that suicide is also a leadership issue. I understand that the Services have taken significant steps to improve suicide prevention efforts. If confirmed, I will support efforts to encourage strength and resilience among sailors, marines and their families, and to foster command climates supportive of psychological health and help-seeking behavior. It is critical that the Department continues to emphasize the importance of personal responsibility, peer-support and bystander intervention, and that it continues to emphasize that seeking help is a sign of strength.

SUPPORT FOR WOUNDED, ILL, AND INJURED SAILORS AND MARINES

Question. Servicemembers who are wounded or injured in combat operations deserve the highest priority from the Navy and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty if required, and continuing support beyond retirement or discharge.

What is your assessment of the progress made by the Navy and Marine Corps to improve the care, management, and transition of seriously ill and injured sailors and marines?

Answer. I appreciate the Committee's and Congress' continued interest and support for wounded warriors and their families and caregivers. This is an enduring mission that will continue long past the current conflicts as we provide a lifetime of support to our seriously wounded, ill, and injured sailors and marines.

To date Navy Wounded Warrior-Safe Harbor has provided non-medical support to more than 2,288 sailors and Coast Guardsmen that are enrolled in the program. They have also provided assistance to an additional 1,540 servicemembers with less severe conditions who still need help. The Marine Corps' Wounded Warrior Regiment provides support to a monthly average of approximately 850 marines who are joined to a subordinate element and / or assigned a recovery care coordinator. In an effort to ensure marines who transition from Active service are not left without necessary support, the Wounded Warrior Resource and Outreach Call Center has provided assistance to nearly 32,000 post 9/11 medically retired and veteran marines since its inception in 2009.

It is my understanding that much progress has been made since the programs were established under the 2008 National Defense Authorization Act. Non-medical care management teams throughout the country tailor support to each enrolled servicemember's recovery, rehabilitation and reintegration needs. This support can include Comprehensive Recovery Plan development, addressing pay and personnel issues, connecting them to family resources, offering adaptive sports and recreation opportunities, and linking them to education, employment, and training benefits. Support does not conclude at the door of a medical treatment facility or when a wounded warrior's military career concludes. It offers enrollees a host of services that ease their transition to civilian life and ensures they are cared for throughout their lifetimes.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase the Navy's support for wounded sailors and marines, and to monitor their progress in returning to duty or to civilian life?

Answer. In 2008, Congress expanded support for our wounded warriors beyond combat wounded to include serious illness and injuries. It is my understanding that the vast majority of sailors and marines are enrolled as a result of non-combat conditions. These programs address an enduring need and must remain capable of responding when or if the Nation engages in a future conflict. If confirmed, I will work to ensure that they are properly resourced into the future even in the midst of these challenging budget environments.

SENIOR MILITARY AND CIVILIAN ACCOUNTABILITY

Question. While representative of a small number of individuals in DOD, reports of abuses of rank and authority by senior military and civilian leaders and failures to perform up to accepted standards are frequently received. Whistleblowers and victims of such abuses often report that they felt that no one would pay attention to or believe their complaints. Accusations of unduly lenient treatment of senior officers and senior officials against whom accusations have been substantiated are also frequently heard.

What are your views regarding the appropriate standard of accountability for senior civilian and military leaders of the Department?

Answer. Even if isolated, the abuse of rank or authority can undermine trust in a military organization. Senior civilian and military leaders must uphold the highest standards of integrity and principled leadership. An organization that fails to hold senior individuals accountable when warranted sends the wrong message to sailors, marines and civilian personnel in the Department of the Navy as well as to the public.

Question. If confirmed, what steps would you take to ensure that senior leaders of the Navy and Marine Corps are held accountable for their actions and performance?

Answer. If confirmed, I will continue to foster the Navy and Marine Corps' earnest commitment to the highest ethical standards of principled leadership and service. I will ensure timely investigation of allegations. I will ensure that, when required, accountability actions are exercised in strict adherence to principles of due process, consistent with law and regulation, and transparent to our Congressional oversight committees and the American public.

SHIPBUILDING PLAN

Question. Despite the Navy's 308-ship requirement to meet the maritime demands of the National Military Strategy, it is currently operating with 272 battle force ships. Additionally, the Congressional Budget Office (CBO) has concluded that the Navy has underestimated the costs for its shipbuilding plan by approximately 12 percent.

Do you consider the 308-ship force structure requirement to be appropriate given the current and future strategic environment? If not, please describe what changes may need to be made.

Answer. Currently, yes. The 308-ship Force Structure Assessment (FSA) update was completed in 2014 based on the 2014 Quadrennial Defense Review. The 308-ship battle force possesses the minimum capability and capacity to continue protecting American interests, to deter or contain conflict and, if called upon, to fight and win our nation's wars.

Question. Do you agree with the CBO's assessment that there is significant cost risk associated with executing the Navy's shipbuilding plan?

Answer. While I'm not familiar with the analytic methodology used in the CBO's assessment, if confirmed, I will ensure that the differences between the Navy and CBO shipbuilding cost estimates are understood.

Question. What actions do you believe are necessary to execute the Navy's shipbuilding plan within the Navy's budget estimates?

Answer. I know that the Department is focused on affordably acquiring all of the weapon systems that the Navy and Marine Corps team requires. If confirmed, I will work closely with ASN(RDA) to ensure that all cost reduction opportunities are explored and that budget estimates are realistic.

Question. How would you characterize the risks to national security posed by the current shortfall in battle force ships and tactical aircraft?

Answer. It is my understanding that today, the Navy meets all requirements of the current defense strategy, albeit with considerable risk.

Question. What adjustments to the respective shipbuilding programs are necessary and appropriate to reduce operational risk?

Answer. Based on our current strategy, I believe the FY 2016 President's Budget Request reflects the best balance of available resources to meet the Department of Navy requirements. If confirmed, I will continuously evaluate this question as a critical part of my responsibilities.

Question. What further adjustments would you consider if the Navy's shipbuilding program comes under further pressure due to cost growth?

Answer. The Navy has been working hard to reduce cost growth and increase affordability and stability within all of the shipbuilding programs. Should these measures prove inadequate, if confirmed, I will work with Defense Department leaders and the Congress to determine the appropriate responses and to develop acceptable adjustments.

AIRCRAFT CARRIERS

Question. After more than $2 billion in cost growth in each of the first three *Ford*-class aircraft carriers, the costs of these ships range from $11.5 billion to $13.5 billion.

Do you support the on-going Navy study of alternatives for future development of aircraft carriers that would replace or supplement the *Ford*-class carrier?

Answer. I fully support consideration of alternatives to the current aircraft carrier design as well as changes to the existing *Ford*-class design to reduce cost while re-

taining essential capability. The study should provide insight into the requirements, capabilities, costs, and alternatives for aircraft carriers. If confirmed, I look forward to reviewing the findings.

Question. In your view, should the Navy build 11 *Ford*-class aircraft carriers or should the Navy pursue a different mix of platforms for sea-based tactical aviation?

Answer. The current plan for the *Ford*-class construction is the Navy's plan for meeting the demand for an 11 aircraft carrier force. If confirmed and once the alternative study is completed, I will work with the Secretary of the Navy and the Chief of Naval Operations to explore the right mix of platforms.

Question. The Director of Operational Test and Evaluation's Fiscal Year 2014 Annual Report states the reliability of four systems—the electromagnetic aircraft launching system, advanced arresting gear, dual band radar, and advanced weapons elevators—are the most significant risks to the USS *Gerald R. Ford* (CVN–78) for successfully completing initial operational test and evaluation.

What is your understanding of the testing and reliability status of each of these key systems on CVN–78, which is scheduled to deliver in June 2016?

Answer. I understand that production of CVN 78 is nearly complete and that the Navy is now focused on completing construction of the ship, completing the ship's test program, and taking delivery of the ship. I understand that the four systems highlighted by DOT&E are indeed new technologies introduced to the ship and because they are new, provide risk to the program. I understand that testing on many of these systems has begun and, if confirmed, I will ensure that progress on testing is regularly conveyed to the Committee.

Question. What is your understanding of the measures being taken to ensure these key systems are stable for the next aircraft carrier, USS *John F. Kennedy* (CVN–79)?

Answer. I understand that the Navy continues to incorporate lessons learned from CVN 78 test programs and shipboard installation into CVN 79 plans.

OHIO-CLASS REPLACEMENT PROGRAM

Question. Navy leaders have testified that the *Ohio*-class Replacement Program will require significant investment and will result in equivalent reductions in the Navy budget, if a higher Navy topline or outside funding is not provided.

What is your view on how the *Ohio*-class Replacement Program should be funded?

Answer. It is absolutely critical for the Nation to replace the *Ohio*-class submarines. I understand that the Navy is taking appropriate measures to limit requirements and control cost for this Class while maintaining the level of performance necessary to ensure the high survivability provided by the sea-based strategic deterrent. Ultimately, however, the unique requirements of this program drive high cost to the Navy's overall shipbuilding program which, absent a higher topline, would equate to approximately one-third of the historic average shipbuilding budget. Such an impact to Navy shipbuilding over the 15 year period of building the *Ohio* Replacement submarines would have a direct impact to the future Navy Force Structure and therefore, the ability of the Navy to meet its mission in the decades ahead. If confirmed, I look forward to working with Defense Department leadership and the Congress to address this significant challenge.

Question. Navy leaders have testified that 12 *Ohio*-class replacement submarines must be procured and the *Ohio*-class Replacement Program schedule cannot be delayed in order to ensure the first deterrent patrol occurs in 2031.

Do you support the view that there is no room for delay of the *Ohio*-class Replacement Program?

Answer. I understand that the Navy has stretched the *Ohio*-class to the maximum extent possible, from 30 to 42 years and that there is no room for further delay of the Ohio Class Replacement without introducing risk to meeting the requirements for the sea-based strategic deterrent. If confirmed, I will review this assessment in further detail with appropriate requirements and acquisition arms of the Department of Defense and determine whether there are further appropriate steps available to mitigate the schedule risk associated with meeting our strategic requirements.

Question. Congress established the National Sea-Based Deterrence Fund in section 1022 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.

What are your views on how the Navy should use this Fund to acquire *Ohio*-class replacement submarines?

Answer. It is clearly in the best interest of the Department of Defense and the Congress to ensure the *Ohio* Replacement Program is executed as efficiently as possible in order to meet the significant cost and schedule challenges posed by this high

priority program. I understand that this need has been the motivation behind the formulation of the National Sea-Based Deterrence Fund. If confirmed, I will review and, as appropriate, identify measures necessary to further reduce cost and schedule risk associated with developing, designing, and building the *Ohio* Replacement Class submarines. It is likely that such measures will include additional authorities to be granted by Congress, and to the extent that these authorities are included in the National Sea-Based Deterrence Fund, then I will work closely within the Department of Defense and with the Congressional Defense Committees to ensure concurrence as well as full transparency in the exercise and oversight of these unique authorities.

BALLISTIC MISSILE DEFENSE (BMD)

Question. The Navy plays an important role in defending the Nation against the threat of long range ballistic missile attack and in defending allies, friends, and deployed forces against theater ballistic missile threats. Today, the Navy has approximately 33 BMD-capable ships, with just three of these having the advanced BMD 5.X capability. In 2020, the Navy projects having 39 BMD ships, with 16 having BMD 5.X capability.

Do you view ballistic missile defense as a core Navy mission?

Answer. Yes, it is a proven capability the Navy provides to the Joint Force.

Question. What options should be explored to reduce the shortfall in meeting the stated requirement of 40 ships with the advanced BMD 5.X capability?

Answer. If confirmed, I will work with Navy and Missile Defense Agency leadership to explore all options for fielding capability earlier than currently planned while balancing fiscal realities.

CRUISE MISSILES

Question. What is your understanding of the Navy's cruise missile defense strategy?

Answer. My understanding is that the Navy has conducted numerous analyses to defend naval forces and advanced bases from the cruise missile defense threat and has invested in near, mid, and far term capabilities to counter the emerging threat. The Department of the Navy will continue to resource capabilities and provide properly trained and equipped forces to the combatant commanders.

Question. In your view, how serious is the cruise missile threat to the Navy?

Answer. The cruise missile threat is very serious to the Navy and nation.

Question. If confirmed, what actions would you take to ensure that the Navy is adequately addressing this threat?

Answer. If confirmed, I will ensure that the Department of the Navy properly resources cruise missile defense, and that those resources are properly balanced across the Department.

AMPHIBIOUS FLEET REQUIREMENTS

Question. What is your view of the need for and size of the Navy's amphibious ship fleet?

Answer. Amphibious ships are a critical element of joint force capabilities. I support the current requirement of 38 amphibious ships and the plan to build 34, given fiscal constraints. If confirmed, I look forward to working closely with Navy and Marine Corps leadership to continue to meet amphibious requirements.

Question. What alternatives would you consider to augment amphibious ships in providing lift to Marine Corps units? In what scenarios would these alternatives be necessary and appropriate?

Answer. The Marine Corps and Navy have been innovative in their use of alternative lift options for permissive environments. Given the evolving threats, however, I would be wary of using such options to mitigate any shortfalls in the amphibious ship requirements specifically for assault echelon. If confirmed, I look forward to working closely with Navy and Marine Corps leadership to identify the most appropriate solutions in supporting our Naval Expeditionary Force and operations around the globe.

LITTORAL COMBAT SHIP (LCS)

Question. In December 2014, the Secretary of Defense announced his decision to upgrade the Littoral Combat Ships, designated LCS–33 through LCS–52, to provide a more capable and lethal small surface combatant, generally consistent with the capabilities of a frigate.

Do you support the Secretary of Defense's decision to upgrade the LCS?

Answer. From what I have read, I believe the modifications to the LCS design will add valuable lethality and survivability capability improvements to the final 20 hulls.

Question. What is your understanding of the acquisition strategy for the LCS and LCS mission modules, as modified by the Secretary of Defense's decision?

Answer. I understand that in December 2014, the Secretary of Defense decided that the Navy will procure a modified LCS (Frigate) to follow the current LCS design, resulting in an inventory of 32 LCS and 20 Frigates. If confirmed, I will review the acquisition strategy details with ASN(RDA).

Question. What is your view of the peacetime and wartime mission of the LCS?

Answer. LCS provides the Navy critical capabilities to Surface Warfare (SUW), Mine Countermeasures (MCM), and Anti-Submarine Warfare (ASW) requirements in both open ocean and the littorals.

Question. What is your understanding of the requirements for survivability of the LCS?

Answer. I understand that concerns about LCS survivability are what led to Secretary Hagel's directed review of LCS alternatives, which resulted in the shift to an enhanced design. I am aware that all ships have an assigned level of survivability in keeping with their mission and concept of operations. If confirmed, I will review with the Chief of Naval Operations the survivability levels for LCS.

Question. What is your understanding of the delivered survivability capability of the LCS?

Answer. Since 5 LCS ships have been accepted by the Navy and are serving in the fleet, it is my understanding that they meet the survivability requirement for the Class.

Question. Do you support the Navy force structure assessment requirement of 52 small surface combatants? If not, please explain.

Answer. I support the Department's current inventory objective of 52 small surface combatants which has been validated by the Navy's Force Structure Assessment. In keeping with the Secretary of Defense's decision to transition to a frigate, the 52 ships will be met by a combination of 32 LCS and 20 Frigates.

TACTICAL FIGHTER PROGRAMS

Question. The F–35 Joint Strike Fighter Program, which is the largest and most expensive acquisition program in the Department's history, was formally initiated as a program of record in 2002 with a total planned buy of 2,443 aircraft for the U.S. At projected procurement rates, the aircraft will be procured by the Department well into the 2030 decade to reach its total quantity buy. The program has not yet completed its systems development and demonstration phase, and is not due to enter full rate production until 2019, 17 years after its inception.

The overall requirement for 2,443 aircraft was established nearly 20 years ago. Since that time, however, there have been countervailing pressures to: (1) reduce force structure to conserve resources; (2) improve capability to respond to prospective adversary technological advances and increased capabilities from updated threat assessments; and (3) respond to an evolving national defense strategy.

Do you believe the Department of the Navy's F–35B and F–35C requirements are still valid?

Answer. Yes, both the F–35B and the F–35C will be vital parts of future Naval Aviation and critical to meeting warfighting requirements.

Question. Do you believe the Department of the Navy can afford and needs to procure 310 more F–35Cs with a procurement cost of over $42 billion?

Answer. The F–35C provides essential 5th generation strike fighter capability to the Department's Carrier Air Wings. Without this capability, the Navy cannot achieve air superiority. The Department of the Navy currently has a requirement for 340 F–35Cs. If confirmed, I will work with ASN (RD&A) and the joint program office to most affordably procure the F–35C and will work with the Chairman and other service chiefs to revalidate the appropriate number of aircraft the Navy requires to meet the mission.

Question. Do you believe that the Navy will still want to buy the F–35C, an aircraft design that will be 30 years old before the Navy production is scheduled to finish?

Answer. The Navy is committed to making the F–35C the next Carrier Air Wing fighter, complementing the F/A–18E/F until that aircraft reaches the end of its lifetime in the 2030s.

Question. Do you believe the Navy's current and planned force mix of tactical aircraft is sufficient to meet current and future threats around the globe, and most es-

pecially in the Asia-Pacific theater of operations where the "tyranny of distance" is such a major factor?

Answer. Currently, I do. There are capability, inventory, and readiness aspects to delivering the required force mix. If confirmed, I will work with leadership to determine the best options to pace the threat in a dynamic security and fiscal environment.

Question. The Secretary of the Navy recently remarked that he believed the F–35 should be and would be the nation's last manned fighter aircraft.

Do you believe this to be true?

Answer. It is crucial that we push the boundaries of what unmanned technologies can achieve; the next generation in tactical aviation will play a large part in this transformation. If confirmed, I will work with the Secretary of the Navy to aggressively advance the development of unmanned systems.

Question. What will be your role in leading capabilities and requirements development to increase the role of unmanned aerial combat systems in the Navy?

Answer. If confirmed, I intend to make the continued development of unmanned systems a hallmark of my tenure. I intend to lead the Navy into new ways of thinking about combinations of people and technologies to maximize our operational advantage.

Question. How do you see the future balance developing between manned and unmanned combat aircraft for the Navy's future force structure?

Answer. I believe that the advent of advanced information technology is redefining the approach to obtaining the most effective relationship between people and technology. There is vast potential to change the balance of manned and unmanned platforms in combat aircraft and across all platforms, and this potential is a key to helping the United States minimize the risk to our people and stay ahead of rapidly evolving threats.

READINESS

Question. What is your assessment of the current readiness of the Navy and Marine Corps to meet national security requirements across the full spectrum of military operations?

Answer. My understanding is that while forward deployed Navy forces continue to meet readiness standards, there is concern about Navy's ability to meet the timelines associated with providing either follow-on or "surge" forces should they be requested by combatant commanders. For instance, Navy is currently not meeting its required crisis response capacity and does not fully recover until 2021. For the Marine Corps, deployed units are sufficiently resourced to undertake assigned missions but about half of non-deployed units are insufficiently resourced to full spectrum readiness levels limiting their readiness to respond to unexpected crises or major contingencies. If confirmed, one of my first actions will be to review the readiness of the Navy and Marine Corps team.

Question. What is your assessment of the near-term trend in the readiness of the Navy and Marine Corps?

Answer. The 2016 President's Budget Request provides the minimum resources to achieve the levels of readiness to meet requirements by 2021. This plan still includes considerable risk, and does not allow for any unexpected contingencies.

Question. How critical is it to find a solution to sequestration given the impacts we have already seen to readiness in fiscal years 2013, 2014, and 2015?

Answer. It is absolutely critical. Without relief from the current budget caps, Navy will fall farther below requirements to the point that it will not be able to meet the responsibilities in the current strategy. The recent Bipartisan Budget Agreement is helpful in that it provides stability but at a reduced resource level. If confirmed, I will work with the Secretary, the Chief of Naval Operations, and the Commandant to determine the implications of these reductions.

Question. What is your understanding and assessment of the methods currently used for estimating the funding needed for the maintenance of Navy and Marine Corps equipment?

Answer. Both the Navy and Marine Corps have detailed processes that attempt to balance the real time and projected needs of the operators/warfighters with the scheduled lifecycle sustainment requirements and depot maintenance capacity. These processes need to be designed to accommodate surges and other unplanned operations, which have become, and will continue to be, the norm.

My understanding is that the Navy and Marine Corps maintenance requirements processes are thorough, but I am concerned about the time allotted to conduct reset maintenance of the force given the high operational tempo and COCOM demand signal.

Question. Given the backlog in equipment maintenance over the last several years, do you believe that we need an increased investment to reduce this backlog?

Answer. It is my understanding is that the FY 2016 President's Budget Request, with OCO funding, has provided funding to address this backlog. However, it will take time to physically complete the work.

The budget fully funds ship maintenance to continue life cycle maintenance reset of CVNs and surface force ships. To address workload to be completed in public shipyards, the budget also provides funds for additional workforce in public shipyards and will send selected submarines to private shipyards. Navy has also funded aviation depot maintenance to capacity. As with the ships, it will take time to work through the backlog.

Question. How important is it to reduce the materiel maintenance backlog in order to improve readiness?

Answer. It is very important. I understand maintenance backlogs have delayed deployments, which have in turn forced extensions for those already deployed. This comes at a cost to the resiliency of sailors and marines, sustainability of equipment, and service lives of ships and equipment.

Question. How important is it to receive OCO funding after the end of combat operations in order to ensure all equipment is reset?

Answer. It is very important. The Department of the Navy remains reliant on OCO funding for ongoing overseas operations, reset, and some enduring requirements.

Question. In your judgment, is recent operational tempo adversely affecting the readiness or retention of sailors and marines on active duty and in the reserve component?

