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S. HRG. 108–002

NOMINATIONS BEFORE THE SENATE ARMED SERVICES COMMITTEE, FIRST SESSION, 108TH CONGRESS

HEARINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

ON

NOMINATIONS OF

PAUL McHALE; CHRISTOPHER RYAN HENRY; STEPHEN A. CAMBONE; JOHN PAUL WOODLEY, JR.; LINTON F. BROOKS; LT. GEN. JOHN P. ABIZAID, USA; THOMAS W. O'CONNELL; PAUL M. LONGSWORTH; GEN. RICHARD B. MYERS, USAF; GEN. PETER PACE, USMC; GEN. PETER J. SCHOOMAKER (RET.), USA; LTG. BRYAN D. BROWN, USA; GORDON R. ENGLAND; AND MICHAEL W. WYNNE

JANUARY 30; FEBRUARY 27; JUNE 25; JULY 10, 24, 29; SEPTEMBER 23; NOVEMBER 18, 2003

Printed for the use of the Committee on Armed Services

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THURSDAY, JANUARY 30, 2003

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

The committee met, pursuant to notice, at 9:45 a.m., in room SH–216, Hart Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, Inhofe, Roberts, Allard, Talent, Dole, Levin, Reed, Akaka, E. Benjamin Nelson, Clinton, and Pryor.

Also present: Senators Reid and Specter, and Representative Steve Buyer.

Committee staff members present: Judith A. Ansley, staff director; Cindy Pearson, assistant chief clerk and security manager; and Gabriella Eisen, nominations clerk.

Professional staff members present: Charles W. Alsup, Brian R. Green, William C. Greenwalt, Carolyn M. Hanna, Mary Alice A. Hayward, Patricia L. Lewis, Thomas L. MacKenzie, and Lynn F. Rusten, professional staff members; Scott W. Stucky, general counsel, and Richard F. Walsh, L. David Cherington, and Ann M. Mittermeyer, counsels.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Evelyn N. Farkas, Richard W. Fieldhouse, Creighton Greene, and Maren R. Leed, professional staff members; Gerald J. Leeling and Peter K. Levine, minority counsels.

Staff assistants present: Michael N. Berger, Leah C. Brewer, Sara R. Mareno, and Nicholas W. West.

Committee members' assistants present: Cord Sterling, assistant to Senator Warner; John A. Bonsell, assistant to Senator Inhofe; James Beauchamp, assistant to Senator Roberts; Jayson Roehl, assistant to Senator Allard; Arch Galloway II, assistant to Senator Sessions; James P. Dohoney, Jr. and Jon T. Kakasenko, assistants to Senator Collins; Lindsey R. Neas, assistant to Senator Talent; James W. Irwin, assistant to Senator Chambliss; Henry J. Steenstra, assistant to Senator Dole; Tiffany Turner, assistant to Senator Cornyn; Mieke Y. Eoyang, assistant to Senator Kennedy; Elizabeth King, assistant to Senator Reed; Davelyn Noelani Kalipi and Richard Kessler, assistants to Senator Akaka; William K.

Sutey, assistant to Senator Bill Nelson; Eric Pierce, assistant to Senator Ben Nelson; William Todd Houchins, assistant to Senator Dayton; Andrew Shapiro, assistant to Senator Clinton; Terri Glaze, assistant to Senator Pryor.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. The hearing will come to order.

Senator Levin and I had a very long breakfast this morning with the Secretary of Defense. His parting words were, "I need them in a hurry." I said, "Well, then, let us end the meeting and I can get back here."

I would like to welcome our new members on the committee this morning. I will make a brief statement, and then—oh, Senator Levin is here.

Senator LEVIN. I welcome the new members, as you do.

Chairman WARNER. The committee meets this morning to consider these two very important nominations, two of the most outstanding, qualified individuals for public service that I have been privileged to see in some time. Thank you, and I thank your families for offering this service.

Mr. Ryan Henry has been nominated by the President to serve as Deputy Under Secretary of Defense for Policy. Congressman Paul McHale has been nominated to fill the newly created position of Assistant Secretary of Defense for Homeland Defense. We welcome the nominees and their families.

Mr. Henry, congratulations on your nomination. I understand that your wife Delonnie, your mother Mildred, and your children are here today—why don't you introduce all of your family?

Mr. HENRY. Yes, sir. I have my youngest daughter, Megan Rich, and her husband, Michael Rich; my daughter, Maile Reid, and her husband, Key Reid; and my son, Terrell Henry, at the end there, sir.

Chairman WARNER. I understand there is a little linkage with our distinguished colleague here.

Mr. HENRY. We have the pride of the family—Riley Reid, who both Senator Reid and I share as the best granddaughter in the world.

Chairman WARNER. Isn't that wonderful? That is nice.

Senator LEVIN. We better not tell Ella that. [Laughter.]

Chairman WARNER. Mr. McHale, I understand you have your family here. Would you introduce them for us, please?

Mr. MCHALE. Mr. Chairman, I would like to. I am joined today by my wife Kathy, my son Matt, my daughter Mary, and my son Luke.

Chairman WARNER. Thank you. Senator Specter is also due to come by a little later.

Mr. MCHALE. Yes, sir, that is correct.

Chairman WARNER. Then we will stop the proceedings.

Mr. MCHALE. He indicated to me, Mr. Chairman, that he would be here about 10:15.

Chairman WARNER. Is Congressman Steve Buyer here?

Mr. BUYER. Yes.

Chairman WARNER. Good. Nice to see you. We welcome you and thank you, Steve, the former Chairman of the Personnel Subcommittee of the House Armed Services Committee.

I am going to stop where I am now and put my statement into the record. Senator Levin, why don't you say a few words?

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT BY SENATOR JOHN WARNER

The committee meets this morning to consider two very important nominations. Ryan Henry has been nominated by the President to serve as the Deputy Under Secretary of Defense for Policy; Congressman Paul McHale has been nominated to fill the newly-created position of Assistant Secretary of Defense for Homeland Defense. We welcome the nominees and their families.

Mr. Henry, congratulations on your nomination. I understand that your wife, Delonnie, your mother, Mildred, and your children and grandchild are here today. Would you introduce them please?

I am pleased that Senator Harry Reid is here today to introduce you to the committee.

Mr. McHale, I understand that your wife, Kathy, a Lieutenant Commander in the Naval Reserve, is here today, as well as your children. Would you please introduce them to the committee?

I also recognize Congressman Steve Buyer, former Chairman of the Personnel Subcommittee of the HASC. The committee has received a letter from Mr. Buyer, which, without objection, I will enter into the record.

Family support is critical to the success of individuals in senior positions in our government, and we appreciate the support and sacrifices of the families of these distinguished nominees.

I had the opportunity to meet with both of our nominees on Monday. We are fortunate as a nation that you have both decided to return to government and, assuming you are confirmed by the Senate, continue your service to our country.

Mr. Henry, after graduating with distinction from the U.S. Naval Academy in 1972, you compiled an impressive career of military service as a naval aviator, serving as a test pilot, as the commanding officer of a carrier-based Sea Strike Squadron, and as Special Programs Manager at the Defense Advanced Research Projects Agency. While on active duty, you participated in combat operations in Vietnam and over Iraq during Operation Desert Storm.

Since retirement you have spent time as a Senior Fellow at the Center for Strategic and International Studies, concentrating on information assurance and cyberthreats. Currently, you are a Corporate Vice President for Strategic Assessment and Development with Science Applications International Corporation (SAIC).

This is an impressive resume by any measure. Our Nation is fortunate to have someone of your caliber willing to serve in this challenging position.

Former Congressman Paul McHale has also had a distinguished career, including service as a decorated Marine Corps officer. In 1990, following Iraq's invasion of Kuwait, Colonel McHale was ordered to extended active duty and served as Assistant Operations Officer for the Seventh Marine Regiment (Task Force Ripper). He deployed with the Seventh Marines to Saudi Arabia in August 1990, shortly after the Iraqi invasion, and served in Saudi Arabia and Kuwait until his release from active duty in May 1991. Colonel McHale continues his service to this day in the Marine Corps Reserve.

Mr. McHale began his political career when he was elected to the Pennsylvania House of Representatives in 1982 and served five consecutive terms. After returning from the Persian Gulf region in 1991, Mr. McHale was elected to the United States House of Representatives to represent the 15th Congressional District of Pennsylvania. He served three terms in the U.S. House of Representatives, and, as a member of the House Armed Services Committee and House Science Committee, distinguished himself with his commitment to a strong national defense and to the welfare of the men and women of the Armed Forces. Upon his departure at the end of the 106th Congress, Mr. McHale was awarded the Distinguished Public Service Medal by then-Secretary of Defense Cohen.

Since his departure from Congress, Mr. McHale resumed the practice of law in Allentown, Pennsylvania. Fortunately, he has agreed to answer this call to duty and to assume what may be his greatest and most important challenge: enhancing the capabilities of our Nation's homeland defense.

I am proud to have played a role in including the legislation to create the position of Assistant Secretary of Defense for Homeland Defense in last year's Defense Au-

thorization Act. It is central that the Pentagon have a single focus for the vital homeland defense mission, working with Secretary Ridge's new Department. I cannot think of a better person to fill this important position than Congressman McHale.

Mr. Henry, you will play a central role, from your position in the "Policy Shop" in ensuring that Mr. McHale succeeds in his important mission. You will have many challenges in the months ahead and a broad range of policy issues. I am confident that you are "up to the task."

Senator LEVIN. I just want to welcome both our witnesses. They are well-qualified for these important positions; one, a totally new position and one a relatively new position. We thank their families. The families serve along with our nominees, sacrifice along with our nominees, frequently without being thanked by our Nation as they should be for their service supporting in this case their husbands and fathers, brothers, and, I guess, grandfathers. Is that the situation here?

Except for the reference to the most wonderful granddaughter in the world, I think, other than that, I would thoroughly support your nomination. [Laughter.]

I say that as I walk around with pictures of my two granddaughters in my pocket. I would have to not quite buy that part of your testimony. [Laughter.]

But other than that, we are delighted with your nominations and look forward to having a chance to ask you questions.

Like our chairman, I welcome again publicly the new members of our committee. We only have two of our new members with us today. Senator Pryor and Senator Dole, thank you for your joining this committee. We look forward to both of your services.

Chairman WARNER. Thank you, Senator Levin.

I certainly join in recognizing the important role of the families who have unusually long hours of waiting, given the extraordinary times in the Department of Defense. But those extraordinary times require extraordinary individuals to serve.

Having studied hundreds of biographies of candidates over the 30 years that I have been affiliated with the Department of Defense, we have two of the finest here this morning. I congratulate you and your families, and say only to the wives and the children: Get your fathers home! Every decision in the Pentagon made after 7 o'clock is reversed the next morning. [Laughter.]

Senator ALLARD. Mr. Chairman?

Chairman WARNER. Yes.

Senator ALLARD. I want to apologize in advance. I have another committee meeting at 10 o'clock, and I have some brief comments I would just like to make part of the record.

Chairman WARNER. Of course.

Senator ALLARD. I want to congratulate each of you, and wish you well in your new responsibilities.

Thank you, sir.

Chairman WARNER. I thank you, Senator.

[The prepared statement of Senator Allard follows:]

PREPARED STATEMENT BY SENATOR WAYNE ALLARD

Thank you, Mr. Chairman. I am pleased that we have two excellent candidates before us today. The positions they will be occupying are important to the security of this nation and the functioning of the Department of Defense. I am particularly

pleased that we will be considering the President's nominee for a newly created position—the Assistant Secretary of Defense for Homeland Defense.

Since September 11, we have been confronted by a new world. No longer can we afford to be content with the old ways of doing business. Secretary Rumsfeld has launched a major effort to transform the U.S. military, though much remains to be done. We need a military that is mobile, well-equipped, and capable of fighting on multiple fronts overseas. We also need a military capable of assisting with serious crises here at home.

I have reviewed Mr. Henry's resume and am impressed by his prior military experience. His advanced research, development, and policy analysis expertise will serve him well as he prepares to confront the many policy challenges facing our country and the Department of Defense. In particular, I hope to work closely with the nominee as he assists senior DOD officials develop, coordinate, and resolve national security space policy issues.

I am also pleased that former Congressman Paul McHale has decided to return to public service after a 3 year absence. I understand that he twice served in the active military—first, in 1972 for 2 years as a Marine Corps second lieutenant; and later, in 1991, as a Marine Corps infantry officer during the Persian Gulf War. I appreciate his service to our country, and look forward to working with him on better protecting our homeland.