Answer. I believe the Chief of Naval Operations recently highlighted the fact that after three years of budget shortfalls and a high operating tempo, Navy is currently operating with considerable risk in its ability to fully execute warfighting mission in accordance with existing plans. I am unaware of any significant impact the current tempo of operations is having on retention, in general, but I imagine that it will just be a matter of time, especially in an improving economy, before sailors and their families begin to vote with their feet and choose to leave. Near-term operational readiness and the readiness of those marines who are forward deployed and forward engaged remains a top priority. The Marine Corps continues to reconstitute to a ready force after over a decade of persistent conflict. As the Nation's ready force, the Marine Corps does not have the luxury to take an operational pause after completing major operations in Iraq and Afghanistan. I will work with the Department and the Congress to ensure the Marine Corps is properly resourced to deliver a ready Marine Corps today and in the future.

Question. Navy leaders have stated rotational deployments will be stabilized and more predictable through continued implementation of an improved deployment framework called the Optimized Fleet Response Plan (O–FRP).

What is your understanding of the O–FRP?

Answer. My understanding is that O–FRP is designed to align manning, maintenance, and modernization of platforms with training in order to achieve readiness and meet regional needs in the most effective and efficient manner. O–FRP should allow the Navy to achieve stable and predictable 7-month deployments, which will help to reset our readiness and increase certainty for our sailors and families.

Question. Do you support implementation of the O–FRP?

Answer. Yes. If confirmed, I will work closely with the CNO to ensure O–FRP remains on track to meet strategic objectives.

Question. To what extent will implementation of the O–FRP improve the material readiness of the fleet?

Answer. My understanding is that O–FRP is designed to improve material readiness by providing greater stability and predictability in maintenance schedules. Restoring predictability to maintenance periods, when combined with sufficient and predictable resources in our shipyards and depots should allow for better maintenance outcomes and improved overall fleet readiness.

Question. What metrics should Congress use to track the material readiness and material condition of Navy ships and aircraft, as well as the effectiveness of O–FRP?

Answer. If confirmed, I will work to ensure that the material readiness of our fleet is promptly known to Departmental leadership and the Congress.

SCIENCE AND TECHNOLOGY PROGRAM

Question. Do you believe that the current balance between short- and long-term research is appropriate to meet current and future Department of the Navy needs?

Answer. I believe that we must maintain a balance across our R&D investments to ensure our current Fleet is equipped with the capabilities they need today, to maintain the Navy and Marine Corps operational advantage by developing and fielding next generation weapon systems to change the face of future naval warfare and avoid technological surprise by aggressively pursuing high risks R&D initiatives. I also believe an increase in rapid prototyping and experimentation with the Fleet will help to inform the Department's R&D budget and ultimately deliver the capabilities our naval forces need today and well into the future.

Question. If confirmed, what direction would you provide regarding the importance of innovative defense science in meeting Navy and Marine Corps missions?

Answer. S&T investments provide the underpinning for assurance that our naval forces retain and widen our technological superiority in naval warfare. If confirmed, I will work with Navy leadership to properly invest in innovative defense science and technology; increase rapid prototyping and experimentation to expedite fielding of new and advanced warfighting capabilities. I would advocate pursuit of game changing science and technology discoveries to spawn the development and realization of new operational concepts.

Question. If confirmed, what guidance would you give to ensure research priorities that will meet the needs of the Navy and Marine Corps in 2020?

Answer. To remain competitive against emerging threats, research in new technologies needs to be coupled with innovative concepts for future war fighting. If confirmed, my guidance and oversight of research efforts will be focused on ensuring we are as creative in our development of new technologies as we are in our ideas of how to use them.

MILITARY SPACE AND CYBER

Question. Do you believe that the current Department of Defense management structure for space and cyber programs sufficiently protects Navy and Marine Corps space and cyber equities?

Answer. Yes. My understanding is that the new management structure for space programs, which has designated the Secretary of the Air Force as the Principal Department of Defense Space Advisor, provides the Navy and Marine Corps sufficient opportunity to actively represent critical equities affecting space & cyber mission areas and capabilities. Similarly, the current Department of Defense structure also appropriately balances Service and Joint cyberspace equities. If confirmed, I will review this management structure with Department of Navy space and cyber community leaders to ensure Department of Navy equities are adequately represented.

Question. In your view, how actively should the Navy and Marine Corps be engaged in the management of space and cyber programs?

Answer. The Navy and Marine Corps have a responsibility to manage programs which provide the capability to operate and defend its networks and space capabilities. The Department's focus ensures the security and resiliency of weapons systems and warfighting platforms. The Services must remain actively involved as these capabilities are critical to the success of Service mission in the modern cyber and space reliant operating environment.

Question. In your view, is the Navy and Marine Corps adequately involved in the requirements process for space and cyber programs?

Answer. Yes. The Navy and Marine Corps participation in the space & cyber requirements process generally occurs through their respective service requirements processes and the Joint Capabilities Integration and Development System process. My understanding is that the recent standup of the Principal Department of Defense Space Advisory Staff and the DOD Principal Cyber Advisor should improve Joint participation and better facilitate requirements development for future space and cyberspace capabilities.

Question. What is the Navy and Marine Corps' appropriate long-term role in space and cyber systems, other than as a user of space and cyber products?

Answer. My understanding is that, in addition to being a user of space and cyber products, the Department has structured the Naval Science and Technology Strategy to discover, develop and deliver decisive naval capabilities, near- to long-term, by investing in a balanced portfolio of breakthrough scientific research, innovative technologies and talented people. In addition, the Navy and Marine Corps are working to incorporate the cyber domain into all of the Services' efforts to make reducing cyber vulnerability as fundamental a priority as physical protection of personnel, ships, aircraft, submarines, land systems and infrastructure.

ELECTRONIC WARFARE

Question. In your view, what steps must the Navy take to regain supremacy in electronic warfare, both offensive and defensive?

Answer. I see electronic warfare as a warfare domain that offers great promise for innovation and experimentation with potential to increase the offensive and defensive capabilities of the Navy/Marine Corps team. Electronic Warfare will make our ships and aircraft hard to find, hard to kill and lethal. To that end, if confirmed, I would support the Navy's continued investment in technologies and policies to leap ahead in the Electronic Warfare domain

JOINT OPERATIONS

Question. Naval operations are becoming increasingly "joint" as marines plan to deploy in larger numbers and on a wider range of ships; the U.S. Army and Air Force begin to invest in counter-maritime capabilities; and air and naval forces continue to develop and implement interoperable capabilities to defeat anti-access and area-denial (A2/AD) networks—a process that started with the Air-Sea Battle Concept in 2010.

How would you characterize your familiarity with how each of the Services organize, train and equip their forces?

Answer. Under title 10, man, train, and equip responsibilities reside with each Service. The challenge remains to produce a more effective operational Joint force. My understanding is that within the Navy and Marine Corps, there is a continuing effort through the Naval Board to align the naval Services when it comes to war gaming and long range planning. The intent is through early and continuous collaboration to improve cross-domain capability and capacity.

Question. Are there other innovative ideas you are considering to increase Joint interoperability and ensure opportunities to improve cross-domain capability and capacity are not missed?

Answer. If confirmed, I will work closely with the other Service Chiefs and combatant commanders to seek new ways to combine forces in adaptive and responsive force packages. I look forward to improving information sharing standards and architectures within the Naval and Joint Forces to enhance interoperability.

INVESTMENT IN INFRASTRUCTURE

Question. Decades of under-investment in installations has led to increasing backlogs of facility maintenance needs, substandard living and working conditions, and has made it harder for the Services to take advantage of new technologies that could increase productivity.

Do you believe the Department of the Navy is investing enough in its infrastructure? Please explain.

Answer. In order to comply with fiscal constraints and maintain operational readiness, the Naval forces have been compelled to continue accepting risk in infrastructure investment and operations. However, if confirmed, I'll remain committed to investing in our Shipyards and Depots and exceeding the minimum 6 percent investment described in 10 USC 2476. I will also support the ongoing prioritization of nuclear weapons support, base security, airport/seaport/range operations, and quality of life programs for our sailors, marines and families. It is essential that we accept risk judiciously by prioritizing life/safety issues and efficiency improvements to existing infrastructure and repairing only the most critical components of our mission critical facilities. By deferring less critical repairs, especially for non-mission-critical facilities, the Department of the Navy is allowing certain facilities to degrade and causing our overall facilities maintenance backlog to increase. This backlog must eventually be addressed.

ACQUISITION REFORM

Question. The National Defense Authorization Act for Fiscal Year 2016 emplaced myriad changes to defense acquisition processes, including reinserting service chief influence and accountability into acquisition processes.

Do you support the acquisition reform provisions in the Fiscal Year 2016 National Defense Authorization Act?

Answer. Yes. I support many of the provisions in the FY 16 NDAA. In particular, I support the legislation that reinforces the roles of the CNO and CMC in decisions regarding the balancing of resources and priorities, and associated tradeoffs among cost, schedule, technical feasibility, and performance on major defense acquisition programs. This legislation is consistent with the Department of the Navy's Gate Re-

view process. This is a collaborative process that involves the CNO and CMC or their representatives throughout the acquisition process.

Question. What additional acquisition-related reforms do you believe the Committee should consider?

Answer. If confirmed, I will work with SECNAV, USD (AT&L), and ASN (RDA) to identify reforms that help the Services more effectively manage program risks and budget uncertainty associated with major defense acquisition programs. I look forward, if confirmed, to working with the Committee to improve these processes.

Question. How can the Department and the Navy better access and integrate commercial and military technology to remain ahead of its potential adversaries?

Answer. Continual sharing of requirements and technological ideas between DON and industry is critical. If confirmed, I will ensure that communication with industry is robust and will continue to seek ideas from large and small businesses by use of existing tools such as the Rapid Innovation Fund (RIF), the Small Business Innovation Research (SBIR) program, and the Small Business Technology Transfer (STTR) program.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Question. Officials of the Department of Defense, including previous Secretaries of the Navy, have advocated for accession to the Law of the Sea Convention.

Do you support United States accession to the United Nations Convention on the Law of the Sea?

Answer. Yes, I strongly support accession to the United Nations Convention on the Law of the Sea. For over thirty years the United States has benefited greatly from the legal regime provided by the Convention. The U.S. position that this complex framework reflects customary international law, and thus the U.S. is entitled to its benefits without accession to the treaty itself is not universally accepted. Accession would eliminate the need for the U.S. to assert that vital portions of the Convention addressing traditional uses of the oceans are reflective of customary international law. Where the Convention broke new ground, such as in the creation of a mechanism for securing international recognition of extended continental shelf claims, the U.S. cannot rely on customary international law to guarantee acceptance of its own extended continental shelf claims, including in the Arctic region. The U.S. should lead in maintaining a stable set of rules for the oceans and not being a party to the treaty prevents us from maintaining a credible position to influence these issues. We should lead in the development of law and policy for oceans and becoming a party to the treaty puts us in the strongest position to do so.

Question. How would you respond to critics of the Convention who assert that accession is not in the national security interests of the United States?

Answer. The ability of our armed forces to operate freely on, over, and above the world's oceans is critical to our national security. The Convention codifies binding tenets of international law that are essential to the global mobility and operations of our military. These include the right of unimpeded transit passage through straits used for international navigation, the twelve nautical mile limitation on the maximum breadth of the territorial sea, and the reaffirmation of sovereign immunity for our warships. As a maritime nation, free access to the oceans has always been critical to our security and economic well-being. Becoming a party to the Convention provides us with a credible position to raise issues and concerns for the freedom of navigation under which maritime commerce is able to move safely and securely on ships around the world.

Question. In your view, what impact, if any, would U.S. accession to the Law of the Sea Convention have on ongoing and emerging maritime disputes such as in the South China Sea and in the Arctic?

Answer. Events in the South China Sea and the Arctic are illustrative of the significant and increasing pressures on the maritime environment. This calls for United States leadership. Unfortunately, we are the only permanent member of the United Nations Security Council and the only Arctic nation that is not a party to the Law of the Sea Convention. The Convention provides the only internationally accepted process for nations to establish legal title to a continental shelf beyond 200 nautical miles from their coasts. Only by submitting its claim of an extended continental shelf to the Commission set up under the Convention can the U.S. guarantee international acceptance of its claim to an extended continental shelf off its coasts, including sovereign rights to potentially vast energy resources in the Arctic. We need to be inside the Convention to bring the full weight of our leadership to influence the resolution of South China Sea and Arctic issues and to have the most effective impact on other future developments in oceans.

U.S. FORCE POSTURE IN THE ASIA-PACIFIC REGION

Question. The Department continues the effort to rebalance toward the Asia-Pacific as announced in the January 2012 Strategic Defense Guidance.

Are you satisfied with the rebalance efforts to date?

Answer. Thus far, I am satisfied with the Navy and Marine Corps rebalance efforts to date as part of a longer term plan. These plans have and will continue to result in a significant adjustment in U.S. Navy force structure and capabilities in the Asia-Pacific region.

Question. What do you see as the U.S. security priorities in the Asia-Pacific region over the next couple of years and what specific Navy and Marine Corps capabilities or enhancements are needed in to meet those priorities?

Answer. Our U.S. regional priorities remain a) preservation of a rules-based international order, b) regional stability, and c) enhanced alliance/partner relationships. Naval forces contribute significantly to all three with their credible forward presence, which contributes to conventional deterrence against aggressive behavior. In order to protect our interests, the U.S. faces a range of challenges in the Asia-Pacific region, including provocations by North Korea and the growth of its ballistic missile programs, as well as China's expansion into the Pacific and Indian oceans, supported by their rapidly growing navy. Our naval capabilities, including our strategic deterrent, must be modernized to continue supporting the stability essential to this region's significant contributions to the global economy. Moreover, we require sufficient capacity (ships, subs and tactical aviation) to be able to sustain deployed and lethal naval forces.

ANTI-ACCESS/AREA DENIAL

Question. Over the past few years, much has been made of the emerging anti-access and area denial capabilities of certain countries and the prospect that these capabilities may in the future limit the U.S. Navy's freedom of movement and action in certain regions.

Do you believe emerging anti-access and area denial capabilities are a concern?

Answer. Yes. The development and proliferation of advanced systems that can sense, target and strike Naval assets at increasing ranges and accuracy is a vital concern to me. If confirmed, I will work with other defense leaders and leaders in industry to develop technologies and concepts of operations that assure all-domain access by the joint force.

Question. If so, what do you believe the Navy and Marine Corps need to be doing now and in the next few years to ensure continued access to all strategically important segments of the maritime domain?

Answer. The free use of the maritime commons is critical to the global economic system and U.S. national interests. I believe the Navy should continue to first and foremost be present and exercise freedom of navigation in international waters and to reassure our allies and partners. Further the Navy and Marine Corps must continue to develop new concepts, platforms, and technologies that can effectively address this emerging threat to access. The marines should continue their work to creatively adapt their operating concepts for more distributed maneuver into contested littoral areas.

CHINA ASSERTIVENESS

Question. How has China's aggressive assertion of territorial and maritime claims, particularly in the South China Sea and East China Sea, affected security and stability in the region?

Answer. China's actions in the South and East China Seas, as well as its rapid military modernization and growing defense budgets, have led many in the region, including the U.S., to question its long-term intentions. China has still not clarified its 9–Dash Line claim, and it continues to conduct land-reclamation and construction activities in the South China Sea. Such behavior has been destabilizing for the region and has increased the risk of miscalculation or conflict among regional actors. Our allies and partners in the region are increasingly looking to the U.S. for leadership and support in the face of these challenges, and so our response to China's challenges to the international maritime order should be firm and consistent.

CHINA

Question. What is your assessment of the current state of the United States-China military relationship?

Answer. The United States-China military-to-military relationship is a critical component of our overall bilateral relationship and an important aspect of our re-

gional maritime strategy. Right now, I believe the military relationship is contributing to stability in the region. This stability allows us to increase cooperation on areas of overlapping interests, while improving our ability to manage other aspects of the security relationship responsibly. The broader bilateral relationship can improve through strengthening trust and transparency between the two militaries, without sacrificing operational security.

Question. What are your views regarding China's interest in and commitment to improving military relations with the United States?

Answer. While I have had very little interaction with Chinese military leaders, my understanding is that China's leadership understands that as they increase their interaction throughout the region, they have a shared interest with the United States in preserving lines of communications to maximize common interests and minimize miscalculations.

Question. What is your view of the purpose and relative importance of sustained defense-to-defense relations with China?

Answer. I believe China recognizes the U.S. will have an enduring presence in the Pacific and therefore has a clear interest in sustaining military-to-military contacts. If confirmed, I will continue to use the military relationship as a tool to build sustained and substantive dialogue, develop areas of practical cooperation, and manage competition in a way that protects national interests and supports overall stability in the relationship and the Asia-Pacific region.

UNMANNED SYSTEMS

Question. The Navy's current plan for the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) system aircraft is to develop an airframe optimized for unrefueled endurance (14 hours) and the ISR mission.

Given the combat radius of the planned carrier air wing, are you concerned the Navy's aircraft carriers will lack the ability to project power at relevant distances, given emerging anti-access/area-denial threats?

Answer. Yes, I am concerned. Rapidly evolving technological and security environments require the Department of the Navy to continually work to develop new concepts and technologies. If confirmed, I will work with Navy leadership to ensure there is an integrated and affordable approach to assessing warfighting capabilities of the entire Air Wing.

STRATEGIC THINKING

Question. How do you plan to foster a dedicated, educated, and assigned group of strategic thinkers and planners who rise to the rank of flag rank officer?

Answer. The strength of our Navy and Marine Corps team remains its people. If confirmed, I will provide the Secretary my frank assessment of the existing professional and educational opportunities available to our officer cadre within each of their respective career paths, and will make recommendations regarding any changes necessary to ensure the best strategic thinkers and planners are developed and nominated.

The Navy and Marine Corps must improve their ability to develop senior leaders who are able to formulate and implement strategy. The promotion and selection processes are effective at choosing accomplished officers, well versed in operational-level planning, programming and engineering thinking, but may not always pick officers for executive positions who are skilled in the strategic arts. Today's geo-strategic environment demands we have military leaders who can ensure that programs and technologies are linked to strategy and concepts of operations that are focused on what it takes to secure America's strategic interests around the world.

The CNO and CMC began initiatives to enhance the strategic education of officers, and added an officer subspecialty for strategy. I will work with them to support these efforts and investigate the possibility of creating a cadre of strategists who have strategy development and implementation as their primary specialty and whose career paths place them in billets where their intellectual contributions will have a cascading effect on the overall direction of the Navy and Marine Corps.

CONVENTIONAL VS. NUCLEAR DETERRENCE

Question. What role do you see for the Navy and Marine Corps in conventional deterrence?

Answer. Naval forward presence is critical to conventional deterrence. Captured in the phrase that the Navy is "where it matters, when it matters" is the ability of our entire Navy/Marine team to operate forward with combat credible forces to enhance stability and deter undesired behavior. Our flexible forward-deployed posture materially contributes to deterrence and generates crisis response options.

Question. How do strategic and conventional deterrence complement one another?

Answer. Strategic and conventional deterrence are complementary. Our nation's strategic deterrent has been a bedrock of peace and stability, precluding major wars for over 50 years. The Navy's contribution to this is the SSBN force, which has provided a survivable and responsive capability and 100 percent alert coverage since the 1960s. The force recently celebrated its 4,000th strategic deterrent patrol. Complementing this strategic deterrent our conventional naval forces are present to been seen and to reassure our partners that we have a global reach that protects the international system. Both work in tandem with the Joint force to guarantee stability.

OFFSET TECHNOLOGIES

Question. During the Cold War, the DOD pursued three key technologies to offset the numerical superiority of Soviet conventional forces: precision guided munitions, stealth technology, and satellite-based navigation. These three technologies have given U.S. forces unparalleled superiority until now. However, with advancements by our emerging adversaries, it seems like the military technological superiority is beginning to erode. As a result, it is critical that the United States once again focus on offsetting the erosion of our technology advantages being achieved by our potential adversaries.

Question. Which technology priorities do you believe the Navy and Marine Corps should be pursuing to maintain the military technological superiority of the United States?

Answer. Our adversaries are indeed pursuing and increasing their investments in military modernization programs that threaten our technological superiority. If confirmed, I believe we should focus on affordable technology priorities that develop a more capable and ready force, and capabilities broadly applicable to a wide variety of threat. In addition, we should investigate using advanced capabilities in new innovative ways to help us meet our military objectives. In particular, I believe that key warfighting areas such as power projection, electronic warfare and cyber, anti-access/area denial (A2AD), air warfare, and undersea warfare are all important priorities. I would place special emphasis on unmanned systems.

Question. What strategies would you recommend be implemented to develop these technology priorities?

Answer. I would recommend we focus on prioritizing development of advanced capabilities and looking at how we can use them differently in a more innovative fashion to gain a warfighting advantage. For the longer term, I would recommend planning our research and development efforts to focus on future threats and how to address them.

Question. What role should the services play in their development?

Answer. The Services need to work collaboratively with the Department of Defense, as well as other government agencies, industry, universities, labs, think tanks, and partner nations. The faster cycle time of technology advancement today demands that we share the vibrant innovation across all entities in order to stay competitive. By working together and sharing the strengths each brings to the table, the Services can find synergies to apply to the joint fight.

SCIENCE AND TECHNOLOGY

Question. If confirmed, what direction would you provide regarding the importance of innovative defense science and technology in meeting Department of the Navy missions?

Answer. S&T investments provide the underpinning for assurance that our naval forces retain and widen our technological superiority in naval warfare. If confirmed, I will work with Navy leadership to properly invest in innovative defense science and technology; increase rapid prototyping and experimentation to expedite fielding of new and advanced warfighting capabilities; and advocate pursuit of game changing science and technology discoveries to spawn the development and realization of new operational concepts.

Question. Do you believe the current balance between short- and long-term research is appropriate to meet current and future Navy needs?

Answer. I believe that we must maintain a balance across our R&D investments to ensure our current Fleet is equipped with the capabilities they need today, to maintain the Navy and Marine Corps operational advantage by developing and fielding next generation weapon systems to change the face of future naval warfare and avoid technological surprise by aggressively pursuing high risks R&D initiatives. I also believe an increase in rapid prototyping and experimentation with the

Fleet will help to inform the Department's R&D budget and ultimately deliver the capabilities our naval forces need today and well into the future.