Congressman McHale will be in a difficult position from the start. Since the position for which he seeks confirmation was recently created, the duties and functions have not been firmly established. Moreover, many of the agencies with homeland security missions are now entering a period of transition. I noticed in the nominee's answers to the committee's advance questions that he will be providing guidance to U.S. Northern Command through the Secretary of Defense. I would appreciate it if the nominee would expand on this responsibility further in either his opening statement or his answers to our committee's questions.

I thank the Chair for the opportunity to make a few opening remarks. I welcome our nominees, and I look forward to hearing from them.

Chairman WARNER. The committee has asked our witnesses to answer a series of advance policy questions. They have responded to those questions in our standard questionnaire. Without objection, these responses will be made part of today's record.

Before we hear from our witnesses, I have several standard questions I ask of each nominee who comes before this committee. I ask you to respond.

Have you adhered to the applicable laws and regulations governing conflicts of interest?

Mr. HENRY. Yes, sir.

Mr. MCHALE. Yes, sir.

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

Mr. HENRY. No, sir.

Mr. MCHALE. No, sir.

Chairman WARNER. Will you ensure that your staff complies with deadlines established for requested communications including prepared testimony and questions for the record in hearings?

Mr. HENRY. Yes, sir.

Mr. MCHALE. Yes, sir.

Chairman WARNER. Will you cooperate in providing witnesses and briefs in response to congressional inquiries?

Mr. HENRY. Yes, sir.

Mr. MCHALE. Yes, sir.

Chairman WARNER. Will those witnesses be protected from any reprisal for their testimony and briefings?

Mr. HENRY. Yes, sir.

Mr. MCHALE. Yes, sir.

Chairman WARNER. We will now ask our colleagues to make their introductions.

Senator Reid, we certainly are privileged to have our distinguished leader here. I do not know of a harder working Senator in the entire institution of 100.

STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM THE STATE OF NEVADA

Senator REID. Chairman Warner, Senator Levin, members of the committee, it is a pleasure for me to introduce Christopher Ryan Henry as President Bush's nominee to be the Deputy Under Secretary of Defense For Policy. Ryan Henry is an outstanding American and an ideal choice for this critical position.

As has already been established—and certainly I want the record to reflect, that my son Key had the good fortune to marry Ryan's daughter, Maile, several years ago. When I say it was my son's good fortune, I really mean that. Ryan and his wife, Delonnie, are fine parents, and their children are especially kind, warm, and talented.

I was very pleased and proud when the Reid and Henry families became connected through the marriage of our children and the birth of our grandchildren, Riley, Oclell, and Ella Joy. As has been indicated, Riley is here.

I would also like to welcome Ryan's mother, Mildred Henry, who came all the way from San Diego to be here with her son. We are all sorry that Ryan's father, Robert, cannot be here. He has not been feeling very well in recent weeks.

As a family, we are all very proud of Captain Henry. I know he will contribute enormously to the mission of the Defense Department during these difficult and dangerous times.

As the President explained the night before last in the President's State of the Union Address, our country faces a wide array of national security threats both here and abroad. Our policy makers within the defense community are facing some unprecedented challenges and problems for which there are no easy answers. But good people, with talent, vision, and practical experience can help solve these problems. I believe Ryan Henry is one such person.

He is an honor graduate of the United States Naval Academy in Annapolis. He served more than 26 years as a Navy officer and aviator, earning numerous awards and deploying tours in Vietnam and the Persian Gulf conflict. He has logged over 5,500 hours in air in 54 different aircraft, and has made 750 carrier landings. His military service record is a clear demonstration of his bravery and patriotism. Mr. Chairman, I will not go through the list of commendations, awards, and medals that he has received, but they are numerous.

His achievements after retiring from the Navy have been equally impressive. I will not list all of his accomplishments, but I would like to highlight his service as a senior fellow at the highly regarded Center for Strategic and International Studies, and his outstanding record of performance as Corporate Vice President at Science Applications International Corporation, one of the world's largest, most prominent defense and technology companies.

Because of his patriotism and his call to duty by our Commander in Chief, he is returning to serve in the United States military in the capacity that his qualifications certainly enable him to do. Even though he has had to give up a lucrative career in the private sector, as is very typical for people who have served in the military, when you have a call to duty, you answer that call. Captain Henry is no different.

These tough and dangerous times confronting our Nation require that we call upon the country's best, most capable citizens to serve. The President and this committee have found the best in Christopher Ryan Henry.

I would just like to mention in passing as I already have, how proud I am of his daughter, Maile, who is the mother of two of my grandchildren.

But also I think it is worth noting that one of Captain Henry's daughters is now a member of the United States Navy, having graduated from the Massachusetts Institute of Technology and ROTC program. Within a matter of a couple of weeks, she is heading for the Gulf to take up her position as a fire control officer on a destroyer. This is what the family is all about.

Mr. Chairman, I know you will give this nomination every consideration. I am grateful and proud for having this opportunity to introduce part of my family.

Chairman WARNER. Senator Reid, your introduction has moved all of us very deeply. Indeed, the Henry family is what America is all about. You have come back to serve again. As Secretary Rumsfeld told me to get this hearing over quickly, he needs you. So we will pass on with that.

Mr. McHale, we have Senator Specter here to introduce you. Welcome, Senator.

STATEMENT OF HON. ARLEN SPECTER, U.S. SENATOR FROM THE STATE OF PENNSYLVANIA

Senator SPECTER. In the grand manner of the Senate of yesteryears, we are privileged to have Squire Senator Warner in our midst. I appreciate your courtesies, Mr. Chairman.

I am chairing another hearing, but I wanted to interrupt to come by and introduce former Congressman McHale to you, although you already know him. He is a very distinguished Pennsylvanian. He served in the Pennsylvania general assembly. He is a three-term Congressman. He has an outstanding academic background from Lehigh University. He obtained a bachelor's degree and a law degree from Georgetown. He is a man of noted independence. He has spoken out with vigor and clarity. He has been a marine, consistent with their policy of selecting just the best.

I know that he will be an outstanding Assistant Secretary of Defense for Homeland Defense and that is a very major undertaking. I would talk about him longer, but I want to see this committee finish its work so we can get him confirmed.

Thank you very much, and good luck, Paul.

Mr. MCHALE. Thank you, sir.

Chairman WARNER. We thank you genuinely for coming because this is an outstanding individual right here. I was greatly impressed when I had the opportunity to study his dossier.

Senator SPECTER. Thank you.

Chairman WARNER. Thank you, Senator.

Mr. MCHALE. Thank you.

Chairman WARNER. At this point, I would also like to insert into the record the statement of Senator Rick Santorum, who is unable to be here today.

[The prepared statement of Senator Santorum follows:]

PREPARED STATEMENT BY SENATOR RICK SANTORUM

Chairman Warner and Senator Levin, I want to thank you for extending me the opportunity to make a statement on behalf of Paul McHale, President Bush's nominee to be the Assistant Secretary of Defense for Homeland Defense, as he appears before the Committee on Armed Services. Given Paul's experience as a Member of Congress and a member of the United States Marine Corps, I believe that President Bush has chosen a highly qualified individual to carry out the responsibilities associated with this office.

Prior to the terrorist attacks of September 11, it was unthinkable to imagine attacks such as those carried out by al Qaeda being inflicted on us on our own soil. Regretfully, we now realize there are individuals and organizations that place such little value on human life that they are willing to execute suicide missions against our citizens and our homeland. Reorganizing the Federal Government to better prepare and respond to these new threats drove Congress and the executive branch to craft the new 170,000-employee Department of Homeland Security.

This new position for which Paul has been nominated—a position created by Congress—is one way that the Department of Defense has reorganized itself to respond to these new 21st century threats. The new organization will come under the aegis of the Under Secretary of Defense for Policy, and is expected to have a close working relationship with U.S. Northern Command, the new unified command with responsibility for defense of the homeland. If confirmed, Paul McHale will provide important policy guidance for the command through the Office of the Secretary of Defense.

The honor bestowed on Mr. McHale through his nomination by the President is great. Equally great is the challenge that awaits him in this position. The task of preparing America against non-traditional threats to our homeland is a daunting one, filled with many difficult problems and pitfalls. Nevertheless, it is a task that Paul McHale is well suited to tackle.

Chairman WARNER. Now, Mr. Henry, do you have an opening statement you would like to make?

Mr. HENRY. Just briefly.

Chairman WARNER. Yes.

STATEMENT OF CHRISTOPHER RYAN HENRY TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY

Mr. HENRY. Mr. Chairman, Senator Levin, and members of the committee, as has been mentioned, I come before you as the President's nominee for the Principal Deputy Under Secretary of Defense for Policy. As such, I consider it a great honor, and appreciate the trust and confidence that the President and the Secretary have placed in me. I also appreciate the kind words of Senator Reid.

Most especially, I appreciate the support I have had throughout my career through periods of long separation from my wife and family, and their support in this nomination.

Very briefly, I would just like to say to the Senators and the committee before I start answering questions, that I understand that being involved in decisions that affect the young men and women in uniform who are on the front lines of freedom is the most serious job one can have in government, and one that I will take with the utmost concern.

During the past week when I have been visiting the Pentagon, I have been impressed by a sign that is outside the National Military Command Center which states that, "The more you sweat in peace, the less you bleed in war." I want you to know that if confirmed by this committee, I will sweat unceasingly to make sure that no unnecessary drop of blood is shed either by our adversaries, our friends and allies, or most especially, those young men and women who have put their country, and the defense of their country and its interests before themselves.

Finally, I would like to thank the committee for the rapid manner in which you brought before you our nominations and the opportunity to serve and to participate in this Constitutional process.

Thank you.

Chairman WARNER. Thank you. Mr. McHale, I guess this is the last time we should address you as "Congressman." Soon it will be "Mr. Secretary," but I will say, Congressman, do you have any opening comments that you would like to make?

STATEMENT OF HON. PAUL MCHALE TO BE ASSISTANT SECRETARY OF DEFENSE FOR HOMELAND DEFENSE

Mr. MCHALE. Mr. Chairman, I do have a very brief, informal statement.

As noted earlier, I am joined today by my wife, Kathy, and my three children, Matt, Mary, and Luke. Before I make any substantive comments, I want to recognize publicly that my ability to serve in public office has always been the result of their willingness to sacrifice for our country. I want them to know how very much that support means to me.

Joining my family, Mr. Chairman, again, as you noted, and in a real sense he is a part of my family, is Congressman Steve Buyer. Steve is a friend and colleague from the House. He is known for his tact and diplomacy, and he has promised to be on his best behavior today. I hope that is good enough. [Laughter.]

We were also joined earlier by Congressman Lane Evans from Illinois. Lane was perhaps my oldest friend, was my oldest friend, in Congress. He and I were law school classmates, fellow marines, and have been friends for more than 30 years. Lane had to leave, but I did want to note for the record his attendance.

Mr. Chairman, our Nation is at war. Unlike past conflicts, technology has now empowered even small groups of terrorists with the capacity to attack within our own borders American lives, property, and institutions of government. But they cannot attack our shared ideals or common resolve. With courage and tenacity, we will defeat those who wish to harm our Nation and our people.

If confirmed, I will bring passion and a sense of urgency to the preparation of our country and domestic military defense. On that, you have my word, sir.

I am deeply grateful to the President for my nomination, and if confirmed, will do all that I can to justify the faith and confidence placed in me by the Secretary of Defense.

I would be honored to answer your questions.

Chairman WARNER. Thank you, Congressman.

Congressman Buyer, we would be happy to have you say a few words before the committee if you so desire. We are very pleased

to have one of our own colleagues from the House side join us today.

STATEMENT OF HON. STEVE BUYER, U.S. REPRESENTATIVE FROM THE STATE OF INDIANA

Mr. BUYER. Mr. Chairman, Senator Levin.

Senators, I came here today because I wanted to stand with a friend. This is a good man. He is balanced, centered, possesses the virtues and values of character. He is a marine. He will always be a marine. [Laughter.]

Mr. MCHALE. Thank you, sir.

Mr. BUYER. He also has the intellect of a scholar. He has the courage of a warrior. He has the demeanor of a country gentleman. He is eminently qualified, and we should do it quickly. Thank you.

Chairman WARNER. Most eloquent. We thank you, Congressman. I will place in today's record immediately following your remarks, the letter that you forwarded to the committee with regard to the Congressman.

[The information referred to follows:]

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
January 30, 2003.

Hon. JOHN WARNER, *Chairman,*
Senate Armed Services Committee,
228 Russell Senate Office Building,
Washington, DC.

DEAR JOHN: I am taking this opportunity to share with you and the Senate Armed Services Committee members my highest recommendation for Paul McHale to be confirmed as the first Assistant Secretary of Defense for Homeland Defense.