Question. What role would you have in helping the Department implement the nascent Third Offset Strategy?

Answer. If confirmed, I will work closely with DOD and Navy and Marine Corps leadership to ensure we are providing the right strategic direction, that we are rigorously exploring innovative operating concepts via wargaming, and prioritizing our S&T investments in support of the ongoing innovation programs in the Department of the Navy that support the Third Offset Strategy.

TECHNICAL WORKFORCE

Question. A significant challenge facing the Department of Defense today is an impending shortage of high quality scientific and engineering talent to work at Defense laboratories and technical centers.

In your view, what are the pros and cons of having Active Duty Navy and Marine Corps personnel trained and working as scientists and engineers within the Department of the Navy research and acquisition system?

Answer. Active duty Navy and Marine Corps personnel in many cases have the best understanding of the performance requirements of defense systems and platforms. In the capacity of scientists and engineers, sailors and marines who understand both the operational environment and the technical dimensions of acquisition decisions will be able to positively influence future acquisition requirements. Having the end-user actively engaged in developing technology and defining requirements may also help shorten the acquisition timeline. The challenge to the DON is the availability of sailors and marines to fill new positions as scientists and engineers.

Question. How would you ensure that directors of labs in your service have the tools they need to dynamically shape their S&T workforce?

Answer. I am aware that laboratory directors currently have authorities to rapidly respond to emerging technology threats through the Naval Innovative Science and Engineering (NISE) program which allows the directors to make investments in basic and applied research, technology transition, workforce development, and laboratory revitalization. In addition, I am aware that the laboratory directors have direct hiring authority to hire key scientists and engineers quickly. If confirmed, I will work with Navy leadership to continue to identify ways to build upon these policies and others to ensure the S&T workforce is equipped with the tools, facilities, knowledge and experience to maintain technological superiority over emerging threats.

TEST AND EVALUATION ISSUES

Question. What do you see as the role of the developmental and operational test and evaluation communities with respect to rapid acquisition, spiral acquisition, and other evolutionary acquisition processes?

Answer. The developmental and operational test and evaluation communities play valuable roles in rapid acquisition, spiral acquisition or evolutionary acquisition. For these various acquisition processes, testing will help in obtaining useful knowledge to support systems development, make programmatic acquisition decisions, and inform users about the system's operational characteristics and performance.

Question. What are your views on the appropriate roles of OSD developmental and operational testing organizations with respect to testing of Navy and Marine Corps systems?

Answer. OSD test organizations can provide useful inputs on test and evaluation, participate on acquisition program test and evaluation working groups, and provide constructive critiques in their evaluations of system performance.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of the Navy?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

BEST VALUE CONTRACTING

1. Senator AYOTTE. Dr. Davidson, there has been a recent trend in some of the Services to buy more products through Lowest Price Technically Acceptable (LPTA) and reverse auction acquisition methods. I have become aware of cases where these methods have even been used for the procurement of personal protective equipment where safety and quality are critical and the failure of the item could result in combat casualties. Our troops, who put their lives on the line for our freedom and security, should not be sent into harm's way with the cheapest equipment, but rather the best. In combat, as well as in training, quality personal protective equipment can prevent serious injuries and can even be the difference between life and death for our servicemembers. That is why I worked to include section 884 in this year's NDAA, which was recently signed into law. This provision requires the Secretary of Defense to ensure that the Services, in procuring an item of personal protective equipment or a critical safety item, use source selection criteria that is predominately based on technical qualifications of the item, if the level of quality or failure of the item could result in death or severe bodily harm to the servicemember. If confirmed, will you review this provision in the NDAA and ensure that your Service complies with this law?

Dr. DAVIDSON. If confirmed as the Under Secretary of the Navy, my number one priority will always be to keep our sailors and marines safe. In this regard, nothing is more important than buying high quality personal protective equipment. I will ensure that the Department of the Navy complies with section 884 of this year's NDAA.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

REBALANCE TO THE ASIA-PACIFIC

2. Senator HIRONO. Dr. Davidson, I am very concerned with ensuring that our Rebalance to Asia-Pacific is more than just rhetoric. What are your views on advancing a tangible rebalance?

Dr. DAVIDSON. The plan in execution by the Department of Defense will meet the objectives of the broader U.S. Government effort to rebalance to the Asia Pacific. I understand that the Navy is on track to position 60 percent of its forces in the region by 2020. It is also my understanding that the Navy is deploying its most cutting-edge technology to the Pacific, including the advanced *Zumwalt* destroyer, the latest *Virginia*-class submarine, the P–8 maritime patrol aircraft, the E–2D airborne early warning aircraft, the joint strike fighter (F–35), and USS *Ronald Reagan* (CVN 76) aircraft carrier homeported in Japan. The Marine Corps retains a robust presence in the region, including a sustained forward presence in Okinawa and new rotations to Darwin, Australia.

3. Senator HIRONO. Dr. Davidson, in your opinion, how are we doing in reassuring our partners and allies in the region that we are serious about the Rebalance and what else should we be doing?

Dr. DAVIDSON. I believe that our persistent forward presence, capability, and institutional capacity facilitates robust naval activity in the region that deepens alliances, strengthen partnerships, builds strategic relationships, sharpens U.S. warfighting competence, and enables prompt and ready response to conflict and natural disaster contingencies. I understand that the Navy is developing interoperability and building partner capacity across the Asia Pacific region through coopera-

tive deployments as well as leading over 170 exercises and 600 training events annually with allies and partner nations.

ENERGY SECURITY

4. Senator HIRONO. Dr. Davidson, I believe energy security is a vital component to our overall national security. Do you believe the Department of Defense (DOD) has a role to play in U.S. energy security and could you comment on how you view energy security as tied to our overall national security?

Dr. DAVIDSON. The Department of Defense's ability to provide for the national security depends on having assured access to reliable energy supplies and using that energy as efficiently as possible to maximize our capabilities. The Navy and Marine Corps' mission is to provide global presence to ensure stability, deter potential adversaries, and provide options in times of crisis. Assured access to energy is critical to that mission as well. I support the Department of the Navy's efforts to transform how it uses energy to maximize strategic options, boost combat effectiveness, and better protect our sailors and marines.

ENERGY EFFICIENCY INITIATIVES

5. Senator HIRONO. Dr. Davidson, I applaud DOD's work on energy efficiency initiatives including alternative and renewable energy projects. If confirmed, will you commit to continuing the administration's efforts to expand alternative and renewable energy initiatives?

Dr. DAVIDSON. Yes. I will support Department of the Navy efforts to develop renewable energy and energy efficiency projects because they are critical to improving our energy security and warfighting capability.

LONG TERM PER DIEM

6. Senator HIRONO. Dr. Davidson, the work that the men and women of our Services do, including our DOD civilians, is critical to our national security. While I support DOD's efforts to seek cost efficiencies, I am deeply concerned by the potential impact that cutting per diem for long-term temporary duty may be having on the hardworking men and women of our Services and their ability to focus on their mission. If confirmed, will you work to ensure that the men and women who work away from home for extended periods of time will not be required to pay out-of-pocket for their travel and that the Services will be provided the flexibility needed to support these hardworking members and civilians and that necessary temporary duties (TDY) go empty because of the new long-term TDY per diem policy?

Dr. DAVIDSON. I concur that we need to support the efforts of our hardworking men and women who work away from home for extended periods of time. As I understand it the intent of the new per diem policy was for individuals who were on longer term TDY to plan for lodging arrangements that would take advantage of the extended stay and select temporary lodging that on a per day basis would be less expensive than if their stay was for a short duration. If I am confirmed, I will look into the impact of this policy on the out of pocket expenses of our military and civilian travelers.

[The nomination reference of Dr. Janine Anne Davison follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 21, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Janine Anne Davidson, of Virginia, to be Under Secretary of the Navy, vice Robert O. Work, resigned.

[The biographical sketch of Dr. Janine Anne Davidson, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JANINE A. DAVISON

Education:

- University of Colorado, Boulder
  - Attended: 1984–1988
  - Degree Granted: Bachelor of Science, Architectural Engineering
  - Degree Received: May 1988
- University of South Carolina
  - Attended: 1998–2005
  - Degree Granted: Doctor of Philosophy, International Studies
  - Degree Received: December 2005
  - Degree Granted: Masters of Arts, International Studies
  - Degree Received May 2002

Employment Record:

List all jobs held since college including title or description of job, name of employer, location of work, and dates of employment.

Council on Foreign Relations, Washington, DC
- Senior Fellow, Defense Policy
- January 2014–present.

Georgetown University, Washington, DC
- Adjunct Professor
- January 2015–May 2015.

George Mason University, Arlington, VA
- Assistant Professor
- August 2008–May 2009; and August 2012–January 2014.

Center for New American Security, Washington DC
- Non-Resident Senior Fellow
- 2013–2014.

Department of Defense, Pentagon, Washington, DC
- Deputy Assistant Secretary of Defense for Plans
- April 2009–March 2012.

Center for New American Security, Washington DC
- Non-Resident Senior Fellow
- 2013–2014.

Brookings Institution, Washington, DC
- Non-Resident Fellow
- August 2008–April 2009.

Northwestern University Medill School of Journalism, Washington DC campus
- Adjunct Professor
- 2008

Office of the Deputy Assistant Secretary of Defense for Stability Operations, Pentagon, Washington, DC
- Director, Stability Operations Capabilities
- May 2006–June 2008

George Mason University, Arlington, VA
- Adjunct Professor
- 2005–2006.

Hicks and Associates, Arlington, VA
- Director, Counterinsurgency Studies
- 2005–2006

DFI International, Washington, DC
- Associate
- 2003–2004

United States Air Force
- Captain
- 1988–1998

Honors and Awards:

Military Awards
- 1995 Distinguished Graduate, Air Force Squadron Officers School.
- 1994 Instructor of the Year, 12th Flying Training Wing.
- 1990–1998 Air Force Medals: Air Force Commendation, Air Force Achievement, National Defense, SW Asia.
- 1986 Air Force Vice Commandant Award for Leadership.
- 1984–1988 Undergraduate Academic Scholarship, 4-year Air Force ROTC.

Federal Civilian Awards
- 2012 Secretary of Defense Medal for Outstanding Public Service.

- Academic Awards
  - 2010 Distinguished Alumnus Award, College of Arts and Sciences, University of South Carolina.
  - 2006 Dissertation Award, Committee for the Analysis of Military Operations and Strategy, American Political Science Association (APSA).
  - 2003 Pre-Doctoral in-Residence Foreign Policy Fellowship, Brookings Institution, Washington, D.C.
  - 2001 Governor John C. West Fellowship.
  - 1998, 1999, 2000 Graduate Student Fellowship, USC Graduate School

Other Awards

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by the Dr. Janine Anne Davidson in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Janine Anne Davidson.

2. **Position to which nominated:**
Under Secretary of the Navy.

3. **Date of nomination:**
September 21, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
April 24, 1966, Oxnard, CA.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to David J. Kilcullen.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Undergraduate:
University of Colorado, Boulder
Attended: 1984–1988

Degree Granted: Bachelor of Science, Architectural Engineering
Degree Received: May 1988

W.T. Woodson High School, Fairfax, VA
Attended: 1981–1984
Degree Granted: High School Diploma Degree
Received: June 1984

Graduate:
University of South Carolina
Attended: 1998–2005
Degree Granted: Doctor of Philosophy, International Studies
Degree Received: December 2005
Degree Granted: Master of Arts, International Studies
Degree Received May 2002

9. **Employment Record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Council on Foreign Relations, Washington, DC
Senior Fellow, Defense Policy
January 2014–present

Georgetown University, Washington, DC
Adjunct Professor
January 2015–May 2015

J9 Consulting, LLC, Falls Church, VA
Managing Member
March 2014–present

C2 Technologies, Vienna, VA
Consultant
July 2013–June 2014

George Mason University, Arlington, VA
Assistant Professor
August 2008–May 2009; and August 2012–January 2014

Center for New American Security, Washington DC
Non-Resident Senior Fellow
2013–2014

Department of Defense, Pentagon, Washington, DC
Deputy Assistant Secretary of Defense for Plans
April 2009–March 2012

Brookings Institution, Washington, DC
Non-Resident Fellow
August 2008–April 2009

Northwestern University Medill School of Journalism, Washington DC campus
Adjunct Professor
2008

Office of the Deputy Assistant Secretary of Defense for Stability Operations, Pentagon
Washington, DC

Director, Stability Operations Capabilities
May 2006–June 2008.

George Mason University, Arlington, VA
Adjunct Professor
2005–2006.

SAIC, Arlington, VA
Director, Counterinsurgency Studies
2005–2006

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Reserve Forces Policy Board
Member
March 2015–present

Senior Advisors Group for General Phillip Breedlove, Supreme Allied Commander Europe
Member/lnformal

July 2014–present

Under-Secretary of Defense for Policy, Department of Defense
Consultant
May 2012–present

National Commission on the Structure of the Air Force
Commissioner
May 2014–April 2015

Presidential Transition Team, Defense Department, Washington DC
Member
November 2008–January 2009

Officer and Senior Pilot, United States Air Force
1988–1998

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

J9 Consulting LLC: Sole Owner and Managing Member/inactive.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Board of Advisors, Truman National Security Project, since 2013.

Council on Foreign Relations, Life Member since 2008.

13.**Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

N/A.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Re-elect Barak Obama 2012, National Security Policy volunteer.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

$1,500.00 Hillary for President 2015.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

2012 Secretary of Defense Medal for Outstanding Public Service.

2010 Distinguished Alumnus Award, College of Arts and Sciences, University of South Carolina.

2006 Dissertation Award, Committee for the Analysis of Military Operations and Strategy, American Political Science Association (APSA).

2003 Pre-Doctoral in-Residence Foreign Policy Fellowship, Brookings Institution, Washington, D.C.

2001 Governor John C. West Fellowship.

1998, 1999, 2000 Graduate Student Fellowship, USC Graduate School.

1995 Distinguished Graduate, Air Force Squadron Officers School.

1994 Instructor of the Year, 12th Flying Training Wing.

1990–1998 Air Force Medals: Air Force Commendation, Air Force Achievement, National Defense, SW Asia.

1986 Air Force Vice Commandant Award for Leadership.

1984–1988 Undergraduate Academic Scholarship, 4-year Air Force ROTC.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

PUBLICATIONS

Book

Lifting the Fog of Peace: How Americans Learned to Fight Modern War, 2010, University of Michigan Press, 256 pages.

Articles and Book Chapters:

"Obama's Last National Security Strategy: The President and Philosopher," ***Foreign Affairs Snapshot***, (March 2, 2015). http://www.foreignaffairs.com/articles/143207/janine-davidson/obamas-last-national-security-strategy.

"Retrench or Rebalance: America's Evolving Defence Strategy," ***Chatham House***, September 2014. http://www.chathamhouse.org/sites/files/chathamhouse/field/field_document/20140902RetrenchorRebalanceDavidson.pdf

"Thinking the Unthinkable in Ukraine," ***The National Interest***, March 20, 2014.

"Civil-Military Friction and Presidential Decision-Making: Explaining the Broken Dialogue," ***Presidential Studies Quarterly***, 43, no. 1 (March 2013), pp 129-145.

"Defense Priorities for President Obama's Second Term," Chapter for *The Next Chapter: President Obama's Second-Term Foreign Policy*, edited by Xenia Dormandy, ***Chatham House***, (January 2013) pp. 31-36. Co-authored with Shawn Brimley.

"Obama's New Global Posture: The Logic of U.S. Foreign Deployments," ***Foreign Affairs***, Volume 91, No. 4 (July/August 2012), PP. 54-63. Co-authored with Michèle Flournoy.

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"U.S. Global Policy and the Future of International Institutions," Report of the Next Generation Project Midwest Assembly, Chicago, IL, October 18, 2007. One of seven writers and discussion leaders of the year-long project sponsored by the American Assembly. (http://americanassembly.org/event/next-generation-project-midwest-assembly).

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

N/A.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to Congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this Committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

JANINE A. DAVIDSON

This 12th day of November, 2015

[The nomination of Dr. Janine Anne Davidson was reported to the Senate by Chairman McCain on December 18, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 17, 2016.]

[Prepared questions submitted to the Honorable Lisa S. Disbrow by Chairman McCain prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Committee has recently held a series of hearings on defense reform. What modifications of Goldwater-Nichols Department of Defense Reorganization Act of 1986 provisions, if any, do you believe would be appropriate?

Answer. I have no specific suggestions for modifications to the Goldwater-Nichols legislation at this time, but I agree with the overall goal of defense reform: to ensure the effective employment of our Nation's Armed Forces. The Secretary of Defense is carefully examining this issue and if confirmed I will support that effort. Also, if I am confirmed and identify areas that merit reform, I will propose those changes through the appropriate established process.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I believe that my 30 years of combined leadership, policy, and requirements with the Department of Defense has prepared me to serve as the Under Secretary of the Air Force. I've been a member of the Air Force, both in uniform and civil service, since earning my commission from Officer Training School in 1985.

In my current position as Assistant Secretary of the Air Force (Financial Management & Comptroller), I am responsible for the efficient and effective management of Air Force resources and providing for the welfare for more than 664,000 active duty, Guard, Reserve and civilian airmen and their families. Before that, I served as the Vice Director for Force Structure, Resources and Assessment on the Joint Staff. There, I was responsible for developing future warfighting capabilities; conducting joint force structure and warfighting studies; evaluating Department of Defense plans, programs, and strategies for the Chairman of the Joint Chiefs of Staff.

If confirmed as Under Secretary of the Air Force, I look forward to continuing to apply this experience in support of the Air Force, airmen and their families.

DUTIES

Question. Section 8015 of title 10, United States Code, states the Under Secretary of the Air Force shall perform such duties and exercise such powers as the Secretary of the Air Force may prescribe.

What is your understanding of the duties and functions of the Under Secretary of the Air Force?

Answer. The position of the Under Secretary of the Air Force is established by law within the Office of the Secretary of the Air Force. Subject to the Secretary of

the Air Force's direction and control, the Under Secretary exercises the full authority of the Secretary to conduct the affairs of the Department of the Air Force (except as limited by law, regulation or limitations imposed by the Department of Defense or the Secretary of the Air Force). The Under Secretary also serves as the Chief Management Officer of the Air Force.

Question. What recommendations, if any, do you have for changes in the duties and functions of the Under Secretary of the Air Force, as set forth in section 8015 of title 10, United States Code, or in Department of Defense regulations pertaining to functions of the Under Secretary of the Air Force?

Answer. At this time, I am unaware of any reason to change the duties and functions of the Under Secretary as set out in title 10 and pertinent Department of Defense regulations. If I am confirmed and I identify areas that I believe merit changes, I will propose those changes through the appropriate established processes.

Question. Assuming you are confirmed, what additional duties, if any, do you expect will be prescribed for you?

Answer. If confirmed, I look forward to working with the Secretary of the Air Force to further her vision and goals for the Air Force. I expect the Secretary to prescribe duties for me relating to the Under Secretary of the Air Force's responsibilities, particularly in the role of Chief Management Officer.

Question. Section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, directs the Secretary of a military department to designate the Under Secretary of such military department to assume the primary management responsibility for business operations.

What is your understanding of the business operations responsibilities of the Under Secretary of the Air Force?

Answer. It is my understanding that the business operations responsibilities of the Chief Management Officer, consistent with section 904 of the National Defense Authorization Act for Fiscal Year 2008, include the following: ensuring the Air Force's capability to carry out the Department of Defense's strategic plan in support of national security objectives; ensuring the core business missions of the Department of the Air Force are optimally aligned to support the Department's warfighting mission; establishing performance goals and measures for improving and evaluating overall economy, efficiency, and effectiveness and monitoring and measuring this progress; and working with DOD's Chief Management Officer to develop and maintain a strategic plan for business reform.

Question. How do you perceive your role in setting the agenda for the Air Force Deputy Chief Management Officer?

Answer. If confirmed, I expect the Secretary to prescribe duties for me relating to the Under Secretary of the Air Force's responsibilities as the Chief Management Officer. In turn, I will appropriately set the agenda for the Deputy Chief Management Officer (DCMO). The Air Force recently re-designated the DCMO role, along with the Office of Business Transformation, as the Deputy Under Secretary of the Air Force, Management, reporting to the Under Secretary of the Air Force. I expect the DCMO role to continue to include facilitating continuous process improvement across the Air Force and chairing already established working groups that contribute to improvements to the efficiency and effectiveness of the Air Force mission, core competencies and functional areas.

RELATIONSHIPS

Question. If confirmed, what would be your working relationship with:

The Secretary of Defense.

Answer. The Secretary of Defense serves as the principal assistant to the President on all

Department of Defense matters. The Secretary of the Air Force is subject to the authority, direction and control of the Secretary of Defense and the Under Secretary of the Air Force works for the Secretary of the Air Force. The Under Secretary also serves as the Chief Management Officer of the Air Force, the senior energy official, and the focal point for space at the Air Force headquarters. As the focal point of space for the Air Force, the Under Secretary coordinates all of the space functions and activities across the Air Force, and is the primary interface to the Office of the Secretary of Defense for space matters. If confirmed, I would look forward to working closely with the Secretary of Defense and his office on space-related matters, energy issues, and other matters as directed by the Secretary of the Air Force.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense assists the Secretary of Defense in carrying out his duties and responsibilities and performs those duties assigned by the Secretary of Defense or by law. If confirmed, I will work closely with the Deputy

Secretary of Defense on a range of matters. In particular, I would look forward to working with and supporting the Deputy Secretary of Defense in his role as Chief Management Officer of the Department of Defense.

Question. The Chief Management Officer and Deputy Chief Management Officer of the Department of Defense.

Answer. The Deputy Chief Management Officer (DCMO) is the principal staff assistant and advisor to the Secretary of Defense and Deputy Secretary of Defense for matters relating to the management and improvement of integrated Department of Defense business operations. In this role the DCMO is charged with leading the synchronization, integration, and coordination of the disparate business activities of the Department to ensure optimal alignment in support of the warfighting mission. If confirmed, I look forward to building on the close working relationship I established with the DCMO in my current position in my new capacity as the Air Force Chief Management Officer.

Question. The Secretary of the Air Force.

Answer. Subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Air Force is responsible for and has the authority necessary to conduct all affairs of the Department of the Air Force. The Under Secretary of the Air Force is subject to the authority, direction, and control of the Secretary of the Air Force. If confirmed, I expect the Secretary to assign me a wide range of duties and responsibilities involving, but not limited to, organizing, supplying, equipping, training, maintaining, and administering the Air Force. I look forward to working closely with the Secretary as her deputy and principal assistant.

Question. The Chief of Staff of the Air Force.

Answer. The Chief of Staff of the Air Force is directly responsible to the Secretary of the Air Force and performs duties subject to his authority, direction, and control. For the Secretary of the Air Force, the Chief of Staff is responsible for providing properly organized, trained, and equipped forces to support the combatant commanders in their mission accomplishment. The Chief of Staff oversees members and organizations across the Air Force, advising the Secretary on plans and recommendations, and, acting as an agent of the Secretary, implementing plans upon approval. If confirmed, I would foster a close working relationship with the Chief of Staff to ensure that policies and resources are appropriate to meet the needs of the Air Force and respect his additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Vice Chief of Staff of the Air Force.

Answer. The Vice Chief of Staff of the Air Force assists the Secretary of the Air Force and the Chief of Staff of the Air Force in conducting the affairs of the Department of the Air Force, fulfilling duties that the Chief of Staff, with the approval of the Secretary, may delegate to him. The Vice Chief of Staff is also a Co-Chairman of the Air Force Council with the Under Secretary of the Air Force. If confirmed, I look forward to working closely with the Vice Chief of Staff.

Question. The Assistant Secretaries of the Air Force.

Answer. The Assistant Secretaries of the Air Force carry out the goals and priorities of the Air Force. If confirmed, I will assist the Secretary in building a strong team through close relationships and information sharing, and I look forward to working with the Assistant Secretaries to further the Secretary's vision.

Question. The General Counsel of the Air Force.

Answer. The General Counsel (GC) is the senior civilian legal advisor to Air Force senior leaders and all officers and agencies of the Department of the Air Force. The GC serves as the chief ethics official. If confirmed, I look forward to developing a strong working relationship with the GC and his staff.

Question. The Inspector General of the Air Force.

Answer. The Inspector General (IG) of the Air Force is a general officer who is detailed to the position by the Secretary of the Air Force. When directed, the IG inquires into and reports on matters affecting the discipline, efficiency, and economy of the Air Force. He also proposes programs of inspections and investigations as appropriate. If confirmed, I would look forward to developing a good working relationship with the IG.

Question. The Surgeon General of the Air Force.

Answer. The Surgeon General (SG) of the Air Force is the functional manager of the Air Force Medical Service and provides direction, guidance, and technical management of Air Force medical personnel at facilities worldwide. The SG advises the Secretary of the Air Force and Air Force Chief of Staff, as well as the Assistant Secretary of Defense for Health Affairs, on matters pertaining to the medical aspects of the air expeditionary force and the health of Air Force personnel. If confirmed, I would look forward to developing a good working relationship with the SG.

Question. The Judge Advocate General of the Air Force.

Answer. The Judge Advocate General (TJAG) is the senior uniformed legal advisor to Air Force senior leaders and all officers and agencies of the Department of the Air Force and provides professional supervision to TJAG's Corps in the performance of their duties. If confirmed, I will look forward to developing a good working relationship with TJAG and the TJAG staff.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard Bureau is the senior uniformed National Guard officer responsible for formulating, developing, and coordinating all policies, programs, and plans affecting Army and Air National Guard personnel, and is also a member of the Joint Chiefs of Staff. Appointed by the President, he serves as principal adviser to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on National Guard matters. He is also the principal adviser to the Secretary and Chief of Staff of the Air Force on all National Guard issues and serves as the Department's official channel of communication with the governors and adjutants general. If confirmed, I will look forward to developing a good working relationship with the chief of the National Guard Bureau on appropriate matters affecting the Air Force.

Question. The Under Secretaries of the military services

Answer. If I am confirmed, I will work diligently to foster a close working relationship with the Under Secretaries of the Army and Navy. I look forward to sharing information and expertise that will assist in the management of the Department of the Air Force and our coordination with the other Services on matters of mutual interest, particularly in our capacities as Chief Management Officers for our respective Services.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges that will confront the next Under Secretary of the Air Force?

Answer. The Air Force must continue find innovative ways to do the following in the face of continued fiscal challenges: Ensure the Air Force can meet the increasing demand for airpower, while improving our readiness. Modernize air and space capabilities.

Continue to strengthen the nuclear enterprise. Evolve our cyber enterprise.

Address contested and congested Space.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. Ensuring the Air Force can meet the increasing demand for airpower, while improving our readiness requires a multi-faceted approach. A shortfall in Air Force capability has a disproportionately negative effect on the success of the joint force. We have to continue to be agile and innovative to meet the demand for airpower, while also making it affordable. Inclusion across the Air Force components is vital to create the strategic agility required to meet the challenges emerging from strategic uncertainty, fiscal constraints, and rapidly evolving threats. In order to meet our AF goal of 80 percent full spectrum combat readiness by 2023, the Air Force must set end strength commensurate with increasing global requirements; must divest aging platforms and infrastructure in order to free up fiscal resources and experience manpower; and will continue to advocate for funding stability and increased dwell time to sharpen needed skills.

Modernizing air and space capabilities. We must ensure the Air Force can always provide responsive and effective Global Vigilance, Global Reach, Global Power. The Air Force's top three acquisition programs, the F–35, the KC–46 and the long-range strike bomber, are operational imperatives for the joint force of 2025 and beyond. Developing and delivering air superiority must be a multi-domain, technology-driven process focused on capabilities and capacity. Without consistent investment and improvement, continued U.S dominance of the air is in doubt. Rapidly changing operational environments mean we can no longer develop weapon systems on the traditional linear acquisition process. Capability development now requires adaptable, affordable and agile processes with increasing collaboration between our science and technology, acquisition, and requirements professionals, as well as our sister services.

Continue to strengthen the nuclear enterprise. The Air Force provides two legs of the nuclear triad while maintaining forward-based capabilities in support of NATO. Our long-term investment strategy for our nuclear forces is active modernization/recapitalization of Intercontinental Ballistic Missiles, bombers, dual-capable aircraft and associated infrastructure. We will continue to improve the way we do the business of the nuclear mission. These improvements will cultivate a positive culture built on prestige, investment, integrity and excellence at every level.

Evolve our cyber enterprise. The Chief of Staff of the Air Force directed the stand-up of Task Force Cyber Secure, responsible for synchronizing all efforts seeking to improve the security of our information and warfighting systems. The ultimate role of the task force is to enable the Air Force to fly, fight and win in a cyber-contested environment, ultimately increasing the robustness and resilience of critical Air Force systems for core missions in and through cyberspace. Meanwhile, the Air Force must continue to integrate cybersecurity throughout the lifecycle of weapon system development in all mission areas.

Space has become increasingly contested, congested, and a critical enabler of every mission the DOD conducts. We need to continue to improve our space situational awareness capabilities for information collection and processing, while looking at ways to add resilience to our space systems. We must partner with industry and international partners, as a healthy space industrial base is essential to national security and U.S. civil space goals and objectives.

Question. What do you consider to be the most serious problems in the performance of the functions of the Under Secretary of the Air Force?

Answer. I'm unaware of any serious problems in the performance of the functions of the office of the Under Secretary of the Air Force. If confirmed and if I identify any problems as the Under Secretary, I will work tirelessly toward finding and implementing solutions.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. Again, I am unaware of any serious problems in the performance of the functions of the office of the Under Secretary of the Air Force.

DUTIES AND RESPONSIBILITIES AS CHIEF MANAGEMENT OFFICER

Question. Section 904 of the National Defense Authorization Act for Fiscal Year 2008 designates the Under Secretary of the Air Force as the Air Force's Chief Management Officer (CMO). Section 908 of the National Defense Authorization Act for Fiscal Year 2009 requires the CMO of each of the military departments to carry out a comprehensive business transformation initiative.

What is your understanding of the duties and responsibilities of the Under Secretary in the capacity as CMO of the Department of the Air Force?

Answer. The duties and responsibilities of the Under Secretary in the capacity as CMO is to ensure effective and efficient management of Air Force business operations.

Responsibilities of the Chief Management Officer, consistent with section 904 of the National Defense Authorization Act for Fiscal Year 2008, section 908 of the National Defense Authorization Act for Fiscal Year 2009, and the National Defense Authorization Act for Fiscal Year 2010 to include the following: ensuring the Air Force's capability to carry out the Department of Defense's strategic plan in support of national security objectives; ensuring the core business missions of the Department of the Air Force are optimally aligned to support the Department's warfighting mission; establishing performance goals and measures for improving and evaluating overall economy, efficiency, and effectiveness and monitoring and measuring this progress; and working with DOD's Chief Management Officer to develop and maintain a strategic plan for business reform.

Question. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?

Answer. My background and expertise make me uniquely qualified to serve in the capacity the Air Force's Chief Management Officer (CMO). Having served over 30 years in the capacity of a either military officer or DOD civilian, I have arrived at a point where I am confident in my ability to manage Air Force business operations, cultivate AF and OSD-level relationships, and carry out CMO responsibilities as defined in USC, DOD policy, and AF Mission Directives.

Question. Do you believe that the CMO has the resources and authority needed to carry out the business transformation of the Department of the Air Force?

Answer. I believe Congress has given adequate CMO authority to carry out business transformation of the Department of the Air Force. Resourcing is a challenge, allocation has been given for top priorities, such as auditability compliance, but the speed which needed business transformations can be achieved is limited by Air Force budget constraints.

Question. What role do you believe the CMO should play in the planning, development, and implementation of specific business systems by the military departments?

Answer. To directly engage on matters of strategic and implementation importance among my OSD and Service counterparts in the Department. My role includes directing and overseeing the activities of the Air Force Deputy Chief Management

Officer (DCMO) who engages on military departments implementations through the Defense Business Council.

Question. What changes, if any, would you recommend to the statutory provisions establishing the position of CMO?

Answer. At this time, I am unaware of any reason to change the duties and functions of the Under Secretary as set out in title 10 and pertinent Department of Defense regulations. If I am confirmed and I identify areas that I believe merit changes; I will propose those changes through the appropriate established processes.

Question. Section 2222 of title 10, United States Code, requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the Business Transformation Agency has developed the top level architecture while leaving it to the military departments to fill in most of the detail. The Air Force business systems, like those of the other military departments, remain incapable of providing timely, reliable financial data to support management decisions.

If confirmed, what steps, if any, would you take to ensure that the Air Force develops the business systems and processes it needs to appropriately manage funds in the best interest of the taxpayer and the national defense?

Answer. Consistent with section 883 of the National Defense Authorization Act of 2016, I would ensure the process associated with business systems development has been, or is being, reengineered to be as streamlined and efficient as practicable; the system and business system portfolio are or will be in compliance with the defense business enterprise architecture; the system has valid, achievable requirements and a viable plan for implementing those requirements; the system has an acquisition strategy designed to eliminate or reduce the need to tailor commercial off-the-shelf systems; and it is in compliance with the Department's auditability requirements.

Question. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of the Air Force business systems?

Answer. Yes. A comprehensive and integrated enterprise architecture and transition plan are crucial to ensure across the Department of Defense and the Air Force we leverage common solutions to address critical business requirements, reduce duplication, and realize effective mission support in an affordable fashion. Enterprise-wide architectures help us ensure compliance with key, common requirements, such as [SFIS and DPAP data standards. We work closely with the Air Force Chief Information Officer on Air Force Enterprise Architectures and the OSD Deputy Chief Management Officer on Defense Business Enterprise Architecture.

Question. What steps would you take, if confirmed, to ensure that the Air Force's enterprise architecture and transition plan meet the requirements of section 2222?

Answer. Section 2222 of title 10, United States Code, requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the OSD Defense Business Council has developed the top level architecture while leaving it to the military departments to fill in most of the detail.

I would take steps to ensure we continue to evolve Air Force enterprise architectures and transition plans to achieve the requirements of section 2222 and satisfy priority mission and business requirements the Air Force is responsible.

Question. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding managers accountable?

Answer. Timely and accurate financial and business information is essential to managing operations and holding managers accountable. Several ongoing AF business transformation initiatives will improve the timeliness and accuracy of AF financial and business information. We are making key investments, though significantly constrained by budget limitations.

Question. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not routinely available for these purposes?

Answer. We address aspects of this issue with the Air Force DEAMS implementation. In general, if I were presented an issue related to reliable, useful, and timely financial and business information, I would engage our business leaders and my Deputy Chief Management Officer to apply our disciplined process of Services Development and Delivery process to define the problem, needed improvement, and re-

quirements to meet the need. We would ensure we comply with section 2222 as well as any other applicable laws, policies, and regulations pertaining to the financial and business area situation.

Question. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to Air Force managers?

Answer. I envision playing a key leadership and oversight role if confirmed. I will direct and oversee the activities of the Air Force Deputy Chief Management Officer (DCMO) and Air Force Office of Business Transformation, SAF/MG, in carrying out Air Force business transformation initiatives to improve our financial and business processes, information, and capabilities we provide Air Force managers. My primary objective will be ensuring efficient and effective management of Air Force Business operations. I will motivate actions and efforts from major transformation to leveraging airmen front-line innovation.

HEADQUARTERS STREAMLINING

Question. The Fiscal Year 2016 National Defense Authorization Act directs reforms to consolidate the headquarters functions of the Department of Defense and the military departments.

If confirmed, what would be your role in streamlining functions, as well as identifying and implementing reductions in the Department of the Air Force headquarters?

Answer. One of the Under Secretary of the Air Force duties given me by Secretary James, was oversight of the Air Force inputs to the Deputy Chief Management Officer (DCMO) of the Department of Defense's review of the Department's major headquarters. Secretary James and I agree this involvement, as well my past experience as Assistant Secretary of the Air Force for Financial Management and Comptroller and Vice Director for Force Structure, Resources and Assessment on the Joint Staff, position me to effectively chair the internal Air Force group devising options and cost estimates for consolidating and/or eliminating a headquarters.

Question. What areas and functions, specifically and if any, do you consider to be the priorities for possible consolidation or reductions within the Department of the Air Force?

Answer. Since 2010 the Air Force reduced its headquarters and support functions costs so as to not cut deeper in mission forces, readiness, and future military capabilities. In 2010, Secretary Gates gave us a $1.3B O&M savings target for overhead and support functions spending. To hit this savings target between 2010 and 2012 we cut redundancy in next echelon support functions at regional major commands and their subordinate headquarters and centralized common administrative services. In 2013, Secretary Hagel gave us a $0.63B O&M savings target for three Air Force components management headquarters spending across a 5-year period. We went beyond management headquarters and planned to save $ 1.15B O&M across all headquarters and administrative activities over that period. We achieved the major portion of these savings from consolidating and eliminating redundancy between active component headquarters staffs through business process re-engineering for planning, programming, budgeting, and execution (PPBE), acquisition, cyber and intelligence, surveillance and reconnaissance (ISR) management as well as installation and mission support. A smaller yet still significant portion was tied to planned force structure reductions in our fiscal year 2015 budget.

The Air Force has already achieved savings in our headquarters by consolidating responsibilities of Major Commands (MAJCOMs) and Numbered Air Forces (NAFs). However, to achieve more savings than we already have planned, we need to have a reduction in the demand signal from the combatant commands as well as force structure reductions.

Question. To the extent that the Department of the Air Force has functions that overlap with the Department of Defense, Joint Staff, or military departments, what would be your approach to consolidating and reducing redundancy?

Answer. One of the observations from the major headquarter activities review led by OSD DCMO is the variance between Department of Defense components on functions done at the headquarters vice units a couple echelons down from the headquarters. With this, we may be able to consolidate certain functions across organizations and divest the workload to lower organizational level units as a cost savings. Additionally, we are engaged in Secretary Carter's review of the 1986 Goldwater-Nichols Act and believe efficiencies are possible in our current joint headquarters structure.

COMBAT AIR FORCES CAPACITY

Question. According to the force sizing construct in the 2012 Defense Strategic Guidance and the 2014 QDR, U.S. forces should be able to "defeat a regional adversary in a large-scale multi-phased campaign, and deny the objectives of—or impose unacceptable costs on—another aggressor in another region."

In your opinion, is OSD's force sizing construct an adequate approach for the Air Force given the dynamics of the current and projected geostrategic and fiscal environments?

Answer. Yes, the force sizing construct, which also includes homeland defense and supporting global counter-terror operations, is an adequate approach to address the challenges of the current and projected environment. The dynamic fiscal environment does not change the force required to meet this construct, but does present challenges to the Air Force in how we can best achieve the necessary balance of force readiness, capacity and capabilities required by the construct.

Question. In your view is the Air Force accepting higher risk with the current strategy; can it execute the strategy, or are increased resources required by the Air Force with regard to airpower capability and capacity?

Answer. Yes, increased resources would help the Air Force address this problem and be an appropriate response to the continuous demands placed upon the Air Force. The Joint Force has become dependent on the Air Force to provide air superiority, airborne ISR, precision strike, space-based navigation and surveillance, cyberspace access, rapid global mobility, and the command and control that integrates Joint Force airpower. As a result, capability, capacity, and readiness issues pose a complex problem that could make it difficult for the Air Force—and the Joint Force—to execute the current strategy.

Question. Based on the current defense strategy, defense planning scenarios, and force-sizing construct, what are your views on the ability of the Air Force to meet current and future combatant commander requirements with regard to combat fighter, bomber, and joint enabler force structure capacity?

Answer. Today's Air Force is smaller, older, and less ready than at any time in its history. Our sister services have gained some breathing space to reconstitute and modernize after the reduction of land forces in Iraq and Afghanistan; however, after 25 years of deployments, the Air Force remains engaged in sustained ISR operations around the world, as well as combat air operations in Iraq and Syria. These operations have consumed readiness and prematurely aged combat systems. The Air Force strives to balance capability, capacity, and readiness in order to provide a force that is both sized and shaped to meet the strategy. Absent any additional resources, it will be difficult to meet the demands of future combatant commander requirements with regard to combat fighters, bombers and joint enablers.

LONG RANGE STRIKE—BOMBER (LRS–B)

Question. The Air Force recently awarded the largest development contract in several decades for a new strategic bomber.

In your view, what capabilities does the LRS–B provide in the future that the Air Force doesn't already have in its current bomber force, other than a newer platform?

Answer. In the near future, all legacy bombers will have increased mission degradation in contested environments and the AF must develop the LRS–B now to ensure we maintain the capability to counter emerging threats. The LRS–B will provide the ability to penetrate modern air defenses to accomplish objectives despite an anti-access/area denial environment. While providing long range, mixed payload and ability to be highly survivable in heavily defended airspace and attack targets without prohibitive losses, the LRS–B is able to support of national security objectives.

The LRS–B will support the nuclear triad providing a visible and flexible nuclear deterrent capability that will assure allies and partners. Additionally, the LRS–B is one part of a family of systems portfolio—including ISR, electronic warfare, prompt strike, communications, and weapon effects.

Furthermore, the LRS–B is being designed to have an open architecture, able to integrate new technology and respond to future threats across the full spectrum of operations. This emphasizes supportability to enable continued competition and long term affordability for this platform across the life cycle.

Question. Secretary Gates cancelled the previous "Next Generation Bomber" program in 2007 over concerns of cost growth and schedule risk. In your opinion, what steps did the Air Force take with the establishment of the LRS–B program to assuage those concerns?

Answer. The guiding principles for the LRS–B program focused on keeping the design simple in order to reduce system and programmatic complexity. This funda-

mental to this approach is having stable and achievable requirements, and we have kept these stable. We are achieving these requirements by leveraging experience from other programs and through the re-use of existing and mature technologies to minimizing new technology development and risk.

Additionally, the establishment of a firm Average Procurement Unit Cost (APUC) requirement, not previously done on a major aircraft development program, kept the affordability as a constant focus area and restrained desires to adjust requirements. Other steps taken include LRS–B being designed to have an open architecture, able to integrate new technology and respond to future threats across the full spectrum of operations. This emphasizes supportability to enable continued competition and long term affordability for this platform across the life cycle.

Question. What is your assessment of the acquisition strategy for the LRS–B and how does it provide the best value for the American taxpayer?

Answer. From the beginning of the program there has been a focus on the lifecycle costs—manufacturing, sustainment and upgrade potential—to ensure that we could not only develop and procure the LRS–B, but also operate and sustain the platform in the future.

The LRS–B program acquisition strategy focused on simplicity, stability, risk reduction/avoidance and affordability across the life cycle of the program.

The program is founded on stable and achievable requirements, while requiring the re-use of existing and mature technologies. The acquisition strategy set for a plan for the program to execute a robust risk reduction phase to ensure mature designs prior to a down-select decision. Additionally the program incorporates open architecture, which will allow more rapid integration of new technology and respond to future threats across the full spectrum of operations. This emphasizes supportability to enable continued competition and long term affordability for this platform across the life cycle.

Question. In your view, how does the LRS–B acquisition strategy mitigate previous acquisition program failures such as significant cost and schedule overruns and performance deficiencies experienced with the B–1, B–2, F–22, and F–35 programs?

Answer. The guiding principles for the LRS–B program focused on keeping the design simple in order to reduce system and programmatic complexity. Fundamental to this approach is having stable and achievable requirements, and we have kept them stable. We are achieving these requirements by leveraging experience from other programs and through the re-use of existing and mature technologies to minimizing new technology development and risk.

By using existing and mature technologies, the development risk is reduced from that experienced on previous programs. Overall this ensures achievable requirements and not nested ACAT ID programs. Building on this, the acquisition strategy includes a well thought out incentive plan for development and initial production to ensure the program remains on schedule and budget.