For 6 years, I had the pleasure of working with Paul as a colleague in the U.S. House of Representatives. Paul is eminently qualified to assume the position as the first Assistant Secretary for Homeland Defense. His faithful service to our great country began as a United States Marine in 1972 and has continued to this day in both public office and as citizen-warrior serving in the United States Marine Reserve.

Paul and I created the National Guard and Reserve Components Caucus in the 105th Congress. As co-chairman, Paul never wavered in fighting for our men and women in uniform and was instrumental in fostering a well-trained, well-equipped, and relevant Reserve Force for the fully integrated total force. Recognizing the National Guard's unique role in securing the homeland, Paul's tireless efforts ensured critical plus-ups in modernization and readiness accounts above the President's request. A marine reservist to this day, Paul symbolizes a patriot's selfless devotion to our Constitution, the principles it enshrines, and our American way of life.

Paul McHale possesses the necessary qualities to excel in this important position at this critical time in our Nation's history. His outstanding leadership and superior integrity, ensure that the President, and thereby the country, will be well served.

Best Regards,

STEVE BUYER,
Member of Congress.

Copy to: Senator Carl Levin,
Ranking Member.

Chairman WARNER. I am going to remain through the hearing, so I thought I would allow my colleague, our new member, to take part of my time.

You have another commitment with another committee.

Senator DOLE. Yes, I do, Mr. Chairman. I have a 10 o'clock commitment with another committee. I am very sorry to have to leave.

Chairman WARNER. All right.

Senator DOLE. I just want to express my strong support for two outstanding candidates. I certainly look forward to working with you. I do have a few questions that I would like to have you answer for the record. I look forward to having an opportunity to visit with both of you very soon and to work closely with you.

Thank you very much, Mr. Chairman.

Chairman WARNER. Thank you.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman. I think we all have committee hearings at 10 o'clock.

First of all, it is great to be here with my old friend, Paul. I tell you, Mr. Chairman, that Steve Buyer used to sit next to me, or I sat next to him, on the fourth tier down of the House Armed Services Committee. I looked up at all these lofty people up there. Across the aisle was Paul McHale. We were only there for 2 years at the same time. He came during my last years before I came over here.

I have to say this, that there is a lot of partisanship in both the House and the Senate, and Paul is one who has always risen above that. I am just very proud that you are here and doing this.

Mr. MCHALE. Thank you, sir.

Senator INHOFE. Of course, Mr. Henry, I feel the same way about you. I have looked at your record. I have not had a chance to get to know you personally. But there certainly are going to be lot of problems to—let me just start off with some things you have said in the past.

I have had a great concern over North Korea. We found out back in 1998 that even though we suspected it was true, our intelligence community did not say it was true, that they were going to have the ability to have a multiple stage rocket. This happened to be in the latter part of August of 1998. Seven days after we received a letter saying it would be between 3 and 5 years before they would have such a thing, they fired one.

We know that they have been working on missile technology as well as weapons of mass destruction, nuclear weapons. We also know that they are trading with Iraq, Iran, Syria, Libya, and other countries. You made a statement that I was very proud of you to make. You said, "The threat posed by North Korea will only grow over time if left unchecked."

Why do you not share with us some of your ideas about North Korea and what our policy should be?

Mr. HENRY. Thank you, Senator. That is a very critical question, especially at this time in the situation that we are in with North Korea.

Obviously, North Korea currently does present a real challenge to our national security policy. Not only have they demonstrated that they have the capacity to build weapons of mass destruction and are working on the means to be able to deliver those, the other problem is that they are probably the world's prime proliferator. So that is of the highest concern. It is going to require the entire focus of government.

Should I be confirmed, I would be interested in taking part in that consultive process, in the interagency process and also working with this committee.

The President has indicated that he thinks it is of most value that this matter be taken to the Security Council. It is not an issue necessarily between just the United States and North Korea, but one that concerns the entire world.

Senator INHOFE. Thank you.

Mr. McHale, you know how stressed we are right now. We have talked about that before in terms of end-strength. Prior to September 11, we had this problem, too. That just exacerbated that problem. You are going to be having to face some of these concerns.

Let us look at the Guard and Reserve. They are already at a point where they are almost at 100 percent capacity. This was actually before September 11. Now we have been having to use them in homeland security. It is going to be your responsibility to make a lot of decisions as to how we are going to confront this. I would hope that we will look at the overall problem of end-strength as it affects all of our services, along with homeland security.

So I would just like to ask you: With the crisis that we are facing right now in the Guard and Reserve, in that component, what are your plans regarding both the immediate use of them, as well as your recommendations for the future so we can confront future problems?

Mr. MCHALE. Yes, sir. I do not think there is any question, Senator, but that the Guard and to a similar extent, perhaps not as great an extent, the Reserve, will become even more deeply engaged in homeland defense.

We have a significant strategic reserve in which the Guard is located. We have eight Guard divisions that are dedicated to various types of missions. My anticipation would be that among those missions, in a balanced force, including an overseas warfighting capability to be retained by the National Guard, that we would have an even greater emphasis on homeland defense missions.

Right now, Secretary Tom Hall, Assistant Secretary of Defense for Reserve Affairs, who was the service chief for the Navy Reserve when Congressman Buyer and I were over in the House and we were the co-chairs of the Guard and Reserve Caucus, is conducting a comprehensive study with regard to the future roles and missions of the National Guard.

But to give you a very succinct summary, the Guard now plays an important role in terms of our strategic reserve. It has an overseas warfighting capability that I think has to be retained. But an even greater emphasis and of even greater importance to our Nation, I think, lies ahead in terms of the Guard's engagement in homeland defense issues, specifically the Civil Support Teams. The Air National Guard, I think, will continue to play a vital role with regard to the combat air patrol (CAP). So, if anything, the Guard will, in some ways, be coming back to its roots to defend the Nation domestically.

Senator INHOFE. Mr. Chairman, I have no further questions. I just agree with Congressman Buyer, we need to get these people confirmed and on their way.

Thank you, sir.

Chairman WARNER. Thank you very much.

Senator Levin.

Senator LEVIN. If we could yield to Senator Akaka who also has another commitment, and then we perhaps could go back to the regular order. My other colleagues said they are able to stay.

Chairman WARNER. Senator Akaka.

Senator AKAKA. Thank you very much.

I want to welcome Mr. McHale and Mr. Henry, and also your families. There is no question you have great support for your nominations. It is great to know of two people who are so highly qualified. You have credentials in the military, as well as in public service. I always feel that it is so important that you have lovely and good families, and you do. For me, it makes a huge difference. I welcome you and your families to this hearing.

I have a few questions here. Mr. McHale, as Assistant Secretary of Defense for Homeland Defense, you will be building and improving the Department's efforts to support homeland security requirements and formulating policies that pertain to all 50 States and all territories.

Mr. MCHALE. Yes, sir.

Senator AKAKA. The homeland security needs of Hawaii, because of its geographic location, are often ignored or overlooked in the development of broad, comprehensive national policies. While we are fortunate to have the United States Pacific Command headquartered in Hawaii, I am concerned about the comprehensive homeland security policies being developed without consideration of the challenges faced by Hawaii because of its geographic location. For example, we have no bordering State to engage in a mutual aid agreement. If air travel shuts down, there are no other expedient means to get medicine, vaccines, and food into the State.

Given the fact that Hawaii does not fall within the jurisdiction of United States Northern Command (NORTHCOM), which is charged primarily with supporting homeland security functions, what will you do, if confirmed, to ensure that DOD, in developing homeland security policy, considers the special factors related to Hawaii? How do you intend to ensure that there is appropriate coordination between U.S. NORTHCOM and U.S. Pacific Command (PACOM), to ensure that national homeland security policies include the needs of Hawaii and the Pacific Island territories?

Mr. MCHALE. Senator, as you point out in your question, although most of the homeland defense activities as they relate to the Continental United States will be under Northern Command, the homeland defense activities of the Department of Defense as they relate to Hawaii and other areas of the Pacific will fall under the jurisdictional authority of the Pacific Command.

The question you just raised, sir, is nearly identical to the series of questions that Congressman Bobby Underwood presented to me yesterday when I bumped into him. He is the Congressman, the delegate from Guam. He is an old and close friend of mine.

While I was in the House of Representatives, I visited Hawaii on numerous occasions and Guam, in an official capacity related to my duties on the Armed Services Committee. What I said to Congressman Underwood yesterday was that I am very sensitive to the homeland defense needs of Hawaii and other American territories in the Pacific.

I indicated to the Congressman that if I am confirmed, if I have that privilege, then I will promptly visit both Guam and Hawaii to confer with PACOM. I will, in fact, discuss this matter promptly, if confirmed, with General Eberhart who is the Commander of U.S. Northern Command, in order to guarantee that there is careful dialogue and integration of homeland defense policies between Hawaii, Guam, other American territories, and the Northern Command.

I am acutely aware, sir, that we have 50 States and additional territories and that, while NORTHCOM covers most, it does not cover all. I assured the Congressman, and I assure you today: The needs of Hawaii will receive careful attention.

Senator AKAKA. Thank you very much for that response, sir.

Mr. Henry, if confirmed, you will be involved in both reviewing war plans and in advancing joint training. In response to the question about DOD's potential post conflict role in Iraq, you stated that you would advocate war plans that, and I am quoting, "emphasize expeditious transfer of responsibilities from U.S. military forces," to other international agencies, and non-governmental organizations.

Given their potential importance to war planning, not only in Iraq but in almost any future military scenario, how important is strengthening relationships between DOD and those agencies and organizations?

Mr. HENRY. Thank you, Senator. That is a critical question, especially at this particular time.

The key in what we do after the conflict is over, I believe, is coupled into winning the peace. The military is normally assigned to provide the means and the capability to win the war. But utmost in all of our minds has to be: How do we win the peace? This needs to be part, again, of an interagency consultive process.

DOD will normally be the one that is there to be able to provide the authority and the civil structure in the immediate aftermath of a conflict. DOD, as is my understanding currently and, if confirmed, I would work to continue, should be able to stay in the area to provide those services to continue the functioning of a civil society as best as possible after a conflict for as long as necessary.

But it should not stay any longer than it is required to, and should look to be able to have—to pick up those services, those organizations that are best able to do it. Sometimes they will be agencies of our government, sometimes part of multinational organizations, specifically the U.N., and then many times part of nonprofits and non-governmental organizations which play such a critical role in the world today.

Senator AKAKA. Thank you very much for your response.

Mr. Chairman, my time has expired.

Chairman WARNER. Thank you.

Senator Roberts.

Senator ROBERTS. Thank you, Mr. Chairman.

I am pleased to have before us two distinguished nominees for positions that are very critical, not only to the overall stewardship of the Department of Defense, but the successful management of the military component of America's war against terror. I cannot think of a more important role or mission during these current times. I have a tremendous interest in both positions.

Mr. Chairman, I am chairman of the Select Committee on Intelligence, and I hope, sir, to return as Chairman of the Armed Services Subcommittee on Emerging Threats and Capabilities. It is that subcommittee that I would tell the nominees and everyone present that has the Department's response to terrorism at home in its current jurisdiction. This subcommittee was formed under the leadership of Chairman Warner.

Chairman Warner established this subcommittee in 1999, 2½ years before the attacks of September 11. Clearly, he was prescient in terms of the need of that subcommittee, and we have a very forward-thinking chairman in my friend from Virginia.

Paul McHale, Steve Buyer, I do not know who rode shotgun and who drove the stage. Either one, but if you are in Dodge City and the chips are down and you want either Matt or somebody there to protect you, I cannot think of two better people to do that. I have served with both in the House of Representatives. They have my admiration, respect, and friendship.

Paul's keenness of mind, his integrity of purpose I think is second to none. We had a good visit yesterday. He is, in fact, a class act. He also happens to be, Mr. Chairman, a former marine. I do not know anybody more dedicated to our national security.

Mr. Henry, I think you are eminently qualified. I support you in every respect.

Let me ask just a couple of questions, if I might. Paul, in your answers to advance questions, you state that in regards to intelligence, your objective would be to ensure that homeland defense commanders at all levels acquire the best intelligence available on threats that impact our homeland security.

Now, we have a unifying command—we talked a little bit about this yesterday—with the responsibility to secure North America. One would expect the Northern Command to have a considerable intelligence requirement with respect to potential threats. I am talking about the ability to prepare to respond before something happens, i.e. preemption.

I would expect that General Franks, for example, did that once he knew about any and all threats in the CENTCOM area. I am sure that is true.

How do we ensure that General Eberhart's situational awareness as to the threat he faces in his Area of Operational Responsibility (AOR) is up to speed? How big a player will Northern Command be in the President's new Terrorist Threat Integration Center?

That is a new acronym, by the way, Mr. Chairman, which is called TTIC. I am not sure if that is accurate, but it was a very forward-thinking move on the part of the President.

My concern is that because of the nature of the other Federal jurisdictions involved that the Northern Command may find itself last in line in regards to receiving intelligence on its threat, and probably the most important AOR, i.e. our homeland.

Will you respond?

Mr. MCHALE. Yes, sir. Sir, my belief is that Northern Command has to be toward the front of the line, not the back end of it. The AOR for NORTHCOM includes generally Canada, the United States, Mexico, and portions of the Caribbean. But the area of in-

terest for General Eberhart, particularly in the field of intelligence, is worldwide.

The first line of defense that we have, and it goes well beyond the boundaries of the AOR assigned to NORTHCOM, is a worldwide awareness where threats may be emerging. Intelligence is of little value if it is not fused from all sources, analyzed, and then, most importantly, disseminated to the operators.

I believe very strongly and will do all in my power, if confirmed, to make sure that General Eberhart and his J2 out there at Peterson Air Force Base become intimately engaged in the operations of the Terrorist Threat Integration Center, engaged so that their situational awareness brings to them an awareness of threats long before they reach our shores. I have said that if one had to choose between a truly superb intelligence officer on the staff of NORTHCOM and a truly superb operations officer—and I would hope that we could have both—that the higher priority would be to have an intel officer who sees the threat coming, and a competent operations officer who can respond to it. But if you do not see the threat before it arrives, it is too late.

Senator ROBERTS. I did not write that speech, Mr. Chairman, but it sure sounded like I would have liked to. [Laughter.]

For both of you, there has been some consternation regarding the Defense Advanced Research Projects Agency's (DARPA) Total Information Awareness Program—that is probably the understatement of the morning—even an amendment to the recent omnibus bill placing some restrictions on that effort.

Now I understand that both of your offices—although, Mr. Henry, you may have more of an impact on this in terms of your jurisdiction in regards to the direct oversight.

But can you give me your sense of what this effort is trying to achieve? I have a view that we are simply trying to better integrate the myriad information sources within the Federal Government, trying to achieve what Paul referred to as earlier warnings of potential terrorist attacks.

Maybe "total information awareness" is the wrong way to describe it. I would describe it as improved information management. That does not seem to have all the bells and whistles blowing in regards to problems with civil liberties.

The new terrorist threat center, or TTIC as I referred to it—I say it is an information center—may be the entity to help in this regard. What is your view about this? I will ask Mr. Henry first, and then we can go to Paul.

Mr. MCHALE. Yes, sir.

Senator ROBERTS. Then my time is expired.

Mr. HENRY. Thank you, Senator. My passing understanding of the Total Information Awareness Program stems from previous tours as a program manager at the Defense Advanced Research Projects Agency where these sorts of ideas had been discussed.

The idea being, first of all, it being part of the Department of Defense; it would only look outward; the programs that I was familiar with. The purpose of it is to take all of the little bits and pieces of information that come from numerous different sources but tend to be in different layers, and normally in heterogeneous databases, and to be able to fuse them into one database, and then to be able

to do a sort or a filtering process where you are able to pull out intelligence and information, actual information, from the billions and billions of pieces of noise that are out there. That is the purpose of it as I understand it.

Obviously, it is part of a fusion process, a fairly narrow band in looking out for terrorist organizations in foreign countries, but that is where my understanding comes. If something like that is available, then obviously that would be something that we would want to fuse into the total information picture that the combatant commander has, to be able to put together his battle plans and respond to threats.

Senator ROBERTS. Paul, do you have a view on this?

Mr. MCHALE. Yes, sir. My expectation would be that whatever its future might be, the TIA program would not be under the jurisdictional responsibility of the Assistant Secretary of Defense for Homeland Defense. The current developmental program is in DARPA, as you noted earlier.

If, in fact—it is my understanding that if that technology were to be developed, that the implementation, the operational use of that technology in a domestic context would be external to the Department of Defense, that it would migrate from DARPA out into the civilian law enforcement community.

I can envision, sir, a circumstance where that technology, particularly if we had a credible threat of a weapon of mass destruction and we were attempting to locate, for instance, a WMD device, that the technology, subject to careful constraint imposed by Congress, could provide an opportunity to locate and defeat such a weapon of mass destruction.

But that, in a domestic setting, would be subject to the policy guidance of Congress. It would be a civilian law enforcement function, and I would not anticipate that the technology, to whatever stage it might be developed, would ever come under the jurisdictional control of the Assistant Secretary for Homeland Defense.

Senator ROBERTS. I thank both nominees.

Thank you, Mr. Chairman.

Chairman WARNER. Thank you very much.

Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman.

Just 2 days ago in his State of the Union Address, the President again stated his belief that Saddam Hussein has failed to present a true accounting of the chemical and biological weapons he has stockpiled, and that he has missed his final chance. A second Persian Gulf War now looms.

On the Korean Peninsula, as has been indicated, North Korea has withdrawn from the Nuclear Non-Proliferation Treaty and has recommitted to a nuclear program, and has stated that they are going to begin testing missiles once again.

Of course, we cannot forget Afghanistan. We cannot forget the war on terrorism.

Clearly, we need the best minds in our government to address these simultaneous threats. I am pleased that we have two of those best minds with us today. I am very proud to have them and their families who are understandably proud, and are participating as

well as families in this new personal sacrifice, once again serving your country. So I am glad to have you here.

I have just a couple of questions because we had quite an opportunity yesterday to visit, and I appreciate that personal time that we shared together.

To "win the peace," as you say Mr. Henry, when we win the war, do you have any anticipation of the number of forces that might be required? Obviously, a lot of the decision will be based on and will come from our allies that appear to be lining up to join with us should that become necessary. But do you have some idea of what kind of commitment we might have to make in terms of force structure and/or time frame to win the peace?

Mr. HENRY. Well, Senator, the honest answer is: No, I do not. I have not been briefed into any of those programs. So all of my insight would be based on that just as a private citizen.

I would expect that it would probably span a spectrum of what might be needed depending on exactly what the war plans are, but also how the outcome is and the degree of damage that takes place in Iraq.

Senator BEN NELSON. In any event, whatever it takes, we have to make the commitment to accomplish the winning of the peace because, otherwise, the winning of the war will be ultimately lost. Is that your impression?

Mr. HENRY. I could not agree with you more.

Senator BEN NELSON. Mr. McHale, as recently as just a week or so ago, 15 other Senators and I, both Democrats and Republicans, representing 19 States that currently only have part-time Weapons of Mass Destruction Civil Support Teams—we are into acronyms, WMD–CSTs.

Mr. MCHALE. Yes, sir.

Senator BEN NELSON. We wrote to Secretary Rumsfeld to encourage him to establish an additional 23 of these units so that at least one team will be located in each State and territory.

Nebraska, like the other 18 States, really does not have in reality a part-time unit because the teams must be certified and, obviously, it is not certified. But if you think about it, in terms of the location of Nebraska, Interstate 80 is certainly one of the busiest traffic-ways in the United States. Our heavily traveled rail system is the busiest in the Nation, and perhaps in the world, with the crossroads of so many railroads going through. We have the busiest location in the center part of our State.

Obviously, hometown security and homeland security both depend on our protection in this area. So I was wondering if you could share your thoughts on these teams, and what your position would do to help support Secretary Ridge and others who are faced with these challenges.

Mr. MCHALE. Yes, sir. Senator, if I were fortunate enough to be confirmed, I would anticipate being a vigorous advocate on behalf of the training and resourcing of those teams. When I served in the House of Representatives, I was the co-chair of the Guard and Reserve Caucus. It was during that period of time that the Civil Support Teams were created. Originally, they were called Raid Teams, and ultimately became the Civil Support Teams.

At the present time, it is my understanding that we have 27 teams that have been certified. A total of 32 had been authorized. But in the National Defense Authorization Act of 2003, 55 teams to include at least one in every State were reflected in the statutory requirement provided by Congress.

I think these teams will play a vital role in terms of our preparedness to respond to any domestic attack that might occur. My concern is that they be properly resourced, and that the training levels be raised and be maintained at a consistent level among all of the teams. Frankly, I am not sure that that consistency of training has yet been achieved.

If we were to have a WMD attack in the United States, it is likely that among the first responders, at least at the Federal level, would be the Civil Support Teams who would add to the first responders' capability at the local level, a WMD capability which we do not normally find in our local communities. We need to make sure that that follow-on force, in the form of the CSTs, is prepared to take on the mission.

Senator BEN NELSON. Well, I am encouraged by your recognition of the importance of homeland security actually being about hometown security.

Mr. MCHALE. Yes, sir.

Senator BEN NELSON. Otherwise, it is just a broad generality with an awful lot of boxes moved and organizational charts.

Mr. MCHALE. Yes, sir.

Senator BEN NELSON. When I left as governor, I lost my public housing, my transportation, the airplane, but I also lost the military, the Guard. Of all those categories, the Guard was clearly the most important to the State of Nebraska and, I think, remains important for hometown security to work very closely and coordinate closely with the civil authorities in the first responder categories.

So I look forward to working with you. I know that you will do what you can to coordinate these activities to make sure that they are as seamless as possible and they are as competently trained and as ready as is absolutely humanly possible.

Mr. MCHALE. Yes, sir.

Senator BEN NELSON. I appreciate your background on this, and I look forward to your future work as well. Congratulations in advance, and my best wishes to both you and your families.

Thank you very much.

Mr. MCHALE. Thank you, sir.

Mr. HENRY. Thank you, sir.

Chairman WARNER. Thank you very much, Senator. I appreciate you making reference to those teams because this committee, on both sides of the aisle here, has been a strong proponent of those units. We are going to look to you to keep that momentum going.

Mr. HENRY. Yes, sir.

Mr. MCHALE. Thank you, sir.

Chairman WARNER. Senator Talent, we welcome you.

Senator TALENT. Thank you, Mr. Chairman. I just would like to say thank you for your kind comments and the kindness you have already shown me. I am really looking forward to serving on this committee under you and Senator Levin, and it may be the most

enjoyable part of my service in the Senate. It is a pleasure for me to be here.

It is also a pleasure for the first hearing I am attending to be on the confirmation of these two nominees.

Mr. Henry, I do not know you, but you certainly have a very impressive vitae, and I am fully supportive of your nomination and look forward to working with you.

Congressman McHale, I do know you, and I just want to echo the comments that Senator Roberts made.

I do not know of a more dedicated or conscientious public servant. One of the things, Mr. Chairman and Senator Levin, that we are going to find when we call Mr. McHale before this committee, and what we are already seeing, is absolutely direct and to-the-point responses to our comments in which we can place full confidence.

I am just thrilled at your nomination, Paul.

I was going to ask about the Chemical Biological Incident Response Force (CBIRF) teams. You have already addressed those.

Let me just ask you about a more general subject that has troubled first responders in Missouri when I have talked with them about the possibility of some kind of a terrorist attack and as they prepare. I am not certain, in your new role, how much responsibility you may have for this. I think to some extent, you are, of course, going to be defining your role. I have full confidence in your ability to do that.

When I talk to county officials, local public health authorities, fire protection officials, they are eager to know how much they or someone in their area may be in the loop on intelligence sharing. In other words, they say, "We would really like to know, and not for release to the public, but if the government is aware of evidence that would suggest there is a heightened threat at a sports event going on in our county, or a county fair, or a shipment of some goods going through the area"—and this whole question of how we share intelligence both within the government and then to State and local officials is one that has troubled me.

I am not really satisfied with the system that we now have, where the government sort of announces that people should be worried over a particular weekend. I just do not know how useful that is.

But if we had some protocol for identifying and sharing with responsible local officials, or maybe with the State officials, I think that would be useful. I know that there may be some risk in developing that.

Now, as you exercise your responsibility over the Reserve components, obviously you are going to be sharing with local commanders intelligence that they may need to know. Do you have any opinion on how you could safely, but effectively, share that with local responders? Because you are obviously going to be coordinating with them in carrying out your functions.

Mr. MCHALE. Yes, sir. Senator, I thank you for your kind words. I think it is appropriate in this context to point out a core principle in terms of the Department of Defense's role in domestic activity. We will be a supporting entity, usually assisting a civilian agency,

a lead agency, in the Continental United States. I would anticipate that that would be true in the intel arena as well as elsewhere.

I think the Terrorist Threat Integration Center that was announced by the President in the State of the Union Address is a monumental step in the direction that you have described; and that is to fuse all intelligence sources at a national level for appropriate dissemination. I would anticipate that the dissemination to State and local authorities would be conducted primarily through the Department of Homeland Security.

Within the Department of Defense and the National Defense Authorization Act of 2003, a new position was created for the Under Secretary of Defense for Intelligence (USD(I)). I would anticipate that he and I, if I were to be confirmed, would coordinate in terms of the domestic implications of that intelligence sharing so that he would be the primary interface, I would think, at the Departmental level with regard to DOD's role in the fusion of that intel at the new integration level.