Question. In your opinion, why would the Air Force choose a cost-plus/incentive-fee contract vehicle over a fixed-price contract for the engineering and manufacturing development phase of the LRS–B?

Answer. After careful consideration of all possible contract types and analysis of the pros and cons of each type, the Department of Defense decided on a Cost Plus incentive fee arrangement for the Engineering Manufacturing and Development contract, which meets both statutory and regulatory guidance. We conducted risk reduction efforts during the technology development phase, but there is still integration risk that remains. This contract type is an appropriate balance for a new design activity versus upgrade or derivative aircraft program. There were several factors taken into account and the decision was outlined in the Request for Proposal, evaluated during multiple peer reviews and approved by the Milestone Decision Authority.

F–35 JOINT STRIKE FIGHTER

Question. The F–35 Joint Strike Fighter Program, which is the largest and most expensive acquisition program in the Department's history, was formally initiated as a program of record in 2002, with a total planned buy of 2,443 aircraft for the U.S. The program has not yet completed the System Development and Demonstration (SDD) phase, and is not due to enter full rate production until 2019, 17 years after its inception. At projected procurement rates, the aircraft would be procured by the Department well into the 2030 decade to reach its total quantity buy.

The Senate Armed Services Committee report accompanying S. 1376, the National Defense Authorization Act for Fiscal Year 2016, requires the Secretary of Defense to assess the current requirement for the F–35 Joint Strike Fighter total program

of record quantity, and then revalidate that quantity or identify a new requirement for the total number of F–35 aircraft the Department would ultimately procure.

What will be your role in assisting the Secretary of the Air Force to revalidate the Air Force's F–35A total program quantity, currently established at 1,763 aircraft?

Answer. The Air Force continually evaluates procurement programs such as the F–35 to determine whether adjustments should be made. Factors such as current and future threat environments, available resources, and operational requirements are regularly assessed to update/revise our program of record. As Under Secretary, I will work with the appropriate stakeholders to ensure we provide the Secretary a recommended F–35 buy that balances warfighter needs within the context of current budget realities.

Question. Do you believe the Air Force's current and planned force mix of short-range fighters and long-range strike aircraft is sufficient to meet current and future threats around the globe, and most especially in the Asia-Pacific theater of operations where the "tyranny of distance" is such a major factor?

Answer. The Air Force is committed to balancing long and short range capabilities in order to meet warfighter requirement in various scenarios. In these scenarios, we find that developing a capability mix of long range, increased payload, and highly survivable fighters and bombers suitable for operations in a highly contested theater is essential to enabling the rest of the Joint Force. In the short term, we'd like to have more penetrating long range capacity to ensure persistent air operations in long range scenarios. That's why the LRS–B is so important. We'll need to continue to address our short term capabilities by integrating new weapons, sensors, and defensive capabilities onto our legacy bomber fleet, and we'll need to make sure the LRS–B remains an affordable augmentation and replacement of our legacy bomber fleet. The Long Range Strike-Bomber (LRS–B) is one part of our commitment to long range capabilities and we are looking at options to both increase the range of our fighter forces and improve the capabilities of our legacy bombers for Asia-Pacific scenarios. However, increased resources will be required to develop such capabilities without taking unacceptable risk in other mission areas.

Question. If the Air Force were to revalidate their original 1,763 F–35A requirement, and continue procurement of even 80 aircraft per year, it will take approximately 20 years to purchase all F–35As. In your opinion, can the Air Force afford this effort in light of KC–46A, LRS–B, JSTARS, T–X, nuclear enterprise modernization, and myriad other investment programs all anticipated to be required simultaneously in the decade of the 2020s?

Answer. Our annual budget submissions represent our best attempt at ensuring we achieve these critical mandates. However, given the current and projected future threat environment, the Air Force will require additional resources to simultaneously modernize and sustain existing conventional and nuclear force structure, recapture readiness with additional training facility capacity and manpower, and more expeditiously recapitalize the fleet.

Question. After completion of the SDD and commencement of full rate production, the F–35 will require a robust Follow-On Development program to ensure the aircraft capabilities continue to outpace our potential adversaries' technological advancements.

In your opinion, should the F–35 follow-on development program be designated as a separate Major Defense Acquisition Program from the current F–35 program of record?

Answer. The F–35 follow-on development program, now known as the follow-on modernization program, is a continuation of the existing program rather than a new sub program. does not need to be designated as a separate Major Defense Acquisition Program. The existing management and oversight structure in place for the F–35 Program will be used to manage the follow-on modernization effort.

Question. The different variants of the F–35 for each Service have specific follow-on capabilities required for each, and even common capabilities are prioritized in different ways between the Services depending upon their assigned warfighting requirements. Do you believe the Joint Program Office should be disbanded and each Service stand up their own F–35 program offices to better accommodate the needs of each Service with respect to required follow-on capabilities?

Answer. The F–35 Joint Program Office should not be disbanded. The F–35 Program Office is accommodating the needs of the Air Force as we define the required capabilities to be developed during the follow-on modernization phase. In addition, a single program office provides one voice to the contractor and allows the Air Force to share development costs with the Navy and our Partners.

REMOTELY PILOTED AIRCRAFT (RPA) ENTERPRISE MANAGEMENT

Question. The Air Force has struggled for nearly a decade to assimilate and normalize the medium altitude ISR mission and its MQ–1 and MQ–9 fleets into the Air Force capabilities portfolio, resulting in severe manning shortages due to insufficient training pipelines, and causing low retention and poor morale across the enterprise.

In your view, what steps should the Air Force take to remedy these issues?

Answer. DOD and Air Force leadership have been personally working solutions to both of these issues and, over the next couple of weeks will be announcing their decisions. I would respectfully request we delay the discussion of this issue until after that has taken place. I would then be pleased to respond in detail.

Question. The U.S. Army operates some of the same medium altitude ISR platforms as the Air Force, uses warrant officers and enlisted personnel to supervise and conduct ISR and strike operations, and are led by very few officers. What is your assessment of the Air Force reintroducing a warrant officer program or using enlisted personnel to operate its RPA fleets to increase manning and reduce costs, as well as relieve manning level stress on other rated career fields?

Answer. DOD and Air Force leadership have been personally working solutions to both of these issues and, over the next couple of weeks will be announcing their decisions. I would respectfully request we delay the discussion of this issue until after that has taken place. I would then be pleased to respond in detail.

Question. How do you see the Air Force integrating the medium altitude ISR mission into its future operating concepts?

Answer. Both the medium and high altitude ISR missions are already integrated into our operational concepts and are critical to our success in the full spectrum of warfare. The lessons of past 15 years (and beyond) have not been lost on your Air Force and have proven the importance of the integration of both. Equal, is the importance of the integration of high/medium ISR, space capabilities and cyber, as well as non-traditional ISR, to build complete battlespace awareness.

MANAGEMENT OF SPACE ACTIVITIES

Question. As the Under Secretary of the Air Force, you would have an important role in helping the Secretary of the Air Force discharge her responsibilities as the Department of Defense Principal DOD Space Advisor or PDSA, in particular, for developing, coordinating, and integrating policy, plans and programs for major defense space acquisitions.

If confirmed, how will you support the PDSA in carrying out her missions?

Answer. The Under Secretary is designated as the primary Headquarters Air Force official responsible for space matters. Additionally, the Under Secretary supports the SecAF in all her responsibilities, to include serving as the primary space advisor to senior DOD officials. From an administrative standpoint, this includes reviewing materials, reports and requests to extend experiments prior to PDSA approval. In addition, the PDSA and I continue a pro-active approach to study space concerns and issues through the Space Mission Update process. We collaborate on upcoming policy initiatives and concerns on specific topics, to include rendezvous and proximity operations and international space cooperation, to inform the PDSA's advisory role. Finally, the Under Secretary of the Air Force should be an active participant in the Defense Space Councils (DSCs) and monitor the annual Space Strategic Process Reviews (SPR).

Question. In your view, what are the authorities of the PDSA: (1) the budgets, programs, and plans of the various Service and Defense Agency space programs; and (2) milestone decisions for space acquisition programs of the various Services and Defense agencies?

Answer. The PDSA will provide the DOD Space Enterprise with more focused strategic planning and programming in order to respond to present and evolving threats to our Nation's space constellation and capabilities, as well as adversary space capabilities that threaten our forces.

The PDSA has the authority to:

1. Provide the Deputy's Management Action Group (DMAG) and SECDEF with prioritized programmatic choices for space capabilities through the annual Program and Budget Review cycle
2. Provide oversight to the Space Security and Defense Program
3. Actively participate in the Defense Acquisition Board and the Joint Requirements Oversight Council, and related subordinate bodies, to support tighter alignment of requirements and acquisition decisions with space strategy and space policy

4. Review the budget submission of every entity with responsibilities for space capability development and assess their compliance with National Security Council-approved Implementation Plans and departmental policy and programmatic guidance
5. Assess the strengths and weaknesses of the DOD Space Portfolio
6. Conduct collaborative assessments of the National Security Space (NSS) architecture with the Intelligence Community

The DepSecDef has increased the PDSA's authority as the Department's senior space official on all space-related Joint Requirements Oversight Council (JROC) and Defense Acquisition Board (DAB). The PDSA or designated senior representative will be present on all milestone decision reviews for space programs.

Per the DepSecDef Designation memo, the PDSA is responsible as the primary space advisor to the Deputy's Management Action Group (DMAG), Joint Requirements Oversight Council (JROC) and the Defense Acquisition Board (DAB), additionally the PDSA is the primary space advisor to senior DOD officials including the Secretary of Defense, Deputy Secretary of Defense, Office of Secretary of Defense Principal Staff Assistant (PSAs) and the Commander of the Joint Chiefs of Staff and Vice Commander of the Joint Chiefs of Staff. Additionally, the PDSA is the Principal DOD Space Control Advisor.

As the chair of the Defense Space Council (DSC), the PDSA has expanded the DSC membership to include all DOD elements with space programmatic authorities. This combined with leading an annual Space Strategic Posture Review (assisted by CAPE) with a focus on strategic portfolio-level decisions vice individual programmatic actions.

PDSA is advised and assisted by Service and OSD leads for strategy, space policy, plans, programming, budget, acquisition, architecture assessment and operations. This supports the DepSecDef's vision of a more cohesive and unified governance model.

Question. What are you views regarding defending our U.S. assets in space?

Answer. We recognize that space is a congested and contested environment and is a critical element that underpins everything we do in the military. However, the relative superiority the U.S. has held in space power has diminished. Yes, we still project phenomenal capabilities in and through space, but our comparative advantage is threatened by external actors. We must ensure our right to self-defense in any domain, which includes space.

Question. How do you differentiate the Joint Interagency Combined Operations Center (JICSPOC) and how will you ensure it does not duplicate the Joint Space Operations Center (JSPOC)?

Answer. JICSPOC seeks to improve unity of effort and information sharing across the national security space (NSS) community to effectively respond to potential future real-world threat events. It does this through experimentation to develop integrated tactics, techniques and procedures (TTPs), courses of action and inform future space command and control and system requirements.

Due to its experimental nature, the JICSPOC does not duplicate the real-world command and control functions performed daily by JSPOC.

Question. Do you support the JSPOC taking on the role as a BMC2 mission center for defending our space assets?

Answer. The JSPOC has been successfully conducting command and control of assigned space forces to include defending those assets for over 10 years. The potential threat to our space systems continues to grow. In response, the JICSPOC was developed to conduct experimentation on improving unity of effort across the national security space community. I support this effort as a critical first step to inform decisions on future roles.

Question. Are you concerned with ground system supporting the GPS III constellation (OCX)?

Answer. GPS provides a critical warfighter capability and is a ubiquitous worldwide utility. As a result, the current challenges with the OCX program are at the forefront of senior Air Force leadership concerns.

Question. What efforts will you take in ensuring its costs and schedules are being monitored?

Answer. The Air Force and the OCX prime contractor (Raytheon) will continue to focus on a more efficient execution of the developmental effort to field this critical capability. In addition, the Air Force is going to take a performance-driven approach by instituting significant oversight with weekly program management reviews and quarterly reviews by USD(AT&L).

Question. Do you support revising the ground system acquisition to a firm fixed price if the program continues to slip?

Answer. The current path forward is to continue with the current cost-type contract. The Air Force needs to assure mission success and delivery of this critical warfighter capability. Converting the contract to fixed price would limit the Air Force's insight and oversight of the program and potential loss of focus to provide this critical capability as soon as possible.

Question. Do you support developing a back-up alternative program if necessary in case the current program defaults on its cost and scope?

Answer. The Air Force has committed to making risk mitigation investments in alternate program paths to preserve off-ramps should continue problems with OCX prove intractable.

Question. The Government Accountability Office (GAO) has consistently pointed to fragmented leadership as a key contributor to disconnects in space programs and acquisition problems.

What do you think your role would be, if confirmed, in bringing together the space community versus protecting only the institutional interests of the Air Force?

Answer. If confirmed, I certainly will support Secretary James to the utmost of my ability, but is important to understand there is a clear delineation between her role as PDSA and as Secretary of the Air Force. The PDSA construct provides strategic governance and unity of effort across the DOD space enterprise and increased collaboration across the broader National Security Space enterprise (NASA, Commercial, Civil). In my Air Force position I will represent the Air Force component of that enterprise, just as any other Service or Agency would, to the PDSA. However, once enterprise decisions are made, it is my duty to ensure Air Force aligns with the broader enterprise priorities.

Question. How would you foster better cooperation and coordination with agencies inside and outside the Defense community?

Answer. The Defense Space Council (DSC), chaired by Secretary James as the PDSA, continues to serve as the cornerstone for enterprise-wide governance and cooperation. DSD recently directed its expansion, through the addition all NSS stakeholders such as MDA, DARPA and DISA. With an empowered PDSA and comprehensive membership from all aspects of NSS the DSC will continue to set the tone for enhanced cooperation across the enterprise.

The Commander of U.S. Strategic Command (CDRUSSTRATCOM) established the Joint Space Doctrine and Tactics Forum (JSDTF) to improve DOD space by increasing coordination between the DOD and IC. In addition, it will develop the warfighting culture within the NSS and create operational concepts and tactics, techniques and procedures (TTPs) for future space operations. The JSDTF is a two-tiered structure co-chaired by the CDRUSSTRATCOM and the Director of the National Reconnaissance Office (NRO). The Forum met several times and spurred a national-level tabletop exercise along with a Joint Publication overhaul that will boost emphasis in the space control mission area. The JSDTF has already yielded benefits in fostering a common culture across National Security Space.

Question. Do you see a need to strengthen the authority of the Under Secretary of the Air Force or to establish any new authority to ensure better government-wide coordination for space?

Answer. The Department has already recognized the need to respond to a changing future and the possibility that conflict could expand to space and is taking prudent steps in the focus areas of acquisition, operations, programming, capabilities and governance to ensure an enterprise vice a stovepiped approach to future readiness. The PDSA model is new but already making strides in governance. At this point I think we have the appropriate authorities in place to guarantee a unified effort across all four focus areas.

Question. Do you foresee circumstances in the future that would favor the consolidation and establishment of space forces as a separate service either as its own department or within an existing military department?

Answer. I know this question has arisen in many forms over the years. While I will not say it could never happen, I do not see it as a near-term necessity. Space is already integrated into nearly every aspect of our terrestrial warfighting capabilities in all Services. The steps we are already taking toward enhanced governance are appropriate and have DOD space on the correct path. As we continue to enhance our capabilities, and develop our operational concepts through the JSDTF/JICSPOC relationship, that is certainly one potential future; but I believe it is premature to make a definitive statement either way at this time.

READINESS

Question. What is your assessment of the current readiness of the Air Force to meet national security requirements across the full spectrum of military operations?

Answer. Our combat coded unit's readiness is assessed against full spectrum military operations. Less than one-half of those units are rated as ready. However, if called upon, your Air Force can present the President with formidable air, space and cyber options to meet almost any crisis.

Question. What is your assessment of the near-term trend in the readiness of the Air Force?

Answer. Past year's investments in modernization, force structure, readiness and manpower were predicated on several assumptions. First, that the wars in the Middle East were drawing to a close and our units would be coming home to train, and second, that we would be allowed to reduce force structure to pay for modernization and recapitalization, and to use the manpower to convert to our new aircraft and missions. Neither of those materialized which will challenge us to make any near term improvements in readiness. Training and maintenance manpower continue to drive our low readiness rates.

Question. How critical is it to find a solution to sequestration given the impacts we have already seen to readiness in fiscal years 2013, 2014, and 2015?

Answer. Sequestration would result in even more significant losses of readiness and would significantly prolong any recovery, even once full funding was restored.

Question. What is your understanding and assessment of the methods currently used for estimating the funding needed for the maintenance of Air Force equipment?

Answer. Air Force sustainment requirements for our aircraft, engines, and other equipment are developed to ensure these systems are safe and operating properly to train to full spectrum missions. This ongoing sustainment includes activities such as periodic inspections and component maintenance. For example, aircraft depot maintenance is accomplished on a cyclical basis to support the life cycle of the weapon system. These maintenance requirements are enduring and underpin Air Force readiness to support the warfighter. Ongoing operations have accelerated maintenance and supply requirements and have challenged us to keep pace. To cope with the high operations tempo we continue to rely on OCO funding.

Question. Given the backlog in equipment maintenance over the last several years, do you believe that we need an increased investment to reduce this backlog?

Answer. Past sequestration budgets, resulted in significant backlogs at the depots, parts that are critical to our combat units to regain readiness. We are now funding WSS to the maximum we can execute, but that is still below the requirement.

Question. How important is it to reduce the materiel maintenance backlog in order to improve readiness?

Answer. Funding predictability is essential to maintenance and supply planning, and the Air Force's ability to properly sustain our equipment is essential to readiness. The supply chain and depot workforce require long lead times to posture; therefore, sufficient and stable funding is essential to effectively manage the Air Force's sustainment enterprise.

Question. How important is it to receive OCO funding after the end of combat operations in order to ensure all equipment is reset?

Answer. Transferring OCO funding to our baseline is one of the necessary conditions for a full readiness recovery. Major Air Force weapon systems do not have one-time "reset" requirements. The sustainment of these platforms is an enduring requirement and requires a persistent investment. OCO funding to maintain or extend the service life of our platforms, or to accelerate their replacement will be most important. It will also take years of additional OCO funding to replace the munitions inventory we have either depleted or deferred. There are many more instances where OCO funding must continue beyond combat operations, but these are two examples of the most critical.

NUCLEAR ENTERPRISE MODERNIZATION

Question. Following completion of the 2014 Nuclear Enterprise Review, the Air Force established internal processes to track implementation of recommendations and to ensure the sustained focus of senior Air Force leadership.

What are the processes and metrics by which the Air Force measures improvement in the nuclear mission across the Air Force. If confirmed, what would be your role? What shortcomings or gaps continue to exist?

Answer. The Air Force continues to work towards strengthening nuclear enterprise assessment processes and developing meaningful metrics to ensure the changes we institute are measurable and enduring. In support of that objective, the findings and recommendations of the Nuclear Enterprise Reviews have assumed a central place in the Air Force's governance process for the nuclear enterprise. Through forums like the Nuclear Oversight Board, chaired by the Secretary and Chief of Staff with participation from all 10 major command commanders, I intend

to ensure the Air Force continues to apply sustained focus on improving the health of the nuclear enterprise.

STRATEGIC DELIVERY SYSTEMS

Question. Over the next 5 years DOD will begin to replace or begin studies to replace all of the strategic delivery systems. For the next 15 plus years, DOD will also have to sustain the current strategic nuclear enterprise. This will be a very expensive undertaking.

Do you have any concerns about the ability of the Department to afford the costs of nuclear systems modernization while meeting the rest of the DOD commitments?

Answer. As a vital component of our national security strategy, I am fully committed to the modernization of our nuclear deterrence forces so they remain credible and effective in the years ahead. Affordability is always a key consideration in managing any major acquisition effort, as is the stability and consistency of appropriations—factors that are more relevant than ever as DOD commitments and fiscal constraints grow. If confirmed, I am committed to working across DOD and with the Congress to achieve affordable nuclear modernization and sustainment.

Question. If confirmed will you review the Ground Based Strategic Deterrent (GBSD) system to ensure that it uses high technology readiness level technologies, has requirement that do not change after milestone B and is cost effective?

Answer. Yes. I am committed to ensuring that affordability, stable requirements, and the use of mature technologies remain cornerstones of the Air Force's strategy to field GBSD.

Question. If confirmed will you work with the Air Force's Global Strategic Command to ensure the GBSD goes through its milestone A review in Fiscal Year 2016?

Answer. Yes. The GBSD program remains on track for its milestone A review in Fiscal Year 2016. If confirmed, I will work to ensure the efforts of stakeholders across the Air Force—including elements of Air Force Global Strike Command, Headquarters Air Force, and the Air Force Nuclear Weapons Center—remain tightly integrated to keep this critical program on schedule.

Question. If confirmed will you work with the Air Force's Global Strategic Command to ensure the Long Range Standoff Weapon goes through its milestone A review in Fiscal Year 2016?

Answer. Yes. The LRSO program remains on track for its milestone A review in Fiscal Year 2016. If confirmed, I will work to ensure collaboration on LRSO remains strong both within the Air Force as well as with our mission partners at the Department of Energy as they work to align development of a life-extended warhead for the LRSO.

STRATEGIC COMMUNICATIONS SYSTEMS

Question. Section 1052 of the Fiscal year 2014 NDAA established a "Council on Oversight of the National Leadership Command, Control and Communications System".

What do you see as the most pressing challenges in nuclear command, control and communications from a policy and acquisition perspective?

Answer. Nuclear command and control must be an enduring priority of which one challenge is to sustain existing capabilities until new, modernized capabilities can be fielded. We designated the nuclear command, control, and communications system as a weapon system and assigned Air Force Global Strike Command as the lead major command.