But because the statute also charges the new Assistant Secretary of Defense for Homeland Defense with overall supervision of all homeland defense activities for the United States, for the Department, that I would be intimately involved in coordination with the USD(I) in our contacts with Homeland Security. To the extent that we would share information with Homeland Security and receive it from Homeland Security, they in turn, subject to appropriate clearances and so on, would pass that information expeditiously to State and local responders.

That is kind of an overview of the process, but my impression is that that is how it would work.

Senator TALENT. I do not expect greater specificity from you. I just want to make certain that you are fully conscious of the need to establish a protocol that both governors—and Senator Nelson, I am certain, would agree with this—and their offices, and then local EMT teams can have access to, so that they know who in the county is being informed, what kind of threats they are going to be informed of, and that we have a greater certainty than we now have out there.

I think you are right; I doubt that you will be the primary initiator, but you are going to be involved.

Mr. MCHALE. Yes, sir.

Senator TALENT. As you have these discussions with Homeland Defense, I hope you will make certain that they will expeditiously work out these protocols.

Mr. MCHALE. Senator, we would anticipate that in the office that I hope to lead, there would be a senior official—and actually the gentleman that I am going to recommend for that position if I am given that opportunity—would have, as his full-time responsibility, the integration of DOD capabilities in an effective and responsible way into the overall homeland security strategy, so that he would be primarily responsible for coordinating between the new Department of Homeland Security and the Department of Defense. It is such an important matter that I think somebody has to work on that virtually full-time.

Senator TALENT. I see my time has expired. I do not want to overstay my welcome on my first visit, Mr. Chairman. Thank you again very much.

Chairman WARNER. We thank you, Senator.

We will now continue with Mr. Pryor. We are going by the early bird rule unless you want to change. Senator Pryor?

Senator CLINTON. I believe in the early bird rule.

Chairman WARNER. Good. [Laughter.]

Senator PRYOR. Mr. Chairman, I do not have any questions.

Senator CLINTON. I especially believe in this guy's early bird rule. [Laughter.]

Chairman WARNER. To follow in the footsteps of a most distinguished, most beloved father, with whom I had a strong wonderful friendship, and he often did the same.

Senator PRYOR. Thank you.

Senator LEVIN. If I could just add one word about Senator Pryor's folks as well. My wife Barbara and I were and are so close to David and Barbara Pryor and enjoyed serving with them. I sort of use the word "them" advisedly. When David was a Senator, he made a major contribution to the Senate. He was just a wonderful, warm human being. He made a major contribution to the security of this country. He was somebody who asked some very tough, pointed questions. It is very useful, very essential that questions be asked of the type that your dad asked, and we are just delighted that you, Mark Pryor, are on this committee.

Senator PRYOR. Thank you.

Chairman WARNER. I associate myself with those remarks. Now, Senator Clinton, we welcome you to the committee.

Senator CLINTON. Thank you, Mr. Chairman. I apologize for not being here earlier. I, too, was at another event, but I appreciate the opportunity to be here at the first public hearing of this committee that I am honored to serve on now.

I welcome the two nominees and look forward to working with you in the years to come on these important matters that, assuming that you are and I believe you will be confirmed, will be within your area of jurisdiction and oversight.

Mr. McHale, on January 21, National Public Radio aired a story about how the military buildup for Iraq is moving firefighters, police officers, and emergency response personnel from the front lines here at home in the war on terrorism to the front lines in the Middle East. Last night, CNN ran a similar piece.

A number of local officials, from Utah to West Virginia to San Antonio, say that as many as 10 percent of their first responders may also be in the Reserves. I know that in New York City 300 of our firefighters are also in the Reserves. This creates a tremendous dilemma, as I know you are well aware and as Senator Talent was raising with you earlier because, on the one hand, I do not believe we are yet giving our local communities enough resources to take on the additional responsibilities imposed by their new challenges with respect to homeland security. At the same time, they are going to be losing maybe up to 10 percent—and certainly in New York, some communities have lost an even higher percentage than that—of the resources they need, and yet they under law will

continue to pay those people, as they should, to keep that job open, as they must.

So something is going to have to give here because we are going to be putting many of our local communities at greater risk, not only for the potential of threats from terrorists, but just in the ordinary everyday work that they are supposed to be doing. Do you have any idea at this point how many police, firefighters, EMTs, public health officials are being called up?

Mr. MCHALE. Senator, I do not. As a private person looking at the prospect of returning to public service, I would anticipate that that kind of information probably is available. I do not know if they have it immediately available, but I think certainly it could be identified through the Assistant Secretary of Defense for Reserve Affairs, where occupational backgrounds would routinely be maintained as a matter of record.

I can tell you that up until about 2 or 3 months ago, I was the—after I left Congress, I went back to the Drilling Reserve in the Marine Corps, and I was the Assistant Division Commander of the 4th Marine Division. That is the Reserve Ground Combat Division in the Marine Corps Reserve. Just anecdotally, we had many firefighters, many police officers. I, in fact, read your speech at John Jay College, and I am aware of your concerns.

I think the Department of Homeland Security, as opposed to the Department of Defense, will probably have to engage more immediately on that issue. It is a national problem. As an American citizen, I obviously have a concern for the issue that you raise.

As a potential official in the Department of Defense, our role would be to support, if I were to be confirmed, the Department of Homeland Security. We would provide unique and extraordinary capabilities to those first responders. We would have the statutory obligation to transfer to those first responders improvements in technology that might be coming out of the Department of Defense, so that if the Department developed a technology that was primarily aimed at competency on the battlefield, but had a corollary benefit to first responders at home, that they would become aware of that technology as quickly as possible.

So I—forgive me if I have taken a tangent to your question. But while it is a vital national issue, the role of the Department of Defense in a supporting capacity would not directly interact with the issue that you have raised.

Senator CLINTON. Well, what about, though, the utilization of Guard and Reserve in order to back up and fill in for some of these positions?

Mr. MCHALE. Oh, yes, Senator.

Senator CLINTON. Because that certainly has been a role and responsibility as we all know.

Mr. MCHALE. That is correct.

Senator CLINTON. We have all walked through airports and seen National Guardsmen, or at the Amtrak station and at Penn Station in New York. So I think that the coordination is something that we have to watch very carefully. I would hope that in conjunction with the Department of Homeland Security we would monitor this very closely because there will be some places in the country that will be particularly hard-hit.

I do not know how we would fill the gap if 300 firefighters were called up in New York City, for example. So that will be a continuing concern of mine, and I hope that it will be an area in which you will, working with the Department of Homeland Security and the rest of DOD, perhaps come up with some suggestions for us.

Mr. MCHALE. Senator, what I can pledge to you is that, if I am fortunate enough to be confirmed, I will talk to Tom Hall who is the Assistant Secretary of Defense for Reserve Affairs. I will attempt to determine if we have identified who are the first responders serving simultaneously as citizen soldiers. We have to be acutely sensitive to that.

There are two ways in which the Department of Defense is likely to become engaged in support of civil authorities: One, if we have a unique capability, particularly in the area of WMD; and second, the Secretary has said, if, in fact, civilian authorities in a given circumstance were to be overwhelmed as they were in terms of airport security immediately after September 11th. The recognition of the fact that those civilian authorities had been overwhelmed would be a further justification for DOD engagement.

So if that situation were to arise, although the President and the Secretary would make the judgment call, the Department, particularly the Guard, would be prepared under those unusual circumstances to back up the first responders.

Senator CLINTON. Thank you very much, Mr. McHale.

I also understand that now that the Coast Guard has been moved into the Department of Homeland Security that there may be an increased role for coordination and oversight. I was very interested—and you may not have this information at your fingertips, but you or perhaps someone else in DOD or Homeland Security could provide it—because we have just learned that the Pentagon is sending four Coast Guard cutters and two port security units to the Persian Gulf.

Based on our research, this is the first deployment of Coast Guard patrol boats to DOD since Vietnam. So apparently, even though they are now in Homeland Security, they have been assigned or detailed to DOD. This, again, raises resource issues.

In New York, we count on Coast Guard facilities and personnel to guard our ports against terrorist threats. We clearly are not doing enough yet with the influx of container ships to improve the level of port security. So I would perhaps look to you to provide some additional information or the appropriate person within DOD.

If I could, Mr. Chairman, I would like to submit some additional questions on this Coast Guard issue.

Chairman WARNER. Okay.

Senator CLINTON. It is a very serious one obviously to many States, but particularly given the volume of traffic that we have in the New York port, it is a particularly pressing one.

Chairman WARNER. I thank the Senator. That will be done. That opportunity is open to all Senators to submit questions for the record as part of the confirmation process.

I will take a question or two and then yield to my distinguished colleague.

Mr. Henry, NATO has been a subject that has fascinated me since 25 years ago when my good friend and I came to the Senate

together, and even before that when I served in the Pentagon. I was concerned, of course, when NATO made a decision the other day—and they had a vote, and I think there were four that opposed the more active participation in this Gulf War situation as it involves Iraq, but that is history.

I have also been a strong advocate since the last NATO conference, the one preceding the one at which these new nations were given invitations the other day. This was when President Clinton was in office. They put into their charter now the ability to go out of the traditional area of NATO. I have expressed my—I do not suggest you reply to this. I am just going to make a comment for the record. It is too controversial, so you just sit and listen. [Laughter.]

I have suggested that NATO should be invited—and I repeat the word "invited"—by the government of Israel and such government as the Palestinians still have, to look at that situation and be encouraged possibly to provide some peacekeeping so that the peace process could get underway without as great—and I use the term carefully—as great a threat from outbreaks along the borders there that we have witnessed, the tragic loss of life on both sides.

So I will continue to pursue that. As a matter of fact, I will see that my staff provides you with a letter that I wrote some time ago to the President. I have talked to Lord Robertson about it on a number of occasions, because I believe the instability in the Middle East situation is an integral part of the overall complex situation as it relates to the Persian Gulf Region.

I am also interested in China. You came up through the community of Naval aviation, and you must have watched with great interest when we lost that P–3 aircraft in that tragic confrontation with China. Fortunately, it was resolved—but I hope that as a consequence of that resolution, the relationships can be strengthened in such a way that we obviate that occurring again.

Many years ago the Department of Defense—and I had a modest hand in it—adopted a protocol with the then Soviet Union called the Incidents at Sea Agreement. I have been urging the Department for some time to take a look at that protocol to see whether or not we could do something comparable with China to avoid again any close proximity incidents of confrontation which could result in a situation like the loss of the P–3. So that is another area.

I read through your answers to the committee's policy questions. You discussed the potential benefits of a comprehensive military-to-military exchange in dialogue programs with Russia. Do you hold a similar view with respect to China?

Mr. HENRY. Well, Senator, the military-to-military dialogue program between the Strategic Command and elements of the Russian military was successful and led to a greater understanding.

I have not studied in depth our relationships with China. I do believe it is a very critical situation, as you evidenced by the incident with the P–3; tensions along the Taiwanese Strait. China will be a very significant world power, one we are going to need to understand how to get along with, to understand their point of view, but be able to effectively project our point of view.

If confirmed, I can promise you that I will delve into that and look forward to working with the committee in coming up with so-

lutions that will benefit our country and our servicemen there on the front lines.

Chairman WARNER. How about the military-to-military cooperation? That ebbs and flows, but through my years in the security systems, I have seen tremendous benefits that have been derived from military-to-military sharing, beginning with the educational process which we offer in this country to so many foreign officers. How do you feel about those programs?

Mr. HENRY. Well, obviously the International Military Education and Training (IMET) program is probably the crown jewel we have of understanding other military cultures. Not only does it allow them to come and understand how we operate, the benefit of civilian legislative oversight in the military process, but also lets us build individual bonds that, many times, have been critical in diffusing crises in their incipient phases. So I could not be a stronger proponent of programs such as IMET and the opportunity to understand how we are alike rather than how we are different.

Chairman WARNER. Good.

One more question, Senator Levin—that I would like to ask Congressman McHale.

In the State of the Union speech, the President announced the establishment of a new Terrorist Threat Integration Center to facilitate the fusion of information. You explicitly mentioned it in your opening statement. What is the role of the Department of Defense in this?

Mr. MCHALE. Senator, my belief is it has not yet been defined.

Chairman WARNER. That is a good answer. I would stick with that.

Mr. MCHALE. Yes, sir. [Laughter.]

Chairman WARNER. I am concerned that we have what I regard as a very fine intelligence setup in the Department of Defense. We are real-time users. I am going to be very careful as you take your office and work with your colleagues. I want to be supportive of the President, but I do not want to see any degradation of the capabilities of our gathering and such analysis as we do in the Department of Defense and its related agencies.