There are significant challenges given the legacy systems that are part of our operational baseline architecture in this area and the cybersecurity vulnerabilities sometimes introduced when applying commercial solutions directly. Walking a line between GOTS and COTS and having the patience and resources to fund potential solutions are the most pressing challenges in NC3. To this end, we must strike a carefully considered, risk managed balance between readiness and modernization. Much of our existing capabilities are supported on platforms which have reached or are nearing end of life and must be upgraded. Decisions on the timing and prioritization of our sustainment and investment portfolios are a top priority.

Question. What do you see as the most pressing challenges in overall national leadership communications from a policy and acquisition perspective?

Answer. The cyberspace domain is a key enabler in providing fully assured national leadership communications capabilities, which depend upon both military and commercial communication systems. The most pressing challenges are competing budget priorities to acquire an efficient and integrated capability as well as system compatibility across the enterprise to address Service-specific requirements. The Air

Force will continue to look at options that will enhance interoperability and compatibility of our national leadership communications platforms and systems.

One challenge is to sustain existing capabilities until new, modernized capabilities can be fielded. Another challenge is providing an assured, survivable and enduring communications capability that allows senior defense advisors to communicate with the President, the combatant commands and strategic Allies during normal day-to-day operations and during national crises from a fixed, mobile or airborne location. The ability to provide our national leadership secure, reliable voice, video and data communications is a critical capability.

Question. If confirmed will you actively support section 1052 to ensure the President has at all times control of nuclear weapons?

Answer. Yes.

Question. If confirmed will you review the status of the Air Force's support to the NATO nuclear mission and report back to this committee on key findings that are in need of future improvement including personnel and material?

Answer. Yes, the Air Force fully supports NATO's nuclear mission, which is a cornerstone of our nuclear assurance. I will review our current efforts to identify possible areas to improve our support. I look forward to working with Congress to ensure the airmen in Europe have the appropriate resources.

SECRETARY HAGEL'S REVIEW OF THE NUCLEAR FORCES AND THE FORCE IMPROVEMENT PROGRAM

Question. In 2014 Secretary Hagel conducted an assessment of the state of nuclear deterrence operations of the Department of Defense, commonly known as the "Creedon-Fanta" report.

Do you agree with its findings?

Answer. Yes. To date, we have implemented a number of the Air Force-specific recommendations in both the internal and independent Nuclear Enterprise Reviews. If confirmed, I will continue to implement the remaining recommendations.

Question. How do you think they may be improved upon over the next five years?

Answer. If confirmed, I will work to ensure the Air Force continues implementing and tracking Nuclear Enterprise Reviews follow-on actions. Our goal is a systematic and responsive process that will yield tangible and lasting improvements.

Question. Will you actively support the findings and their implementation?

Answer. Yes. If confirmed, I will work to promote a culture of critical self-assessment and continuous improvement within the nuclear enterprise.

Question. Will you work with the Cost Analysis and Program Evaluation Office as part of a continual assessment of the Air Force nuclear programs and, if asked, report the status of that to the Congress?

Answer. Yes, our continued partnership with the Cost Analysis and Program Evaluation Office is critical to the implementation of Nuclear Enterprise Reviews. This relationship will ensure senior leader focus and accountability remain strong.

Question. Please explain how you interpret the Air Force's Force Improvement Program and what actions will you take to support those efforts?

Answer. The Force Improvement Program (FIP) was a 2014 effort intended to address urgent, short-term operational needs. FIP was only one element of a much broader Air Force effort to recapitalize its nuclear enterprise. The FY17 PB reflects the Air Force's commitment to pursuing a comprehensive approach to meeting NDO requirements.

NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE (NCSAF)

Question. In the Air Force's response to the NCSAF recommendation (#42) on Up or Out policy, the Commission recommends, "Congress should amend restrictive aspects of current statutes that mandate "up-or-out" career management policies to enable the Air Force to retain airmen of all components actively working in career fields where substantial investment in training and career development has been made and where it serves the needs of the Air Force."

In your opinion, would the reinstitution of a warrant officer program in the Air Force attract and keep certain skilled people who are more interested in remaining in a particular career field rather than worrying about additional institutional requirements they must accomplish for promotion in the officer ranks?

Answer. The Air Force previously considered reinstituting WOs in 2008, 2012 and most recently with regard to RPA pilots in 2015; however, the Air Force believes adding a third category of serving members in addition to officers and enlisted airmen does not align well with our Air Force culture and our enlisted force development objectives. That said, the Air Force sees value, whether it be through our highly talented enlisted force, adjustments to "up or out," or other mechanisms, such as

providing a flexible "technical track" in being able to attract and retain talented airmen. We recognize not all officers need to be developed the same way and requirements in some leadership tracks may not apply to airmen in technical tracks. Some of these areas would require legislative assistance like reform of "up or out," but others could be pursued today and the Air Force has been investigating multiple options.

Question. Do you believe certain career fields could receive benefit from a warrant officer program in operational or technical positions such pilot training instructor pilots, remotely piloted aircraft pilots, and cyber warfare specialties?

Answer. The Air Force is a highly technical force, and we believe our enlisted corps has the technological and leadership capability to perform to the same level of a WO corps without instituting a fundamental change in our NCO developmental and progression. As such, the Air Force is actively exploring the utilization of enlisted members as RPA operators to assist in the long-term development and stabilization of the RPA community. Our enlisted force has already demonstrated this capability within the cyber and space communities. We are also exploring numerous other alternatives (e.g. "technical track," "up or out reform") that will provide capability without having to alter Air Force culture. Another key aspect is to increase "permeability" between our Active and Reserve components, providing increased cooperation within existing resources while leveraging existing talent and capabilities. Finally, we must also factor in the tremendous capability that our civilian force brings throughout the enterprise.

Question. In the Air Force's response to the NCSAF recommendations, the recommendation (#5) to disestablish the Air Force Reserve Command (AFRC) is the only commission recommendation with which the Air Force outright disagrees.

Can you provide your views regarding this disagreement?

Answer. The Air Force is concerned that this recommendation lacks the research, data, and analysis necessary to disregard six decades of organizational lessons learned and undo congressionally instituted reforms that have led to today's cost-efficient and mission-effective force for our Nation. This recommendation would also weaken the Chief of the Air Force Reserve's ability to execute key statutory obligations in the management of congressionally authorized and appropriated resources. It would place at risk the sustained readiness of Air Force Reserve forces, which afford the Nation operational capability, strategic depth, and surge capacity across all Air Force core missions.

Question. If AFRC were not disestablished, in your view does there still need to be what appears as redundant staffs between AFRC headquarters and the staff for the Chief of the Air Force Reserve in the Pentagon?

Answer. There are not two, redundant staffs. In accordance with 10 U.S.C. § 10174, the Commander of Air Force Reserve Command also serves as the Component Chief of the Air Force Reserve. As a result of this statutory requirement, he has two distinct roles necessitating a small component staff (90 airmen) along with an appropriately-sized major command staff. It is important to note there is no overlap in staff functions.

Question. To your knowledge, do other major commands maintain staffs at both their own headquarters and at the Air Staff?

Answer. The Commander of Air Force Reserve Command is, statutorily, also the Chief of the Air Force Reserve. No other major command commander is also a component commander requiring a component staff.

AUDIT READINESS

Question. The Department of Defense remains unable to achieve a clean financial statement audit. The Department also remains on the Government Accountability Office's list of high risk agencies and management systems for financial management and weapon system acquisition. Although audit-readiness has been a goal of the Department for decades, DOD has repeatedly failed to meet numerous congressionally directed audit-readiness deadlines.

What is your understanding and assessment of the Air Force's efforts to achieve a clean financial statement audit by 2017?

Answer. The AF remains cautiously optimistic that we will be prepared to undergo a full financial statement audit beginning Sept 30, 2017. We have a dedicated Financial Improvement and Audit Readiness (FIAR) team leading this effort, with audit coaching provided by Price Waterhouse Coopers (PWC), a recognized audit leader in the federal and private sectors. Our efforts are governed by a cross-functional executive steering committee, and our senior leader's performance plans hold them accountable to a performance standard that supports our FIAR objectives. We actively participate in forums sponsored by OUSD(C), and collaborate with the other

components and service providers, to both lead and support the department-wide effort to achieve auditability.

Based on the experience of other federal and private sector audits, it is unlikely that we will immediately receive an unmodified opinion. A review of audits for similar agencies indicates that it takes an average of five to eight years to resolve the findings necessary to receive an unmodified opinion. The entire AF enterprise is engaged to help us exceed this expectation and, as evidenced by our significant progress over the past four years, we will continue to address each audit preparation challenge in accordance with our FIAR plan.

Question. In your opinion, is the Department of the Air Force on track to achieving this objective, particularly with regard to data quality, internal controls, and business process re-engineering?

Answer. Yes. The AF is on track to meet the mandate to be audit ready by Sept 30, 2017 and begin a full financial statement audit for fiscal year 2018. Our audit preparation activities are guided by a comprehensive master plan with regular progress evaluations. In specific reference to data quality, internal controls, and BPR, we have completed control reviews in 50 of 78 systems (25 of 46 are Air Force owned), and have developed corrective action plans (CAPs) for all internal findings. These CAPs encompass data quality improvements and business process re-engineering. Our Schedule of Budgetary Activity (SBA) auditors, Ernst & Young (EY) also produced a list of approx. 180 system findings for us to address, most of which were discovered in our internal reviews. We are confident that we will be able to close or adequately mitigate these findings and remain on track for a full financial statement audit.

Question. If not, what impediments may hinder the Air Force's ability to achieve this goal and how would you address them?

Answer. The Air Force is on track to achieve its objective to undergo a full financial statement audit by Sept 30, 2017. The highest risk areas for audit are (1) reconciling Funds Balance with Treasury, (2) reconciling the universe of transactions, (3) supporting all journal vouchers, (4) substantiating existence, completeness, and valuation for property, plant, and equipment, and (5) strengthening IT system controls.

The Air Force is actively addressing all of these risks. I'm proud to say the Air Force was the first service to receive a favorable opinion on our Funds Balance with Treasury reconciliation, and our process was used as a model for the other Services. With the help of DFAS, we reconciled 39/45 universe of transaction systems for our recent SBA audit, with approx. 25 remaining for our full financial statement audit. We accomplished this in just over two years. Following the DFAS model for journal voucher support, we continue to strengthen our documentation, as well as participate in various working groups to eliminate journal vouchers where possible. We achieved favorable opinions on our assertions for the existence and completeness of mission critical assets, we currently have AF/PWC teams conducting asset verification, and we are actively participating in OUSD(C) working groups to determine the department strategy for valuation. As referenced earlier, we have and will continue to develop and implement corrective action plans to eliminate or mitigate our IT control weaknesses.

Question. In your view, are the steps that the Air Force needs to take consistent with the steps that DOD needs to take to achieve full auditability by 2017?

Answer. Yes. The Air Force approach to audit readiness is consistent with the Department of Defense. As an active member of the FIAR Governance Board, the Air Force collaborates with other components and functional partners to establish goals, objectives and guidance to produce auditable financial statements for the Department. The Air Force adheres to the guidance published by OUSD(C) which controls the standards for sampling, threshold, and scope to be used during audit readiness efforts. The Air Force shares plans and findings with the other Services, and collaborates with them to leverage lessons learned.

Question. What steps will you take, if confirmed, to ensure that the Air Force moves to achieve these objectives without an unaffordable or unsustainable level of one-time fixes and manual work-arounds?

Answer. The Air Force has established a governance process to oversee our audit readiness objectives, which is aligned to our Investment Review process, to ensure Senior Leadership oversight across the Air Force enterprise. This governance is aligned to OSD governance to ensure Department-wide integration of efforts to achieve our audit objectives and to avoid stove-piped, unaffordable, and unsustainable fixes. A key element of this governance is the standardization of business processes across the Air Force to ensure they are traceable and auditable. In order to do this, the Air Force implemented a standard set of tools to validate, docu-

ment, re-use, and sustain the results from our audit readiness efforts, while also ensuring auditability of our Information Technology systems.

Utilizing these standards and tools enables Senior Leader oversight on the corrective action plans being implemented across the Air Force in collaboration with the Army, Navy, and Service Providers throughout the Federal Government. This holistic, enterprise-wide approach will allow us to determine impacts of business process changes, ensure alignment with the DOD Business Enterprise Architecture, and inform our IT investment decisions. Finally, our strategy will provide a mechanism to encourage culture change, which is necessary for future continuous process improvement, the results of which will also be documented and auditable.

AIR FORCE INFORMATION TECHNOLOGY PROGRAMS

Question. What major improvements would you like to see made in the Air Force's development and deployment of major information technology systems?

Answer. Today our IT systems are hamstrung by legacy processes executed within stovepipe systems that force multi-year budgeting and implementation. These 3–5 year, and often longer, development cycles are not in alignment with best practices nor the pace of technology. Budgeting and requirements processes that focus on operational vice technical requirements, coupled with budgeting processes that enable proven pathfinder efforts to more rapidly acquire and deploy capability is needed. Execution to meet requirements of business processes and the underlying systems is widely distributed across the Department, and across Air Force.

A streamlined approach to getting to the Joint Information Environment is needed. Deliberate unified programs of record within the Air Force and across the Department will being to build the enabling framework. We've seen some progress with the Joint Regional Security Stacks, and should continue to improve sound governance to build out the remainder of the transformation plan to leverage common computing environments and cloud based technologies.

Question. How will you encourage process and cultural change in organizations so that they maximize the benefits that new enterprise information technology systems can offer in terms of cost savings and efficiency?

Answer. Our Total Force cyberspace workforce continues to transform under the leadership of the Air Force CIO. In addition, the department will soon publish an updated set of policies for how we govern and operate enterprise IT/cyberspace capabilities. We also have several strategic initiatives underway, including formulating a cyber-aptitude test for recruitment, standing up a cyber innovation center at USAF Academy (AFCIC) for workforce and new officer development, and leveraging the new Silicon Valley detachment (Defense Innovation Unit Experimental—DIUx) for commercial technology infusion. I will continue to encourage such initiatives.

We are undertaking a nascent effort to align the Air Force IT governance and requirements processes with the Defense Enterprise Service Management Framework (DESMF). The DESMF takes advantage of commercial best practices to focus organization efforts on the IT services necessary to support mission outcomes. This focus on mission outcomes will enable the implementation of several initiatives recommended by our Task Force Cyber Secure to pay significantly more attention to the cyberspace platform that underpin the execution of our Air Force core missions.

Question. In your view, what is the relationship between Air Force efforts to implement enterprise information technology programs and supporting computing services and infrastructure to support Air Force missions, to the efforts being undertaken by the Defense Information Systems Agency and the Assistant Secretary of defense for Networks and Information Integration?

Answer. The Air Force is a full and leading partner with DOD CIO, DISA and our sister Services in the design and implementation of the Joint Information Environment (JIE). The Air Force has provided its extensive expertise garnered from our AF Network (AFNET) consolidation to shape JIE architectures and processes. Consolidating requirements, resources and overlapping operational frameworks with the broader Joint community will enable the Air Force to shift its focus from making capital investments in commodity IT services and capabilities in favor of acquiring these "as a service" from DISA or commercial providers. This partnering with DISA and the Services has highlighted the cultural stubbornness within the AF to release our control of IT services. Our requirements and governance processes must shift to documenting our operational requirements instead of poring over the technical details of how those requirements are met.

ACQUISITION REFORM

Question. The National Defense Authorization Act for Fiscal Year 2016 emplaced myriad changes to defense acquisition processes, including reinserting service chief influence and accountability into acquisition processes.

Do you support the acquisition reform provisions in the Fiscal Year 2016 National Defense Authorization Act?

Answer. We support the acquisition reform provisions and appreciate the Congressional support. The Air Force needs to focus on our main mission—fighting and winning our nation's wars. To do this, we must balance current readiness and future modernization of the Air Force. Going forward continued Congressional support will enable the Air Force to build a modernized force that is agile, adaptable, and resilient, capable of once again widening the technological gap between us and the adversary.

Question. What additional acquisition-related reforms do you believe the Committee should consider?

Answer. There are a number of acquisition-related reform proposals being considered at the OUSD(AT&L)-level. The proposals focus on workforce improvements, streamlining processes, and fostering innovation. We will continue to support those proposals.

Question. How can the Department and the Air Force better access and integrate commercial and military technology to remain ahead of its potential adversaries?

Answer. The current strategic context is marked by rapid change (technological, social, political, economic, and cultural) and the widespread diffusion of commercially available technologies are adding complexity and unpredictability. It is clear our adversaries are trying to leverage technologies to advance their goals. We need to outpace them, therefore warfighting experimentation and rapid prototyping is a critical methodology to help us achieve strategic agility. The Air Force is doing just that.

It is important to understand that warfare is a human endeavor. Focusing on technology for technology's sake (i.e., using tech transition as a metric) without considering the doctrine, organization, training, policy, and other factors required to provide a complete military capability will result in poor integration of technology. The decisions on what technologies to explore, how they might be employed, and whether to incorporate them into a military capability has to be based on credible analysis backed by quantifiable data, not paper studies and analyses loaded with assumptions.

The most effective and efficient way to accomplish this is by conducting logical, well-thought out experimentation campaigns that bring together the operational community, technologists, systems engineers, and acquirers to understand how new technologies (commercial or from government labs) can best be employed. This will dramatically shorten the fielding cycle and reduce cost, performance, and schedule risks.

To gain better access to commercial technologies, the Air Force is supporting a Better Buying Power 3.0 initiative to inform DOD managers on methods and best practices to engage more effectively with commercial technology companies. Access to the broader technology base, enhances our solution sets to address potential adversary's existing and emerging threats. The Air Force, under Secretary James' Bending the Cost Curve, is also encouraging innovation through active industry engagements to improve the way we procure our systems and drive down cost. One of the major themes of this initiative is expanding competition among traditional and non-traditional industry partners, which then allows for better access to emerging technologies.

AIR FORCE SCIENCE AND TECHNOLOGY

Question. If confirmed, what direction would you provide regarding the importance of innovative defense science and technology in meeting Air Force missions?

Answer. The innovative technology produced by the Air Force Science and Technology (S&T) Program balances high-risk with high-return science and knowledge. If confirmed, the direction I provide would focus on supporting the Air Force capabilities fundamental to providing agile and responsive intelligence, surveillance, and reconnaissance, projecting power in anti-access and area denial environments, operation in space and cyberspace, maintaining a safe, secure and effective strategic deterrent, and integration of operations in all three domains (air, space and cyberspace).

Question. Do you believe the current balance between short- and long-term research is appropriate to meet current and future Air Force needs?

Answer. Yes, the future success of the Air Force will depend on continued innovation and technical excellence in our research. We must balance our portfolio across many factors. We must develop technologies across, near-, mid-, and far-term timeframes, across core Air Force mission areas, and between requirements pull efforts to address known capability needs and technology push efforts to pursue revolutionary technologies. The future strategic environment will require an agile, affordable, and flexible military. Therefore, the Air Force S&T Program must continue to invest in a broad portfolio of research to anticipate future needs and maintain a good balance between: near-term, quick-reaction capability support; mid-term technology development to modernize the force; and revolutionary technologies that address far-term warfighting needs.

Question. What role would you have in helping the Department implement the nascent Third Offset Strategy?

Answer. As outlined in the Air Force Strategy, A Call to the Future, I will continue to support the pursuit of game-changing technologies to maintain and advance our technological superiority. The Air Force Research Laboratory maintains awareness of advancing technology and harvests opportunities to inject them into new Air Force capabilities. As part of the Third Offset Strategy, the Air Force is pursuing hypersonics, directed energy, and autonomous systems, to name a few technology areas. I plan to continue to reinvigorate our development planning efforts that will leverage robust experimentation campaigns and evaluate the impact of new capability concepts and offset strategies.

AIR FORCE LABORATORIES

Question. What role should Air Force laboratories play in supporting current operations and in developing new capabilities to support Air Force missions?

Answer. We must prioritize our efforts and balance the allocation of our resources appropriately. To accomplish this, we must clearly understand our warfighter's capability gaps, the potential capability inherent in new technology, and the cost associated with maturing, integrating and transitioning it to the warfighter. For current operations, we must continue to improve processes to rapidly respond to urgent warfighter needs with innovative solutions. We must continue to forge ahead on a path of innovation to achieve strategic agility, breaking paradigms and leveraging technology to design agility and affordability into our capability development. This requires an ever-closer relationship between our research laboratory, operators, and acquisition and requirements communities. These steps will enable effective investment in research programs that will maximize the benefit to the warfighter and ensure the continued national security of the United States.

Question. If confirmed, how will you ensure that Air Force laboratories have the highest quality workforce, laboratory infrastructure, resources, and management, so that they can continue to support deployed warfighters and develop next generation capabilities?

Answer. If confirmed, I will actively work with the Air Force S&T Executive, the Air Force Chief Scientist and Air Force Research Laboratory leadership to ensure we maintain a high quality workforce and infrastructure and resource those priorities accordingly. Ensuring the Air Force continues to have war-winning technology requires the proactive management of its current Science, Technology, Engineering, and Mathematics (STEM) workforce and a deliberate effort to grow the laboratory scientists and engineers of the future. Those researchers need state-of-the-art laboratory facilities to best support deployed warfighters with ready-to-use technologies and develop next generation capabilities. I will rely on and support the senior leadership of the acquisition community to assess and invest in infrastructure and the workforce necessary to support the future technology needs of the Air Force.

Question. Do you support the full utilization of authorities established by Congress under the Laboratory Personnel Demonstration program?

Answer. Retaining the current world-class, highly-skilled workforce is an important part of the Air Force's Bright Horizons STEM Workforce Strategy. I understand that the Laboratory Demonstration program has done much to ensure the Air Force Research Laboratory's ability to attract and retain personnel since its inception in 1997. This flexible system has helped to achieve the best workforce for the mission, adjust the workforce for change, and improve overall quality. If confirmed, I will work with the laboratory leadership to monitor the Laboratory Demonstration program to ensure it remains effective for its primary purpose and propose changes to the program, if they become required. Congressionally-authorized personnel and hiring authorities have greatly helped to improve the Air Force's compensation and hiring abilities.