Mr. MCHALE. Yes, sir.

Chairman WARNER. We are agreed on that?

Mr. MCHALE. Yes, sir.

Chairman WARNER. Good. Thank you.

Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman.

First, let me ask you, Congressman McHale, about that same Terrorist Threat Integration Center which has been referred to by a number of my colleagues, including the chairman most recently. His is a legitimate concern.

I have another concern. The new law creating the Homeland Security Department suggests that the responsibility for analysis will rest with the Homeland Security Department. The analysis of intelligence currently resides at the Counter-Terrorist Center at the CIA. In terms of all-source foreign intelligence, it rests there.

I want to be sure that there is one place that has the responsibility to analyze all intelligence, all foreign intelligence. We had that language in our Senate version of the Homeland Security Bill. It

located the principal responsibility for analyzing foreign intelligence at the Counter-Terrorist Center.

We saw before September 11 a failure to analyze and share intelligence. It was very costly. If we had analyzed it properly and shared what we had in different parts of our government properly, we might have been able to prevent September 11 from happening. So in the Senate bill we established principal responsibility.

I do not want to diffuse that responsibility in any way. I want to fuse the information, not diffuse the responsibility. That means we need one place. We will be lucky if we do it well once. We have millions of pieces of information coming in yearly, and to get all that information, relative to foreign intelligence, in one place to analyze and to do it well would be a real success.

We still have the Counter-Terrorist Center. When I asked Governor Ridge the other day at his confirmation hearing, is there any intent to duplicate that Counter-Terrorist Center with this new agency, he said, "No. Principal responsibility will still be at the CIA, at the Counter-Terrorist Center."

Mr. MCHALE. Yes, sir.

Senator LEVIN. The President the other night, as it has been noted, established a Terrorist Threat Integration Center. My question to you is: Is it your understanding that it would duplicate the analytical responsibility which is principally located at the CIA?

Mr. MCHALE. Senator, my understanding of that issue is quite limited at this stage. As a private citizen, I did not know anything about the President's proposal until I heard it in the State of the Union message. So I am really not trying to dodge your question, but I am just not sufficiently well informed.

What I can tell you is that as somebody who comes out of an operational background, the fusion of intelligence is what takes chaos and brings meaning to it, to an operator. So I am not smart enough to make a judgment call on the specific question that you have raised. But however it is fused, and wherever it is fused, it is essential that we get that information in an expeditious way down to the operators.

Senator LEVIN. If it is not clear where it is to be fused, if there are two or maybe now three places which have responsibility, there is not going to be accountability. The lack of accountability was severe prior to September 11.

Mr. MCHALE. Yes, sir.

Senator LEVIN. So if we want to focus responsibility for that, there has to be a place which is principally responsible for that analysis. So even though you are not in a position now to give us your opinion on that, you soon will be in a position where you will have some responsibility in that regard, not just as a customer but, given your background, knowledge, experience, and intellect and, it seems to me, responsibility, you need to have an opinion and to share that opinion with others. So I would urge you to do that.

As you point out, probably the single most important thing we can do is the intelligence responsibility.

Mr. MCHALE. Yes, sir. It is the forward edge of the battlefield.

Senator LEVIN. If we do not do it well, and if we blur it and do not make it clear, we are going to pay another price for the failure.

So, please do look into that issue and I hope you will work hard to avoid any duplication or confusion in that area.

Mr. MCHALE. Yes, sir, I will.

Senator LEVIN. One of the areas that I have had some concern with, particularly since the attack on the U.S.S. *Cole,* is our inability to detect explosives from a distance. If we can get the technology to do that, we will not only be helping our defense effort, protecting our forces, but we can also then share that with local governments, first responders, and the people who have the responsibility to protect us. Would you agree that the development of a stand-off explosive detection technology should be a top priority of the Department of Defense and the Department of Homeland Security?

Mr. MCHALE. Without question, sir. I would expand that to include other weapons of mass destruction beyond explosives.

Senator LEVIN. I would fully agree with that.

Reference has been made to the Civil Support Teams (CST) that we have established in some States, and are planned to be established in every State and territory. What is your understanding of the Department's current plans for implementing that provision?

Mr. MCHALE. Senator, there are 27 teams that have been certified. There were 32 prior to the National Defense Authorization Act that had been authorized. The Authorization Act expanded that number up to 55, which will bring at least one team to every State and territory of the United States. If I am confirmed, we will of course comply with the law. That will require further consultation with this committee to talk about resourcing and training, but when the law is passed, we comply.

Senator LEVIN. Well, it is not just a matter of compliance. It is full and quick compliance——

Mr. MCHALE. With urgency.

Senator LEVIN. Is it your intent to comply with that law with speed?

Mr. MCHALE. Yes, sir. Consistent with the resources that are made available. I believe——

Senator LEVIN. But to urge that those resources be made available?

Mr. MCHALE. Fortunately, I have had many years of contact and experience and respect for the National Guard. I am aware of the role that the CSTs potentially play in terms of the domestic attack, and we have to be ready.

Senator LEVIN. I just have one other question on this subject, Mr. Chairman. Perhaps I could just finish on this subject.

Chairman WARNER. Go ahead.

Senator LEVIN. Relative to the missions of those teams, should the mission be expanded to include clean-up or containment capabilities in addition to their current detection capability and responsibility?

Mr. MCHALE. Senator, those teams are now assigned the mission of detection. I frankly have some concerns that we need to provide better training and resources to make sure that that element of the mission is operational.

With regard to expanded capabilities, as a nation, we clearly have to have greater ability than we have now to enter a hot zone,

provide medical care, decontaminate, and remediate the site. I am not prepared today to say that that mission should be within the CST teams. We have other components even within the Department of Defense that have similar capabilities, CBIRF, the Army's Chemical Biological Radio Response Team (CBRRT), the technical escort units.

Clearly, we have to move beyond detection to a real and operational decontamination, medical—an intrusive capability to enter a hot zone and do much more than we can do now. But I am not prepared, sir, today to say that that expansion should necessarily be within the CSTs.

Senator LEVIN. Thank you.

Chairman WARNER. I would like to call you "Captain Henry." It might be the last time for a while. Maybe you will revert back to Captain when you finish your distinguished career in the Department, Mr. Secretary-to-be.

But in the meantime, let us turn to missile defense. I again went through your responses there. Currently, the United States is pursuing cooperative defense efforts with Germany, Italy, Japan, and Israel. Other allies and friends have indicated an interest in striking up similar relationships. I personally find that to be a good, strong move because it dispels the concern in the world that we are trying to gather in something around us, that we are going to take care of ourselves, but ignore the rest of the world.

Also, I think that it emphasizes the sharing of the concern our Nation has for the missile threat, be it short range or long range. Are these subjects to which you have given some thought in time and will likewise devote in your new position if confirmed?

Mr. HENRY. Yes, Senator, if confirmed, this will be an area that will receive my attention. As you are aware, the President has announced that he wants to go forward with a very limited deployment of 20 land-based systems, but also 20 sea-based. That 20 sea-based allows us not only to protect the homeland, but also to be able to protect our friends and allies.

We are continuing a very robust research and development effort, close to the tune of $8 billion a year. As those capabilities mature, we will also be able to share those with our friends and allies. But missile defense is something that is—whether it be theater or national, and we now just call it basically missile defense, it is something that is of interest, should be of interest to the entire world, not just the United States. We should be able to share the resources that we develop.

Chairman WARNER. I share that view.

Mr. McHale, the National Guard and the Reserve—I was part of the Marine Corps Reserve for many years. I was very pleased when you and I had our excellent visit together. You stressed how today the integration between the regular and the Reserve components, has just come together like gears to begin to turn instantly and you want to foster that.

Mr. MCHALE. Yes, sir.

Chairman WARNER. That has not always been the case. Certainly in my earlier days, it definitely was not the case. But I think to make the Reserve and Guard effective, they have to be viewed as

sharing the tough parts of military careers, combat arms responsibilities and things like that.

Now, the Guard will have a heavier emphasis on homeland defense. But at the same time, we cannot, I think, take away the options that they can have overseas deployments into other areas of conflict, as they are now serving brilliantly in the Balkans and have been for some period of time. They are in the Afghanistan AOR. What are your views on that?

Mr. MCHALE. Sir, there are some who have argued that the National Guard should be oriented exclusively toward homeland defense. I would respectfully dissent from that opinion.

Chairman WARNER. I share in that dissent, yes.

Mr. MCHALE. I have not spoken with the Secretary of Defense on the issue, but I have read his comments on this question. The quotes that I have read indicate that he, too, believes that the National Guard should be a balanced force, part of our strategic Reserve in terms of overseas deployment, but that there is sufficient capability and manpower and resources to be found within the Guard that we can reorient in a balanced approach a greater emphasis on the homeland defense mission. So, I think what is ahead, almost inevitably, is that the Guard will play a very significant role in homeland defense, but not to the exclusion of the potential of overseas deployment.

Chairman WARNER. I find that a reassuring view that you have, and I hope that you can implement it.

I am going to read this through. This is one of these tongue twisters, but you will be able to follow it.

Under existing law, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD/SOLIC), who heads an organization that this committee through many years has had a long and very strong supportive role, is responsible for the overall supervision of Special Operations activities, low intensity conflict activities of the Department of Defense, and should serve as the principal advisor to the Secretary of Defense on these matters.

You have indicated that ASD/SOLIC will maintain oversight with regard to DOD's international counterterrorism activities and that the Assistant Secretary of Defense for Homeland Defense (ASD/HD)—that is your new title, will coordinate closely with ASD/SOLIC on matters related to domestic counterterrorism.

Mr. MCHALE. Yes, sir.

Chairman WARNER. That all reads very well, but having spent 5 years in the Pentagon where, hopefully, you will move to, sometimes it does not always work out the way you like to have it.

Given the global nature of today's terrorist threat, how do you envision these two assistant secretaries will share the responsibilities in policy oversight for combating terrorism?

We have struggled here in Congress in the creation of homeland defense.

Mr. MCHALE. Yes, sir.

Chairman WARNER. My good friend and I have seen all the charts, the cross wires, the stove pipes, and we believe in accountability.

On which desk does the accountability and the buck stop? If something goes wrong, who is going to stand up and say, "That is my responsibility"?

Mr. MCHALE. Senator, what we have to do is reconcile not only the statutory language, but the day-to-day operational responsibilities with regard to the jurisdiction of ASD Homeland Defense and ASD/SOLIC. Prior to the National Defense Authorization Act of 2003, all counterterrorism activity, insofar as the DOD role was concerned, was assigned to SOLIC. With the passage of the National Defense Authorization Act, the provision was included that the new ASD for Homeland Defense would have overall supervision of all homeland defense activities of the Department. There is a seam created at that point in the statutory language between the prior responsibility and the new obligation imposed on the ASD for Homeland Defense.

The answer to the policy question that I presented, sir, reflected my personal thoughts on the matter. I do not believe that ASD Homeland Defense should have any responsibility, any direct oversight responsibility, with regard to counterterrorism activity external to the NORTHCOM or other combatant command AORs as they relate to homeland defense. Or, in other words, foreign counter intelligence activity, counterterrorism activity, should remain the responsibility of SOLIC.

When you come back within the AOR of normally NORTHCOM—but as Senator Akaka has pointed out, we also have other combatant commands, PACOM and so on with homeland defense activities—for ordinary, important but ordinary counterterrorism activity within the United States, the lead agency is the FBI.

The Department of Defense would support that role. I would believe, and I would recommend, that under most circumstances for domestic counterterrorism support of the FBI, the primary responsibility should be the ASD for Homeland Defense, the exception to that being at the high end of counterterrorism activity where we are dealing with the threat of a weapon of mass destruction—I believe that at the high end, which continues to require the kinds of operational skills that are unique to special operating forces, that in a domestic setting, again probably in a supporting role, but potentially in a lead role, that should remain within SOLIC.

So for routine counterterrorism activity in support of the FBI in the United States, I think that will transition to ASD Homeland Defense. For foreign counterterrorism activity and high end, weapons of mass destruction, counterterrorism activity in the United States, that is SOLIC.

I am pleased, Senator, that if I am fortunate to be confirmed and the office is set up as we envision, we will be virtually co-located with SOLIC in the Pentagon.

Chairman WARNER. I appreciate the breadth of your answer. But the bottom line is that this committee had a hand in drafting the legislation to create your position.

None of us are perfect. Even Mr. Buyer would admit that. If we did not draw that statute up to make it clear, then we better readdress it here in the forthcoming bill. I would really task you to come back to this committee if you see that somehow we did not foresee a potential problem between these jurisdictions, because

what the President did the other day in creating this organization to fuse all the intelligence is derivative of problems we have had throughout our government of one department not sharing with another certain information. Well, you know that. We have all been through this.