Question. Do you believe that the Air Force's laboratories and engineering centers should have a separate, dynamic personnel system, uniquely tailored to support laboratory directors' requirements to attract and retain the highest quality scientific and engineering talent?

Answer. If confirmed, I look forward to carefully examining the Air Force's experience with the Laboratory Demonstration program and working with the laboratory leadership to determine future needs and authorities for the program. I will also monitor our ongoing expansion of the Acquisition Demonstration program to ensure we continue supporting efforts to recruit, retain and develop a world-class STEM workforce for the Air Force and the Nation.

Question. How will you assess the quality of Air Force laboratory infrastructure and the adequacy of investments being made in new military construction and sustainment of that infrastructure?

Answer. I am aware that the 2005 Base Realignment and Closure (BRAC) effort, successfully completed in September 2011, provided several new, state-of-the-art facilities within the Air Force Research Laboratory. While this provided us an opportunity to consolidate and improve many laboratory facilities, the Air Force continues to have prioritized needs for military construction (MILCON) projects in other areas of the Air Force Research Laboratory. I will also ensure we continue to leverage minor MILCON authorities for laboratory renewal and infrastructure sustainment. If confirmed, I will work closely with the leadership of the acquisition community to ensure that we remain vigilant and upgrade our S&T infrastructure in a timely manner, so that major research and programs are not put at risk due to aging facilities.

Question. Are you concerned about the current or future supply of experts in defense critical disciplines, particularly personnel with appropriate security clearances, to hold positions in defense laboratories?

Answer. Yes, I am always concerned about maintaining a solid representation of Science, Technology, Engineering and Math (STEM) professionals in the critical defense disciplines our laboratories and acquisition enterprise require. Nurturing the next generation of STEM professionals is an Air Force, DOD and national concern. To maintain the U.S. military's decisive technological edge, the Department must be able to recruit, retain and develop a capable STEM workforce in the face of worldwide competition for the same talent. An objective of the Air Force STEM Strategic Communication Plan is to encourage all airmen to attract tech-savvy students to an Air Force career. The Air Force has successfully used tools such as the Science, Mathematics, and Research for Transformation (SMART) scholarship for service program to accomplish this mission. Over the past eight years, the Air Force has averaged 60 scholarships per year to scientists and engineers. After payback of the recipient's service commitment, the Air Force has retained 88 percent of scholars in Air Force jobs. Additionally, the Air Force's Bright Horizons STEM Workforce Strategy addresses and investigates requirements to attract and retain the right STEM qualified people in the right place, at the right time, and with the right skills.

TEST AND EVALUATION ISSUES

Question. What do you see as the role of the developmental and operational test and evaluation communities with respect to rapid acquisition, spiral acquisition, and other evolutionary acquisition processes?

Answer. The role of the developmental and operational test and evaluation communities is the same as in a normal development.

That role is to:

- Ensure test objectives address operational requirements and concepts
- Ensure requirements are testable
- Ensure test capabilities, including workforce, are adequate and available
- Validate system performance against requirements
- Ensure effectiveness and suitability are assessed in a representative operational environment

Question. What are your views on the appropriate roles of OSD developmental and operational testing organizations with respect to testing of Air Force systems?

Answer. OSD should only provide oversight of service testing approaches for major acquisitions and provide the associated congressional reporting. Detailed test management, execution, and reporting should be left to Service test organizations.

AIR FORCE MILITARY AND CIVILIAN PERSONNEL MANAGEMENT

RECRUITING AND RETENTION

Question. The retention of quality airmen, officer and enlisted, Active Duty and reserve, is vital to the Department of the Air Force.

How would you evaluate the status of the Air Force in successfully recruiting and retaining high caliber personnel?

Answer. In all components, the Air Force is meeting its recruiting targets, however the size of the youth market, propensity of high school graduates to serve, and market competition (especially for highly-skilled areas such as aviation/remotely piloted aviation, cyber, engineers and special operators) are all growing concerns.

Overall, the Air Force continues to retain well; however, as the Air Force grows to restore readiness and meet increasing operational demands across the globe, we must address key capability gaps in the nuclear, maintenance, cyber, intelligence, surveillance and reconnaissance as well as support career fields.

Question. What initiatives would you take, if confirmed, to further improve Air Force recruiting and retention, in both the active and reserve components?

Answer. I think it imperative that we look at recruiting and retention from a holistic, or what we routinely refer to as Total Force, perspective. Any approach must address both the active and reserve components' unique roles, capabilities and limitations, but also the interrelationship between the two. More specifically, as part of Secretary Carter's Force of the Future proposals we will work with his staff and the other Services to improve the efficiency and effectiveness of recruiting and accessions. We'll review use of modern data analytics, expansion of non-cognitive testing, digitizing the Military Entrance Processing System (MEPS) process, and examining other enhancements to how we recruit, who we recruit and where we recruit. It is essential that we continue to expand our traditional recruiting pools to gain access to a greater pool of candidates and ensure we recruit the best talent available. Having consistently funded advertising and marketing (cohesive for all accession sources) will ensure national Total Force brand recognition that contributes to recruiting the right people, the right skills, at the right time.

On retention, we must continue our emphasis on compensation, specifically our special and incentive pays to retain airmen in critical skills. However, retention is about much more than just pay. Maintaining quality of life for our airmen and their families is imperative. Funding for our Morale, Welfare and Recreation (MWR) and airman and family programs is essential to retain and create a culture of resiliency and high morale among airmen and their families. Last, we must continue to leverage Force of the Future initiatives, to attract and retain talent while mindful of our overall readiness and ability to meet demanding missions worldwide.

DELIVERY OF LEGAL SERVICES

Question. What is your understanding of the respective roles of the General Counsel and Judge Advocate General of the Air Force in providing the Secretary of the Air Force with legal advice?

Answer. Both the General Counsel and the Judge Advocate General (TJAG) have important roles in providing legal advice to the Secretary and senior Air Force leaders. The General Counsel is established within the Office of the Secretary of the Air Force and, subject to the direction and control of the Secretary, serves as the chief legal officer and Designated Agency Ethics Official of the Air Force. The law also provides that TJAG is the legal advisor of the Secretary and of all officers and agencies of the Air Force. These dual statutory roles have been strengthened by the robust working relationship that the General Counsel and TJAG have established between their organizations. The General Counsel and TJAG have a collaborative working relationship in addressing challenging legal issues that face the Air Force, with each maintaining the crucial ability to provide independent legal advice that is vital to the Air Force senior leader decision-making process. If confirmed, I look forward to establishing effective working relationships with both the General Counsel and TJAG.

Question. What are your views about the responsibility of the Judge Advocate General of the Air Force to provide independent legal advice to the Chief of Staff of the Air Force?

Answer. The Judge Advocate General's ability to provide independent legal advice to the Secretary of the Air Force and the Chief of Staff of the Air Force has been statutorily recognized as essential to the effective delivery of legal services. I share that view. Uniformed attorneys bring another perspective and can provide insight and advice shaped by years of service throughout the Air Force.

Question. What are your views about the responsibility of staff judge advocates within the Air Force to provide independent legal advice to military commanders?

Answer. The Judge Advocate General's ability to provide independent legal advice to the Secretary of the Air Force and the Chief of Staff of the Air Force has been statutorily recognized as essential to the effective delivery of legal services. I share that view. Uniformed attorneys bring another perspective and can provide insight and advice shaped by years of service throughout the Air Force.

JUDGE ADVOCATE GENERAL CORPS RESOURCING

Question. What is your understanding of the current and projected manpower requirements in the Air Force JAG Corps?

Answer. The Air Force JAG Corps continuously evaluates emerging mission requirements (e.g., air and space law, cyberspace law, and sexual assault victim representation) to project future manpower demands. The Air Force JAG Corps, based on current mission sets, has sufficient manpower authorizations to meet existing mission requirements, notwithstanding the ongoing discussion regarding the reinstatement of key leadership positions described in the response to question 2 below.

Of note, in March 2015, the Secretary of the Air Force authorized an increase in Air Force JAG Corps manpower authorizations (58 officer positions and 15 enlisted positions) to resource the Special Victims' Counsel Program and other key military justice positions in an effort to enhance the Air Force's capability to combat sexual assault.

Question. If confirmed, will you review the judge advocate manning within the Air Force, including leadership requirements, and determine whether current Active duty strengths are adequate?

Answer. I will continue to work closely with the Air Force Judge Advocate Corps' senior leadership to ensure sufficient manning to meet existing and emerging mission requirements. As an example, the Secretary of the Air Force recently provided a report to the Congressional Defense Committees, as directed by the Senate Report accompanying the National Defense Authorization Act for Fiscal Year 2016 (Senate Report 114–49, page 133–34), describing the importance of reinstating three key senior leadership positions (brigadier general positions) within the Air Force JAG Corps.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. What is your assessment of the Air Force's sexual assault prevention and response program?

Answer. We are making progress in the right direction thanks to funding and support from Congress, but we still have work ahead of us to combat this crime. Since fiscal year 2012, sexual assault prevalence has decreased while sexual assault reporting in the Air Force has increased, indicating the program's progress in both preventing sexual assault and increasing airmen's confidence in the program. Another indication of airmen's confidence is the increase in the percentage of unrestricted reports, which is up to 70 percent from 64 percent in 2013. Next year, the Air Force will be rolling out a scientifically proven prevention program to the Force; we anticipate great benefits from using this new approach.

Question. What is your assessment of the Air Force's programs to address and prevent retaliation or reprisal against individuals who report sexual harassment or sexual assault?

Answer. Our current effort is to understand the scope of the problem and capture data through our Sexual Assault Response Coordinators who review incidents at monthly Case Management Group meetings. Discussing retaliation incidents during our Case Management Group meetings is key to allowing our commanders to address retaliation incidents through command channels. These meetings are hosted by the installation or host wing Vice Commander and include the SARC, the legal advisor, investigators and unit commanders. The CMG will monitor all reports of retaliation until each case has reached final disposition or the retaliation has been appropriately addressed. What we're finding is that most of the retaliation victims are reporting is when their peers in their unit treat them differently, whether these acts are intended to be retaliatory or are simply misguided with good intentions. I'm not satisfied we've done enough to address retaliation, but we're going to continue to work with DOD and our sister services to get at this problem.

Question. What do you see as the greatest challenges to the success of those programs? If confirmed what changes if any would you make to improve those programs?

Answer. We're making progress by tracking reports of retaliation, but we need to understand what types of incidents airmen experience as retaliation and why they

haven't reported retaliation when they experience it. If confirmed, I will ensure we find actionable ways to use the data we are currently gathering to improve the care we provide to our airmen.

Question. What is your assessment of Navy and Marine Corps programs and policies to hold individuals accountable for retaliation or reprisal against individuals who report sexual harassment or sexual assault?

Answer. A commander has a range of disciplinary tools to hold an airman accountable for retaliation or reprisal. These options include administrative action, nonjudicial punishment, and court-martial. The commander's decision is based on the specific evidence, facts, and circumstances of the individual case, including the nature or consequences of the misconduct. For example, a complaint of social ostracism by an airman's peers could result in a less severe disciplinary action than an allegation that an airman's supervisor has reprised against an airman. The Uniform Code of Military Justice and Air Force regulations make it possible for a commander to take disciplinary action against an airman found to have committed an act of retaliation or reprisal.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. Giving victims the ability to file a restricted report empowers them to access services and support that are unmatched in the civilian community, without fear of impacting their privacy, reputation, career or any other personal concern. Although restricted reporting limits the service's ability to hold perpetrators accountable, it does allow the Air Force to preserve evidence collected during a sexual assault forensic exam when the victim elects this option. The evidence may be used in support of a future investigation should the victim later decide to change their report to unrestricted. If one of our airmen is assaulted, we must empower them with choice and control and focus on restoring them to become survivors. Another indication of the success of our efforts is a proportional increase in unrestricted reporting; suggesting airmen's confidence in the military justice system and overall Sexual Assault Prevention and Response Program is increasing.

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. The chain of command is deeply and directly involved in providing support to victims of sexual assault. Even before a specific allegation arises, commanders are responsible for ensuring all airmen are educated on sexual assault prevention and response. When a commander is notified of a sexual assault allegation, he or she takes immediate steps to ensure the victim's safety and well-being as well as the safety of the accused. Specifically, the commander makes sure that the victim is physically safe, emotionally stable, and being provided assistance from all available resources and agencies, including the SARC, legal office, medical, and chaplain. The commander is also directly involved in decisions such as if the victim requests an expedited transfer to another location; has the authority to issue a no-contact order or a military protective order; and is specifically responsible for keeping the victim informed on actions being taken on the case. Furthermore, the commander stays informed about the victim's well-being and the status of the case and, in turn, informs the multi-disciplinary Case Management Group to ensure the victim is fully supported. In conjunction with the legal office, the chain of command obtains input from the victim as the case is processed for disposition and adjudication.

Question. What is your assessment of the Department of the Air Force's implementation of the requirement to establish special victim's counsel?

Answer. The Air Force led the way with the implementation of its Special Victims' Counsel (SVC) Program on 28 January 2013 as a pilot program within the DOD to combat sexual assault and provide world class response capabilities to victims. Due to the unrivaled success of the Air Force SVC Program, on 14 August 2013, the Secretary of Defense (SecDef) directed each Service establish a special victims' advocacy program. In June 2014 the Program expanded eligibility to children, and the 2016 NDAA expands eligibility to DOD civilians. Since the stand-up of the Air Force SVC Program, SVCs have represented 2,065 victims of sexual assault, and of those 1,063 were represented in courts-martial. Anonymous victim impact surveys reflect an overwhelming positive experience with their SVC representation. Ninety-nine percent indicate that they would recommend an SVC to a victim of sexual assault.

Question. What is your understanding of the adequacy of Air Force's resources and programs to provide victims of sexual assault the medical, psychological, and legal help they need?

Answer. The Air Force provides a multitude of legal resources to assist victims of sexual assault. Due to the consistent increase in demand for special victim's counsel and prosecutor services, the Air Force has added additional manpower resources and funding for the program. These positions are currently manned between 60–70

percent. Once the vacant SVC/SVP billets are filled, the Air Force will be adequately manned to provide legal support to those victims currently eligible for SVC services.

Victims also have a variety of medical and psychological resources available to them. The Air Force Medical Service has trained Sexual Assault Nurse Examiners at every Military Treatment Facility to serve as the medical point of contact post-assault when medical care for the purposes of collecting forensic evidence or assessing and treating medically-related injuries is necessary. Victims are offered mental health support by providers who are expertly trained to deliver both crisis-counseling services and ongoing care often needed when overcoming trauma events.

Question. What is your view of the steps the Air Force has taken to prevent additional sexual assaults both at home station and deployed locations?

Answer. In my view, the decrease in prevalence and the increase in reporting are strong indicators that the Air Force's efforts are making progress. The Air Force has built a robust response system that's unmatched in the civilian community, now we will be building on that foundation to initiate a 5-year prevention strategy, which I believe will continue our progress in eliminating sexual assault from our ranks.

Question. What is your view of the adequacy of the training and resources Air Force has in place to investigate and prosecute allegations of sexual assault?

Answer. The Air Force continues to build on the training and resources for the airmen charged with investigating and prosecuting allegations of sexual assault. Air Force Office of Special Investigation special agents are trained and credentialed at the Federal Law Enforcement Training Center to conduct felony-level investigations, including of sexual assaults. Air Force judge advocates receive specialized training to partner with OSI agents on sexual assault investigations and to prosecute sexual assault cases. In addition, the Air Force added 24 OSI special agents to focus on sexual assault investigations at certain installations and designated 9 senior trial counsels with advanced training to specialize in prosecuting sexual assault cases. The Air Force has also funded 9 examiners at the United States Army Criminal Investigations Laboratory (USACIL) who work exclusively on testing DNA samples for Air Force sexual assault cases. Even given this current status regarding training for investigators and prosecutors, we risk serious jeopardy to the integrity of our military justice process if we don't focus equally on the resourcing and training of the Air Force defense bar. If military members and the American public begin to believe that our system has lost balance, they will lose faith in the fairness of the system. I believe the training and resources for Air Force defense counsel are currently adequate and I will do my part to ensure they remain that way.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults occur?

Answer. The chain of command has, and should retain, ultimate responsibility for the morale, welfare, good order, discipline, and effectiveness of military units. In the past, commanders have effectively dealt with issues including racial integration, illegal drug use during the Vietnam War, and the repeal of "Don't Ask-Don't Tell". We are ensuring commanders place the same focus and emphasis on sexual assault prevention and response and we hold commanders accountable for the professionalism of the airmen they command. Every airman must be treated with dignity and respect, and commanders must have both the incentives and the tools to do so.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. Creating a separate, external function for prosecutions of sexual assault risks severe negative consequences from constraining commanders' authority and responsibility to hold airmen accountable. Currently, the commander, supported by his or her staff judge advocate, plays a pivotal role in the military justice system, which is the essential tool to deliver a disciplined Air Force ready to defend the nation. Air Force commanders and their lawyers agree on the appropriate disposition in over 99 percent of cases where the staff judge advocate recommends trial by court-martial. Outsourcing military justice decisions to external lawyers diminishes the authority of commanders and cannot achieve optimal military discipline. Furthermore, removing commanders from military justice decision making sends the confusing message to airmen that you can trust your commander to send you into battle, where your commander's decisions may require your ultimate sacrifice, but you cannot trust your commander to hold an airman accountable for committing a crime. This message is more than just confusing; it degrades airmen's trust and confidence in their commanders and, in turn, degrades the military discipline necessary to accomplish the mission of national defense.

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the Air Force?

Answer. I will ensure we continue to properly resource this program with money and manpower at all echelons. We are making progress in the right direction, and the new five-year prevention and response strategy Secretary James recently signed will continue to build on our successes. The true key to defeating this crime is to prevent perpetration of it, rather than continue to respond to victims of it, and the scientifically-based approach to prevention we will take over the next 5 years will help eliminate this crime from our ranks.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. The Air Force employs many contractors and civilian employees. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as Federal employees. Both contractors and civilians make up an integral part of the Department's total workforce.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of the Air Force?

Answer. I do believe we must continue to ensure that inherently governmental functions are performed by organic personnel and scrutinize those areas where the distinction is blurred. If confirmed, I will continue to work with the Secretary and leaders across the Air Force to assess this matter to ensure compliance with the law and strive to develop the optimum balance between our civilian and contractor workforce.

Question. In your view, has the Department utilized contractors to perform basic functions in an appropriate manner?

Answer. Yes. Contractors are integral to how the Air Force accomplishes its mission for the security of our nation. Through our requirements review process, we continue to challenge ourselves in determining the best approach (a value consideration business case) for the Air Force in the long term. I believe there continues to be a great effort in this area to ensure we maintain the capability in performing our core functions and ensure the functional expertise to properly oversee contract operations.

Question. Do you believe that the Air Force should undertake a comprehensive reappraisal of "inherently governmental functions" and other critical government functions, and how they are performed?

Answer. I believe the Air Force does a good job in avoiding contracting for inherently governmental and critical functions, and we should maintain that vigilance.

Question. Are there non-monetary reasons why the Air Force would need or desire one type of manpower over the other? If so, provide relevant examples where of those reasons? Under what circumstances should cost be used as the primary factor?

Answer. Generally, outside of inherently governmental and critical functions, cost should be the tipping factor assuming that there is a choice between contract and civilians. There are instances where one or the other of those may not be available at a given location or within a given timeframe. There are also instances where we should maintain a certain level of in-house capability, expertise, and knowledge which could potentially override costs.

Question. If confirmed, will you work with other appropriate officials in the Air Force to review the contractor and civilian force mix for cost and mission effectiveness?

Answer. Yes, I will.

Question. Would you agree that the balance between civilian employees and contractor employees in performing Air Force functions should be determined by the best interests of the Air Force and its mission requirements?

Answer. Yes, I will.

Question. If confirmed, will you work to remove any artificial constraints placed on the size of the Air Force's civilian and contractor workforce, so that the Air Force can hire the number and type of employees most appropriate to accomplish its mission?

Answer. Yes, I will.

WOMEN IN COMBAT INTEGRATION

Question. Do you believe Congress should amend the Selective Service Act to require the registration of women?

Answer. I definitely see the need for SSA participation to be actively reviewed, but recognize that this is a national issue that extends past departmental policy.

Question. If women become subject to the draft, should they also be prepared for involuntary assignment based upon the needs of the Air Force?

Answer. The Air Force routinely considers the desires of all our members with respect to which occupation they are classified in and where they are assigned, but the needs of the Air Force remain paramount to maintain our mission readiness. That would remain consistent if women were subject to the draft.

Question. What is your opinion on whether men and women in the combat career fields should have the same physical fitness tests for the duration of their careers?

Answer. The Air Force's physical standards are linked to specific air force specialty codes and are tied to the operational mission ... they are gender neutral. I support this approach of linking standards to operational tasks, devoid of gender considerations. I would also note, that AF standards have not changed, and will not change based on career fields opening to both genders. Our current predictive tests and standards have been validated to tie to occupational standards. The same standard will be used to assess females as well as males. Specifically, in regard to combat career fields, the Air Force has validated and verified occupational standards based on battlefield requirements and the Air Force plan requires the physical and mental standards for Battlefield airmen specialties be occupationally specific and operationally relevant.

Question. In light of Secretary Carter's decision to open all military positions to women, what do you believe are the primary challenges to implementing full integration in the Department of the Air Force and how do you plan to address them?

Answer. The Air Force has already developed and validated their mental and physical standards as being gender neutral and in-compliance with public law. Going forward, my role would be to ensure the Air Force implements and maintains these physical and mental standards in compliance with Public Laws 103–160 and 113–66, and Public Law 113–291, section 524. In addition, I will help ensure the Air Force Inspector General is also engaged to validate the physical and mental occupational standards and our implementing methodologies are in compliance with the Public Laws mentioned, at a minimum of every three years through compliance inspection programs.

We must continue to be deliberate, methodical, evidence-based, and iterative to ensure readiness and combat effectiveness to protect the welfare of our airmen. Through this, the Air Force will follow its natural timeline to recruit, assess, select, train and assign females into these newly opened occupations.