We cannot have that happen. We will just end this with that you are going to come back here if you feel there is a statutory correction that is necessary.

Mr. MCHALE. Sir, I would welcome the opportunity to come back. My impression is that we do not have a problem.

Chairman WARNER. All right. Fine. Optimism prevails at this point in your career. There is no limitation on the optimism until the reality sets in, so good luck.

Mr. MCHALE. Yes, sir.

Chairman WARNER. Senator Levin.

Senator LEVIN. Mr. Henry, I would like to talk to you about Iraq. You made reference to the role of international organizations in keeping the peace after we prevail in a conflict. I agree with those comments.

But international organizations, particularly the United Nations, are currently deeply involved in attempting to disarm Saddam. I want to talk to you about the role of inspections in that effort. First of all, I would assume that you would agree that international organizations, including the U.N., do have a role in preventing war from taking place.

Mr. HENRY. I would agree that they have a role along with other institutions, yes, Senator.

Senator LEVIN. We obviously have a major role, a bigger role than that in terms of deterring war through strength. But so long as the U.N. has a role and presumably we are trying to help it carry out that role in the disarming of Saddam through an inspection process, the question is: What are we doing policy-wise to support the U.N. inspection process?

There was some ambiguity about our position as to whether we thought inspections were useful. Some of the administration's comments early on suggested that they were a waste of time. I thought that was counterproductive and undermined the importance of that inspection process, but that is just my own opinion. That is background for the question that I am going to ask you.

If we are serious that we want the U.N. inspection process to succeed, then there are some things that we can do to help it succeed. One of them is to share information with them. I have said publicly and I will say it again: It is just a small percentage of information relative to suspect sites that it has been shared with the U.N. inspectors. They have asked for information twice, seriously, and yet only a small percentage of the sites and the information relating to those suspect sites that we believe we have has been shared with the U.N. so far. I have urged the President, in a letter which I have made public, to share that information.

Obviously, we are not going to in any way jeopardize sources and methods, but that is not the issue. We have raised that question again today with the Secretary of Defense.

What I want to talk to you about is a comment that you made in a written answer to the committee's policy questions. You said

that "The United States will not allow tyrants and dictators to use sovereignty as a shield behind which to hide and plot against the sovereignty and security of others." I generally agree with that statement.

But we are now in a situation where U–2 flights could provide significant information to help with inspections, to make those inspections more robust, to help them work, to help them succeed. Yet we have not pressed the U.N. to take a position with Iraq that the U.N. is going to authorize those U–2 flights in support of inspections whether Iraq likes it or not.

The position that the U.N. has taken is, "Well, Iraq is not going to authorize it. Therefore, they would shoot at the U–2s. Therefore, the U.N. will not take that responsibility of authorizing flights and put a U.N. flag on our U–2 flights."

I do not think we should allow Saddam to veto U–2 flights which would aid the inspection process. That goes right to the heart of the question of whether or not the United States is going to allow dictators to use sovereignty as a shield. If we are serious about supporting U.N. inspections, it seems to me we should be asking the U.N. to adopt a resolution which says, "U–2 flights operated by United States are authorized, will become U.N.-supported operations. If Hussein shoots at them, that will be considered a material breach and an act of war against the United Nations."

We are not there yet. Secretary Powell is going to the U.N. to share information with the U.N. that we have, and that is fine. I hope they will share that same information that they present to the U.N. with us if they have not done so yet. But that is just part of the process. I hope we will consult with the U.N. if we really want it to be relevant, not just inform them of what we are going to do whether or not—whatever they do, regardless of what they do. It is not consultation. That is notice. That is just informing. It is not consultation which we are obligated to do under the resolution. So I hope we will truly consult with the U.N., too, to help it be relevant and to help it succeed, to listen as well as to share.

But my specific question to you is: Should we not be pressing the U.N., asking the U.N. to adopt a resolution relative to U–2 flights being authorized, and informing Saddam that should he attack those flights he will be acting against the interests of the United Nations, and in effect, declaring war on the United Nations? It is a question which I know there has been some discussion about, including in this morning's paper, including Secretary Wolfowitz who apparently has spoken on the subject as well.

But given your position and your answer to our question, do you agree that we should make that request to the U.N. and support that the U.N. authorize U–2 missions in support of U.N. inspections in order to make them relevant and to strengthen that inspection regime?

Mr. HENRY. I would agree with you that intelligence and helping inspectors is critical. Again, I am only privy to what I read in the newspapers to date, but I notice that there are indications from national technical means that up to 2 days in advance of inspections going out, the Iraqis are making changes to sites, as reported in the paper.

So having the ability to have U–2 flights would be a good way to be able to document that those sort of things are going on and that there might be something with the information flow into the inspectors.

The exact mechanisms by which we go to the U.N. and present that, I would think that would be something that would be under the purview of the State Department. If confirmed, obviously I would be interested in consulting with them as part of the interagency process in being able to point out the benefit of an approach similar to yours.

Senator LEVIN. I am glad that you will do that. Time is really of the essence here. I would hope that if you have some feelings about that particularly in light of your statement about not letting sovereignty being used by dictators as a shield, that you would express that opinion, as I have and will continue to do. We need to if we are really serious about U.N. inspections succeeding and being relevant, and that that organization be relevant in order to try to help us prevent war.

I have some additional questions, Mr. Chairman, on North Korea, but my time is up.

Chairman WARNER. I have other obligations so I am going to let you go ahead. If you have another question, go ahead.

Senator LEVIN. This will just be a few more minutes on North Korea.

Chairman WARNER. Okay.

Senator LEVIN. The administration, in September of 2002, set forth the National Security Strategy which contained a policy of preemption which essentially calls for the United States to take anticipatory action to defend ourselves even in the absence of an imminent threat. This is a departure somewhat from the past, when anticipatory defensive actions were tied to an imminent threat standard. That connection has been loosened, I would say, by the new doctrine. How would you apply that new doctrine to North Korea?

Mr. HENRY. Well, as I understand in reading the National Security Strategy, that preemption is one of many tools and the tool of last resort to be able to use. I think the steps the administration is taking right now through active diplomacy and moving toward multinational organizations to be engaged in that diplomacy is the correct way to go.

Senator LEVIN. You would say that that is the correct way to go, the diplomatic approach, even though we are in a situation where North Korea has announced, in effect, that it has gone to a surreptitious uranium enrichment program which is in violation of an agreement and a nonproliferation treaty which they signed, and an agreement that they signed with the South? Even though they have now given notice that they are withdrawing from the nonproliferation treaty, even though they have removed the inspectors from North Korea, you still believe that the diplomatic approach is the right approach before any preemptive attack is used?

Mr. HENRY. I think the diplomatic approach is the correct approach at this time. The President has announced as part of his deterrence strategy, in order to deter against weapons of mass destruction that all options are on the table, and he is not ready to

take any off, and that that is what we are trying to actively use, is deterrence. But to my way of thinking, at the current stage, active diplomacy is the way to proceed.

Senator LEVIN. Thank you.

One quick comment and then I am done, Mr. Chairman.

It is on the Total Information Awareness Program which a number of us are very much concerned with, and the concerns of probably most Senators are reflected in the language which was recently adopted in the Omnibus Appropriations bill. Mr. Henry, you made reference to the fact that this is a test to see whether it is possible, basically, to fuse information which comes from various sources.

I would say it is a little bit different from that because it is not just "come from" sources, but it is seeking out every bit of information from any conceivable source and fusing it. It is a much more proactive program than just receiving intelligence information about potential terrorists. It is a proactive effort to seek as much information, I guess, on potentially any American from any conceivable source and to fuse it. So it is that proactivity which is, I think, the issue which is of some concern for Americans in terms of our traditional rights and liberties, and sense of freedom and privacy is most important here.

That is just a comment. I am not asking you, unless you would like to, to comment. Mr. McHale's reference to the constraints that are essential in such a program are reassuring.

I would hope, Mr. Henry, that you would share that sense, that there needs to be some constraints in any kind of an effort by government to gather information on its citizens from any conceivable source, and then to fuse it in one place, because of the potential for real privacy invasion. There is always potential for good, but there is also potential privacy invasion against innocent civilians.

That is something you will be struggling with, but "constraints" is the word I picked out of Mr. McHale's comments which I welcomed. The care and caution which is reflected in the language in our bill, I hope, would be recognized by you as you proceed.

Mr. HENRY. I would just add, Senator, that from its inception and my familiarity with the program, it has specifically been directed at non-U.S. citizen and foreign sources, and that there are a number of safeguards and protections that they have put in that, if at any time something does come up on a U.S. citizen, that it is filtered out.

Senator LEVIN. I want to thank you both for your service. You are both extremely well-qualified. We look forward to a speedy confirmation under the leadership of our Chairman, who I know will move these nominations with his usual dispatch.

Chairman WARNER. With your help, I thank you, my dear friend. The hearing, an excellent hearing is concluded.

Mr. HENRY. Thank you, sir.

Mr. MCHALE. Thank you.

Chairman WARNER. Thank you.

[Whereupon, at 11:25 a.m., the committee adjourned.]

[Prepared questions submitted to Paul McHale by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than a decade has passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms.

Do you support full implementation of these defense reforms?

Answer. Yes, I fully support the implementation of these reforms. The focus on "jointness" outlined in the Defense Reorganization Act of 1986 has significantly enhanced the readiness and warfighting capabilities of the U.S. Armed Forces.

Question. What is your view of the extent to which these defense reforms have been implemented?

Answer. These reforms have fundamentally changed the way the Department of Defense works by strengthening civilian control of DOD activities, improving military advice given to the President and Secretary of Defense, enhancing the role of the Chairman of the Joint Chiefs of Staff, and modernizing the warfighting chain of command.

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. From my point of view, the most important aspects include the clear responsibility, authority, and accountability given the combatant commanders for mission accomplishment; the increased attention to formulation of strategy and contingency planning; and the creation of a strong, direct, and unambiguous chain of command.

Question. The goals of Congress in enacting these defense reforms, as reflected in Section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. Yes, I support the goals of Congress in enacting the reforms of the Goldwater-Nichols legislation and, if confirmed, will support their continuing implementation.

RELATIONSHIPS

Question. Please describe how you envision your working relationship, if confirmed, with the following:

Answer. The organization that I will lead, if confirmed, will be a policy-based organization focused on building and improving DOD's efforts in supporting the Nation's homeland security requirements. The organization will unify DOD's homeland defense, military support to civil authorities, and emergency preparedness activities by providing focused management, oversight, and supervision of policies, programs, and resources. Additionally, it will be an advocate in the DOD resource allocation process for resource requirements to support these activities.

If confirmed as the ASD (HD), I will maintain close working relationships with the Principal Staff Assistants throughout DOD who hold responsibilities for capabilities relevant to homeland defense, civil support, and emergency preparedness. I envision my relationships with key officials as follows:

Question. The Under Secretary of Defense for Policy.

Answer.

- The ASD (HD) will function under the authority, direction and control of the USD(P).

Question. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

Answer.

- ASD (SO/LIC) will maintain oversight with regard to DOD's international counterterrorism activities.
- The ASD (HD) will coordinate closely with the ASD (SO/LIC) on matters related to domestic counterterrorism executed in support of lead Federal law enforcement agencies.
- The ASD (HD) will maintain careful situational awareness regarding SO/LIC's counterdrug efforts worldwide.

Question. The Under Secretary of Defense for Intelligence.

Answer. The USD (I) is responsible for assuring that senior DOD leadership and combatant commanders receive the warning, actionable intelligence, and counter-intelligence support needed. The ASD (HD) will maintain a close relationship with the USD (I) to assure support for homeland defense intelligence needs. The USD (I) will be a conduit to the intelligence community, providing an opportunity for ASD (HD) feedback regarding intelligence tasking, processing, exploitation, and dissemination as it affects homeland defense users at various levels. Competent intelligence, properly disseminated, is the first line of homeland defense.

Question. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence.

Answer. The ASD (HD) will interact with the ASD (C^3I) regarding the work of components of C^3I that perform DOD and interagency policy formulation, and planning on critical infrastructure protection and cyber security, in the context of the national strategies addressing these areas. Routine, effective coordination between ASD (HD) and ASD (C^3I) will be essential to a unified defense strategy.

Question. The Assistant Secretary of Defense for International Security Policy.

Answer.

- The ASD (HD) will coordinate closely with the ASD (ISP) especially when technology transfer efforts involving other Federal, State, and local agencies have implications for international security and counterproliferation.
- The ASD (HD) will also coordinate closely with the ASD (ISP) on chemical and biological defense policy matters, including threat assessments, countermeasures and policy oversight of counterproliferation R&D.