MATERNITY LEAVE

Question. The Secretary of the Air Force recently announced she would follow the Navy Secretary's plan to provide 18 weeks of maternity leave for sailors.

What is your view on whether the Air Force should follow the Navy's policy to extend maternity leave to 18 weeks?

Answer. The Air Force is reviewing the policy for maternity leave in conjunction with OSD and the other Services in light of the Navy's recent policy change. Readiness and operational impacts have been an integral part of that discussion and have been considered. The Secretary has been very clear in her support of expanded maternity leave as a key aspect of meeting retention goals and maintaining top talent.

Question. If the Air Force were to follow the Navy's lead, what would be your plan to augment or back-fill those positions occupied by female airmen on extended maternity leave? Would you consider utilizing reservists to back-fill those positions?

Answer. The Air Force would look at a variety of options. Planning and scheduling at the unit level is an important factor in being able to mitigate some of the potential impact. Other options could include increasing end strength; use of reservists, temporary contract support, detailees from other units, or other management actions such as transferring workload within the unit.

Question. In your view, how would the Air Force account and pay for the cost of additional personnel to fill positions left vacant by airmen on extended maternity leave?

Answer. There is an associated cost, but we also currently have significant costs associated with decreased retention, increased accession and training requirements and lost expertise. While not directly linked, our request for military end-strength growth will also assist in minimizing the operational impact to a force that is already stretched thin.

Question. Do you support uncharged paternity leave for male airmen? If so, how many weeks do you believe is an appropriate amount of time?

Answer. As with maternity leave, paternity leave is also under active consideration (as are other forms of "parental leave" (adoption, single parent etc.) In conjunction with OSD and the other Services, we must fully consider all aspects of each proposal, to include the operational impact. The specific proposal and timelines are

still being discussed. Changes to this leave category would require legislation to adjust the current law.

Question. Do you believe the Air Force fully understands what the cost of this reform will be? If so, describe those costs.

Answer. Extending maternity leave from 6 to 18 weeks will cost approximately 937 lost man-yrs. or $113 M annually. In addition to the fiscal cost, there is also a cost in terms of operational capability. This will vary by unit and specialty code depending upon the number of women in the respective career field or unit. As such, it is important to be able to take a flexible approach and provide as many options for commanders to deal with their respective impacts.

MORALE, WELFARE, AND RECREATION

Question. If confirmed, what challenges do you foresee in sustaining Air Force MWR programs in the future fiscal environment?

Answer. Taking care of people remains Air Force's number one priority and robust MWR programs are paramount to achieving mission success. MWR programs are essential in supporting USAF's objectives of "Building and Maintaining Ready, Resilient airmen & Families." Continuous constrained budgets undoubtedly tax our ability to provide the funding needed; however, Air Force leadership remains committed to holding the line on sufficient support to help meet total force quality of life needs. MWR Programs are the right investment for airmen and their families, even in times of scarce resources, as they are directly tied to resilience, morale and ultimately readiness/mission performance.

MILITARY HEALTH CARE

Question. In your view, what should the Air Force Medical Service do to improve access to care in its medical treatment facilities?

Answer. The Air Force Medical Service has taken several important steps this year to improve access to care and those steps are having a positive impact. Examples include simplified appointing schedules and a policy to grant access upon the first contact with the patient. The Surgeon General has identified additional measures such as reduction of staffing gaps during personnel transitions that will further improve access to care. I will work with the Surgeon General to ensure our staffing and scheduling processes meet the demand of the populations we serve.

Question. If confirmed, how would you work with the Surgeon General of the Air Force to improve the healthcare experience for airmen and their families?

Answer. In addition to providing great access to care, the Surgeon General's Trusted Care initiative is a comprehensive approach to preparing our medical professionals to provide reliably safe, patient-centered care. We are building an action plan that includes tiered developmental education and training to ensure our people are skilled and knowledgeable in streamlining processes to improve the experience of care and leading a culture of safety. The Surgeon General has implemented a new performance management system that measures patient satisfaction as well as quality of care. I will work with the Surgeon General to ensure these initiatives move forward for the benefit of those we serve in our military treatment facilities and at our deployed sites.

FAMILY READINESS AND SUPPORT

Question. airmen and their families in both the active and reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for airmen and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced, especially in light of current fiscal constraints?

Answer. Taking care of people is the Air Force's number one priority. The most important family readiness issue for airmen and their families is investment in airmen and family programs and the MWR Portfolio. MWR and family programs have a direct impact to retention, resiliency, and readiness. Understanding the current and future budget constraints, we must fund airmen and family programs with the greatest impact to retention, resiliency and readiness. Doing so builds a "community" of airmen and families not just working for the Air Force, but who are Air Force Members. Funding programs centered on airmen and families creates "touch points" that strengthen our sense of Air Force community. There is no stronger impact to success than airmen who are able to focus on the mission because they know the family back home is part of a close-knit community.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the Services continue to be of great concern to the Committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Department of the Air Force to prevent suicides and increase the resiliency of airmen and their families?

Answer. I would take an active role in supporting the development of an Air Force integrated prevention strategy focused on suicide, sexual assault, substance abuse and family member maltreatment. The AF Suicide Prevention Summit held in September brought together the foremost subject matter experts from across DOD, Federal agencies and academia to address this critical issue and generated a strong strategy to reverse the rising trend. I am committed to moving forward with a comprehensive action plan and working collaboratively with the Defense Suicide Prevention Office (DSPO) and other Services to significantly reduce the frequency of suicide in our force. I will also ensure the Air Force continues to actively research means of more effectively mitigating risk for suicide within the force, including continued progress toward a resilient culture of airman through Comprehensive Airman Fitness.

SUPPORT FOR WOUNDED, ILL, AND INJURED AIRMEN

Question. Servicemembers who are wounded or injured in combat operations deserve the highest priority from the Air Force and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty if required, and continuing support beyond retirement or discharge.

What is your assessment of the progress made by the Air Force to improve the care, management, and transition of seriously ill and injured airmen?

Answer. We continue to keep care for our Wounded, Ill and Injured (WII) at the forefront, and are making steady progress in elevating that care. We have created Care Management Teams to guide our WII through their recovery and transition, and the synergy and focus these teams provide are increasing support for our WII airmen and their families. Even so, the Vice Chief of Staff of the Air Force and I are assessing WII airmen program outcomes in an effort to strengthen our support even more as we look to the future.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase the Air Force's support for wounded airmen, and to monitor their progress in returning to duty or to civilian life?

Answer. The Air Force A1 and SG teams will continue to collaborate closely to ensure our WII receive the highest level of support possible by applying medical care advancements and maintaining our capability to grow our capacity if the need arises.

SENIOR MILITARY AND CIVILIAN ACCOUNTABILITY

Question. While representative of a small number of individuals in DOD, reports of abuses of rank and authority by senior military and civilian leaders and failures to perform up to accepted standards are frequently received. Whistleblowers and victims of such abuses often report that they felt that no one would pay attention to or believe their complaints. Accusations of unduly lenient treatment of senior officers and senior officials against whom accusations have been substantiated are also frequently heard.

What are your views regarding the appropriate standard of accountability for senior civilian and military leaders of the Department?

Answer. The success of our Air Force depends on airmen having complete trust and confidence in one another. Each of us must live by our core values of Integrity First, Service Before Self and Excellence In All Do. As senior leaders we must maintain the highest levels of adherence to these values.

Question. If confirmed, what steps would you take to ensure that senior leaders of the Air Force are held accountable for their actions and performance?

Answer. As senior leaders in our world's greatest Air Force, we must be held to the highest levels of accountability and professional conduct. We must also ensure that we create a safe and respectful environment for all our airmen. If confirmed, I will ensure that results of investigations are taken seriously and given full review and that appropriate administrative, disciplinary, and/or legal action is taken where necessary.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of the Air Force?

Answer. Yes.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Answer. Yes.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

BEST VALUE CONTRACTING

1. Senator AYOTTE. Secretary Disbrow, there has been a recent trend in some of the Services to buy more products through Lowest Price Technically Acceptable (LPTA) and reverse auction acquisition methods. I have become aware of cases where these methods have even been used for the procurement of personal protective equipment where safety and quality are critical and the failure of the item could result in combat casualties. Our troops, who put their lives on the line for our freedom and security, should not be sent into harm's way with the cheapest equipment, but rather the best. In combat, as well as in training, quality personal protective equipment can prevent serious injuries and can even be the difference between life and death for our servicemembers. That is why I worked to include section 884 in this year's NDAA, which was recently signed into law. This provision requires the Secretary of Defense to ensure that the Services, in procuring an item of personal protective equipment or a critical safety item, use source selection criteria that is predominately based on technical qualifications of the item, if the level of quality or failure of the item could result in death or severe bodily harm to the servicemember. If confirmed, will you review this provision in the NDAA and ensure that your Service complies with this law?

Secretary DISBROW. I am familiar with Title VIII—Acquisition Policy, Acquisition Management and Related Matters of the FY15 NDAA and support its intent. If confirmed, I will endeavor to ensure the continued prioritization of our servicemembers' safety in our acquisitions, to continue to analyze each requirement individually and be prepared to utilize all available source selection methods on the best value continuum.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

REBALANCE TO THE ASIA-PACIFIC

2. Senator HIRONO. Secretary Disbrow, I am very concerned with ensuring that our Rebalance to Asia-Pacific is more than just rhetoric. What are your views on advancing a tangible rebalance?

Secretary DISBROW. The Asia-Pacific region remains of central importance to the national security of our Nation as the world's strategic and economic centers of gravity evolve. The Air Force is committed, working with our joint partners and allies, to ensure regional stability and mutual freedom of access to the global commons through cooperative military relationships.

The United States demonstrates the importance of air and space capabilities by stationing the majority of the Air Force's permanent overseas forces in the Asia-Pacific region and will continue to do so into the foreseeable future. This regional pres-

ence, combined with continental United States-based forces, provide critical operational capabilities to the Commander, U.S. Pacific Command , to include global attack with extended nuclear deterrence and assurance, strategic mobility, airborne and space-based intelligence, surveillance, and reconnaissance, precision navigation and timing, and command, control, and communications.

3. Senator HIRONO. Secretary Disbrow, in your opinion, how are we doing in reassuring our partners and allies in the region that we are serious about the Rebalance and what else should we be doing?

Secretary DISBROW. The effort to reassure our partners and allies in the region is of utmost priority and we prove our commitment in many multifaceted ways; including investment in new strike platforms such as Long Range Strike Bomber and Theater Security Cooperation programs. In addition, the Air Force has a long history of partnerships with air forces in the Asia-Pacific region and will continue to increase our security cooperation activities to help regional allies and partner nations establish, improve, and sustain air, space, and cyberspace capabilities.

As part of our commitment to the Rebalance we continue to deepen and broaden bilateral and multilateral partnerships through continued engagement with our key allies-Japan, South Korea, Australia, the Philippines, and Thailand. In concert with the Office of the Secretary of Defense and the combatant commander, we continue to pursue and strengthen defense relationships with Singapore, Indonesia, Malaysia, India, Vietnam, New Zealand, and others.

The Air Force also continues to demonstrate U.S. commitment to the region by providing much needed humanitarian assistance and disaster relief throughout the region when a crisis or natural disaster unfolds.

ENERGY SECURITY

4. Senator HIRONO. Secretary Disbrow, I believe energy security is a vital component to our overall national security. Do you believe the Department of Defense (DOD) has a role to play in U.S. energy security and could you comment on how you view energy security as tied to our overall national security?

Secretary DISBROW. I believe energy security is absolutely critical to our overall national security. Energy fuels every sortie, launches every space mission, and enables all command and control. I believe it is critical for the Air Force to improve its ability to manage energy supply and demand in a way that enhances mission capability and readiness, while helping address the Nation's broader energy challenges. Consequently, I fully support the Air Force's current initiatives to establish mission assurance through energy assurance, building strategic energy agility through resilient, cost-effective, and clean sources. These initiatives will reduce costs and provide energy through contingencies, even those that may deny energy sources for long periods.

ENERGY EFFICIENCY INITIATIVES

5. Senator HIRONO. Secretary Disbrow, I applaud DOD's work on energy efficiency initiatives including alternative and renewable energy projects. If confirmed, will you commit to continuing the administration's efforts to expand alternative and renewable energy initiatives?

Secretary DISBROW. Optimizing the way the Air Force uses energy increases our energy resiliency. I support DOD's efforts to increase energy efficiency and pursue clean energy projects in areas which do not compromise national security. If confirmed, I will aggressively support the Air Force's current energy efficiency strategy which includes pursuing alternative and renewable energy sources.

MAUI HIGH POWER COMPUTING CENTER

6. Senator HIRONO. Secretary Disbrow, I am aware that the Maui High Power Computing Center (MHPCC) as part of the High Performance Computing Modernization Program should be undergoing systems modernizations along with the other computing centers. I want to ensure that the plans for the Maui modernization efforts are sufficiently focused to modernize their systems. If confirmed, will you work to ensure that all of our computing centers are monitored and resourced under the modernization program to ensure that they all have the capability to provide required outputs?

Secretary DISBROW. The Maui High Performance Computing Center (MHPCC) houses one of Department of Defense Supercomputing Resource Centers. It is one of the most powerful computer systems in the department, offering a large-scale parallel computing platform and a high-speed communications infrastructure used to process and translate data into Space Situational Awareness information. If con-

firmed, I look forward to working with this committee and colleagues within the Department of Defense to find ways to properly monitor and resource this important capability.

7. Senator HIRONO. Secretary Disbrow, if confirmed, will you commit to keeping me and my staff informed on the Army's efforts to keep the computers at the MHPCC and the other facilities up-to-date under the High Performance Computing Modernization Program?

Secretary DISBROW. If confirmed, you have my commitment to work with our Army and Department of Defense partners to ensure you and your staff are continuously informed of our efforts to keep these important systems and facilities up-to-date.

[The nomination reference of the Honorable Lisa S. Disbrow follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 21, 2015.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Lisa S. Disbrow, of Virginia, to be Under Secretary of the Air Force, vice Eric K. Fanning, resigned.

[The biographical sketch of the Honorable Lisa S. Disbrow, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF LISA S. DISBROW

Education:

National War College
- 2001–2002
- Master of Science, National Security Strategy

Air Command and Staff College
- 1998

George Washington University
- 1991
- Master of Art, International Affairs

University of Virginia
- 1980–1984
- Bachelor of Arts, Foreign Affairs

Employment Record:

United States Air Force
- Assistant Secretary of the Air Force (Financial Management & Comptroller)
- July 2014—Present
- April 2015–Present, Also performing the duties of the Under Secretary of the Air Force

Joint Staff, Department of Defense
- Vice Director, J8
- April 2007–July 2014

White House/Department of Defense
- Special Advisor for Policy Implementation, National Security Council
- May 2006–March 2007

White House/Department of Defense
- Senior Director for Policy Implementation, National Security Advisor
- February 2006–May 2006

Joint Staff, Department of Defense
- Deputy Director, Force Management
- May 2003–February 2006

Joint Staff, Department of Defense
- Deputy Chief, Studies, Analysis and Gaming Division, J8
- January 1998–May 2003

Joint Staff, Department of Defense
- Operations Analyst, J8
- December 1995–January 1998

National Reconnaissance Office
- Senior Engineer
- January 1993–December 1995

United States Air Force
- Active Duty Officer, Directorate of Intelligence
- April 1985–December 1992

Honors and Awards:

Military Awards
- 2014 Lieutenant General Glen A. Kent Leadership Award

Federal Civilian Awards
- 2014 CJCS Joint Distinguished Civilian Service Award
- 2013 Distinguished Executive Presidential Rank Award Finalist
- 2010 Competitive DOD Distinguished Civilian Service Award
- 2008 Meritorious Executive Presidential Rank Award
- 2006 Joint Meritorious Civilian Service Award
- 2000–2001 Joint Meritorious Civilian Service Award
- 1996–1997 Joint Distinguished Civilian Service Award

Academic Awards
- April 2002, United States Army Association Paper of the Year, National War College Class of 2002, "Decision Superiority"

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by the Honorable Lisa S. Disbrow in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

ROOM SR-228

WASHINGTON, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Lisa Stephens Disbrow (1993–present)—Married name.
Lisa Stephens Valero (1983–1993)—Married name.
Lisa Kay Stephens (1962–1983)—Maiden name.

2. **Position to which nominated:**
Under Secretary of the Air Force.

3. **Date of nomination:**
September 21, 2015.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
September 29, 1962, Clifton Forge, VA.

6. **Marital status:** (Include maiden name of wife or husband's name.)
Married to Harry Clyde Disbrow, Jr.

7. **Names and ages of children:**
[Nominee responded and the information is contained in the committee's executive files.]

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
- University of Virginia, 1981-1984, BA, Foreign Affairs, 1984
- George Washington University, MA, International Affairs, 1990
- National War College, 2001-2002, MS, National Security Strategy, 2002

9. **Employment Record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
1. Assistant Secretary of the Air Force (Financial Management & Comptroller) performing the duties of Under Secretary of the Air Force; April 2015–present
2. Assistant Secretary of the Air Force (Financial Management & Comptroller); July 2014–present
3. Vice Director, Joint Staff/J8; Joint Staff/Department of Defense; April 2007–July 2014
4. Special Advisor for Policy Implementation, National Security Council; White House/Department of Defense; May 2006–March 2007
5. Senior Director for Policy Implementation, National Security Advisor; White House/Department of Defense; February 2006–May 2006
6. Deputy Director, Force Management; Joint Staff/Department of Defense; May 2003–February 2006

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
None.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Social Club/Organization	Dates	Position	Restrictive Membership Policies	Name/Address/Telephone Of Verifying Membership Official
American Society of Military Comptrollers	2014–present	Member	Must be actively employed in military comptrollership, as active duty or civilian personnel for DOD or USCG	Washington Chapter alrunnels@ asmconline.org
American Legion Post 24 Alexandria	2011 present	Member (passive member)	Veteran	Jim Glassman Post 24 400 Cameron St. Alexandria VA 22314 703-683-5564
Daughters of American Revolution	2006–present	Inactive Member	Must have a relative who aided in achieving American independence	Pentagon Chapter registrar@pentagon chapterDAR.org
Colonial Dames	2008–present	Inactive Member	Must have a relative who resided in one of the 13 Colonies between 1607–1775	
Air Force Association	Mid-1980s–present	Member (passive)	No	800-727-3337 1501 Lee Hwy Arlington VA 22209
AARP	2009–present	Member (passive)	Must be 50	888-531-8722

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Scholarships:

Masters Degree program through Defense Intelligence Agency's Defense Advanced Language and Area Studies Program

DOD Civilian Senior Executive Service Awards:

1996–1997, Joint Distinguished Civilian Service Award.
2000–2001, Joint Meritorious Civilian Service Award.
2006, Joint Meritorious Civilian Service Award.
2008, Meritorious Executive Presidential Rank Award.
2010, Competitive DOD Distinguished Civilian Service Award.
2014, CJCS Joint Distinguished Civilian Service Award.
2014, Lieutenant Glen A. Kent Leadership Award.

Honor Society:

Sigma Iota Rho Honors Society for International Studies

Awards:

United States Army Association, "Paper of Year" National War-College Class of 2002, "Decision Superiority", April 2002

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None, other than papers for graduate and undergraduate degree courses and military professional education courses.

16. **Speeches:** Provide the Committee with copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

4 June 2015—Arnold Air Society / Silver Wings National Conclave—Distinguished Speaker Series.

5 May 2015—National Security Forum: "America's Role in an Uncertain World". (no formal documentation of speeches as presented).

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to Congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this Committee?

Yes.

(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.

[The nominee responded to Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

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

LISA S. DISBROW

This 12th day of November, 2015

[The nomination of the Honorable Lisa S. Disbrow was reported to the Senate by Chairman McCain on December 18, 2015, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on January 20, 2016.]

APPENDIX

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CIVILIAN NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

2. **Position to which nominated:**

3. **Date of nomination:**

4. **Address:** (List current place of residence and office addresses.)

5. **Date and place of birth:**

6. **Marital Status:** (Include maiden name of wife or husband's name.)

7. **Names and ages of children:**

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through F will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all business connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

5. Is your spouse employed and, if so, where?

6. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

6. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any legal impediments to your serving in this position?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

PART F—FINANCIAL DATA

All information requested under this heading must be provided for yourself, your spouse, and your dependents.

1. Describe the terms of any beneficial trust or blind trust of which you, your spouse, or your dependents may be a beneficiary. In the case of a blind trust, provide the name of the trustee(s) and a copy of the trust agreement.

2. Provide a description of any fiduciary responsibility or power of attorney which you hold for or on behalf of any other person.

3. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, executory contracts and other future benefits which you expect to derive from current or previous business relationships, professional services and firm memberships, employers, clients and customers.

4. Have you filed a Federal income tax return for each of the past 10 years? If not, please explain.

5. Have your taxes always been paid on time?

6. Were all your taxes, Federal, State, and local, current (filed and paid) as of the date of your nomination?

7. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

8. Have any tax liens, either Federal, State, or local, been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

(The committee may require that copies of your Federal income tax returns be provided to the committee. These documents will be made available only to Senators and the staff designated by the Chairman. They will not be available for public inspection.)

SIGNATURE AND DATE

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

_____.

This _____ day of _____, 20_____.

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CERTAIN SENIOR MILITARY NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE:

Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman, add the following paragraph to the end:

> "I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the Committee on [insert date or your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

2. **Position to which nominated:**

3. **Date of nomination:**

4. **Address:** (List current place of residence and office addresses. Also include your office telephone number.)

5. **Date and place of birth:**

6. **Marital Status:** (Include name of husband or wife, including wife's maiden name.)

7. **Names and ages of children:**

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through E will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your military service. If so, explain.

2. Has anybody made a commitment to employ your services in any capacity after you leave military service?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

5. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

6. Is your spouse employed and, if so, where?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

SIGNATURE AND DATE

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

_____.

This _____ day of _____, 20_____.

○