Question. The Assistant Secretary of Defense for Reserve Affairs and the civilian officials of the military departments in charge of Reserve Affairs.

Answer.

- The ASD (HD) will coordinate with the ASD (RA) and military service Reserve officials on all issues related to USNORTHCOM's employment of the Total Force.
- The ASD (HD) will be an active participant in the comprehensive review of Reserve component contributions to national defense.
- The ASD (HD) will support the ASD (RA), as appropriate, in the oversight of Weapons of Mass Destruction Civil Support Teams.

Question. The Chief of the National Guard Bureau and the Directors of the Army and Air National Guard.

Answer. The ASD (HD) will work closely with the Chief of the National Guard Bureau and, through him, the Directors of the Army and Air National Guard through the Secretary of the Army and the Secretary of the Air Force, particularly regarding the roles, capabilities, and readiness of National Guard forces in support of homeland defense and civil support.

Question. State Governors.

Answer. The ASD (HD) will support DHS in this area as directed by the Secretary of Defense. I anticipate close tactical coordination between DOD, State emergency preparedness officials and first responders.

Question. The Director, Defense Intelligence Agency.

Answer.

- The ASD (HD) will work with the Director, DIA concerning the planning, programming, budgeting, and use of intelligence resources for the collection and production of intelligence in support of homeland defense requirements.
- The ASD (HD) will review intelligence assessments and estimates concerning transfers of technology, goods, services, and munitions with possible implications for homeland defense.

Question. The Assistant Secretary of Defense for Health Affairs.

Answer.

- The ASD (HD) will routinely and regularly coordinate with the ASD (HA) on all medical aspects of chemical and biological terrorism, including threat assessment, detection, countermeasures, and research and development.
- The ASD (HD) will maintain situational awareness of new techniques and technologies developed or adopted under the purview of the ASD (HA) to assure that they are made available to other Federal, State, and local agencies, as appropriate.

Question. The Chairman of the Joint Chiefs of Staff and the Joint Staff.

Answer. The ASD (HD) will coordinate both formally and informally, on a daily basis, with the Chairman, the Joint Chiefs and the Joint Staff regarding the roles,

capabilities, and readiness of the military services and combatant commands in support of the homeland defense mission.

Question. The Director of the Defense Threat Reduction Agency.

Answer. In coordination with the Under Secretary for Acquisition, Technology & Logistics, the ASD (HD) will work closely with DTRA, particularly regarding efforts in the following areas:

- Domestic chemical, biological, radiological, and nuclear threat reduction and defense
- Counterproliferation
- Technology security policy
- Emergency response support and training

DUTIES

Question. What is your understanding of the duties and functions of the Assistant Secretary of Defense for Homeland Defense?

Answer. Public Law 107–314, the Fiscal Year 2003 National Defense Authorization Act, amended Title 10 to establish the position of the Assistant Secretary of Defense for Homeland Defense, who will have "as his principal duty the overall supervision of the homeland defense activities of the Department of Defense." If confirmed, I will perform those duties prescribed by Secretary Rumsfeld for the position.

I expect that Secretary Rumsfeld will establish duties and functions of the Assistant Secretary of Defense for Homeland Defense that will include leading, supervising, and focusing the Department's activities in this area, ensuring internal coordination of DOD policy direction, providing guidance to U.S. Northern Command, U.S. Pacific Command, and U.S. Southern Command for their homeland defense mission and their military activities in support of homeland security, to include support to civil authorities, and all necessary DOD coordination with the Department of Homeland Security, the Office of Homeland Security, and other government agencies.

More specifically, if confirmed, I expect that Secretary Rumsfeld will make me responsible for developing and supervising the implementation of the Departmental strategic planning guidance for DOD's role in homeland security; developing force employment policy, guidance, and oversight; supervising DOD preparedness activities to support civil authorities in order to achieve an integrated national emergency response system; providing DOD support, as appropriate, to assist in developing capacities and capabilities of civilian agencies requisite to conducting homeland security missions; and direct DOD domestic crisis management activities.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. For 30 years I have been directly and personally involved in a wide range of national security activities. These responsibilities have involved active and Reserve military service in the U.S. Marine Corps, beginning as a rifle platoon leader in 1972 and culminating as an assistant division commander in 2002. That duty included active military service during Operations Desert Shield and Desert Storm, as well as a 1-year overseas deployment in the Western Pacific.

As a Member of Congress, I served for 6 years on the House Armed Services Committee and was a conferee on the National Defense Authorization Act for 5 years. In addition, I am a former member of the Board of Visitors at the U.S. Naval Academy, a current adjunct professor at the U.S. Army War College, and a current member of the Board of Advisors at the U.S. Naval War College.

Following retirement from Congress, I returned to drilling status as a U.S. Marine Corps reservist where my assigned duties focused on rear area security at the joint and component levels. As a civilian, during this period, I participated in several classified wargames involving the domestic threat of weapons of mass destruction.

ROLES AND RESPONSIBILITIES

Question. The Department of Defense's combating terrorism activities are currently divided into four categories: Antiterrorism/Force Protection, Counterterrorism, Terrorism Consequence Management and Intelligence. Section 902 of the National Defense Authorization Act for Fiscal Year 2003, which established the position of Assistant Secretary of Defense for Homeland Defense, also transferred the responsibility for the overall direction and supervision for policy, program planning and execution, and allocation of resources for the Department's combating terrorism activities to the Under Secretary of Defense for Policy.

Please specify what activities within each of the four combating terrorism categories will be under the jurisdiction of the Assistant Secretary of Defense for Homeland Defense.

Answer. If confirmed, I would recommend the following:

Antiterrorism/Force Protection:

- Should remain the primary responsibility of the service components and installation commands, subject to ASD (HD) oversight.

Counterterrorism:

- It is my expectation that the ASD (Special Operations/Low-Intensity Conflict) will continue to be responsible for DOD international counterterrorism efforts.
- In extraordinary cases where U.S. military counterterrorism forces are called upon by the President to undertake a military operation within the United States, I anticipate that the ASD (HD) will serve as the principal advisor to the Secretary of Defense.

Terrorism Consequence Management:

- Military support to civil authorities, whether to mitigate the consequences of acts of terrorism, manmade or natural disasters will be one of my principal oversight responsibilities, if confirmed. Oversight and supervision of contingency planning for these missions will be a major ASD (HD) responsibility.

Intelligence:

My objective would be to ensure that homeland defense commanders at all levels lawfully acquire the best intelligence available on threats that impact upon homeland security and related DOD missions.

Question. What DOD official or officials will be responsible for DOD combating terrorism activities not under your jurisdiction?

Answer. The Under Secretary of Defense for Policy, as stipulated in the 2003 National Defense Authorization Act, will exercise principal responsibility for the overall direction and supervision for policy, program planning and execution, and allocation of resources for the Department's combating terrorism activities. If confirmed, I anticipate that I will be USD (P)'s principal assistant regarding domestic counterterrorism. I expect a close collaborative relationship with SO/LIC, who will continue to serve as the principal policy advisor regarding international counterterrorism.

Additionally, I am advised that the newly authorized Under Secretary for Intelligence will be the principal intelligence oversight official within the Department. If confirmed, I will work closely with him on relevant counterterrorism intelligence matters.

Question. What steps will you take to ensure that the Department's efforts are focused and well coordinated in this critical area of homeland defense?

Answer. The Department has already taken the steps to create the U.S. Northern Command in order to improve command and control of DOD forces in those homeland defense missions as directed by the President and the Secretary of Defense. If confirmed, I plan to work closely with the combatant commanders, in concert with the Chairman of the Joint Chiefs of Staff, to ensure the full mission readiness of each command. I expect this to cover policy, program planning, mission readiness and execution oversight, and allocation of resources.

Coordination will of course be the key to achieving both our homeland defense and our homeland security objectives. Within the intergovernmental community at the Federal, State, and locals levels, I intend to develop close and collaborative relationships to ensure that DOD's efforts, when appropriate, support and reinforce civilian contingency plans and resources.

Within the Department of Defense, I intend to initiate a similar degree of coordination. On matters such as research and development, health affairs, Reserve affairs, and intelligence, I expect to integrate our Departmental efforts to ensure we maximize the full range of homeland defense capabilities.

Question. Section 1511 of the Fiscal Year 2002 National Defense Authorization Act (NDAA) required the Department to submit a report on DOD's role with respect to combating terrorism and homeland security no later than 180 days after the date of enactment. Section 1404 of the Fiscal Year 2003 NDAA required the Department to submit a more detailed report on the Department's role with respect to homeland security, no later than March 3, 2003.

What is the status of those two reports?

Answer. I am advised that the report required by the Fiscal Year 2002 NDAA has been completed within DOD and is undergoing final review within the administration. The report was delayed beyond its original due date because of changes affecting its content, such as the release of the National Security Strategy and National Strategy for Homeland Security, and the President's proposal to create the Department of Homeland Security.

I have been further advised that the report required by the Fiscal Year 2003 NDAA has been tasked to appropriate organizations throughout DOD in order to prepare a final draft.

CENTRAL TRANSFER ACCOUNT

Question. The Department has a central transfer account for its counterdrug activities. The Senate included a provision in its version of the Fiscal Year 2000 DOD Authorization bill that would have established a central transfer account for all DOD Combating Terrorism funds. However, that language was not included in the final version of the legislation signed by the President.

What advantage, if any, do you see in having a central transfer account for all DOD Combating Terrorism funds?

Answer. The Department of Defense advises me that it does not see any significant advantage to the creation of a Central Transfer Account for DOD Combating Terrorism funds, and believes that it would limit DOD's freedom to flexibly manage a comprehensive response to the terrorist threat. Combating terrorism is not a single budget or specified group of funds. It includes multiple programs for both CONUS and overseas operations for all DOD components. Various combating terrorism programs include antiterrorism activities such as force protection initiatives, intelligence activities, homeland security programs, consequence management, combat air patrols, continuity of government programs, and a variety of RDT&E efforts in chem-bio programs, the Armed Forces Radiobiology Research Institute, and many others. To require central budgeting and transfers would greatly complicate management, create delays, and require complex accounting efforts. However, if confirmed, I would be happy to examine this issue in consultation with the committee.

INSTALLATION SECURITY

Question. The security of U.S. military installations—both at home and abroad—has been a longstanding priority for the Senate Armed Services Committee. Section 1402 of the National Defense Authorization Act for Fiscal Year 2003 directed the Secretary of Defense to develop a comprehensive plan to improve the preparedness of military installations for terrorist incidents.

What is the status of that plan and what steps do you plan to take to ensure that domestic military installations are secure from a terrorist attack?

Answer. I am advised that the Department of Defense is currently preparing a comprehensive plan for improving the preparedness of military installations, in order to prevent and respond to terrorist attacks as required by Section 1402 of the NDAA for Fiscal Year 2003. If confirmed, I will work with the appropriate offices within OSD and the military departments to exercise supervision and civilian oversight in order to ensure that U.S. military installations are properly prepared to defend against attack.

WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS

Question. Section 1403 of the National Defense Authorization Act for Fiscal Year 2003 directed the Secretary of Defense to establish 23 additional Weapons of Mass Destruction Civil Support Teams (WMD–CSTs). This will provide for at least one WMD–CST in each State and territory. Section 1403 also contained a reporting requirement that required a review of whether the mission of the teams should be expanded.

Do you consider the WMD–CSTs an important asset in the event of a domestic terrorist attack involving a weapon of mass destruction?

Answer. Yes, I consider the National Guard WMD–CSTs to be key military assets, strategically positioned at the operational level, to support civil authorities at a domestic Chemical-Biological-Radiological-Nuclear-Explosive (CBRNE) incident site by identifying CBRNE agents/substances, assessing current and projected consequences, advising on response measures, and assisting with appropriate requests for State support. They are Federally-funded, and under control of respective State governors. Prior coordination and combined training with State emergency management officials and first responders in each team's area of responsibility significantly raises the effectiveness of the entire Nation's emergency response system.

Question. If confirmed, what role would you play with regard to the oversight, training, and stationing of the WMD–CSTs?

Answer. I am advised that the policy and fiscal oversight of the WMD–CST Program rests with the Assistant Secretary of Defense for Reserve Affairs. I expect to be working closely with the Assistant Secretary on matters of mutual concern with respect to the WMD–CSTs, with particular emphasis upon training activity, contingency planning, and operational readiness.

Question. Do you believe that the mission of the teams should be expanded beyond detection to include some cleanup or containment capability?

Answer. I am advised that the National Guard is currently reviewing recommendations from a Weapons of Mass Destruction Civil Support Team Force Management Analysis. The results of the National Guard's review will form the basis for the Department's analysis of the team's existing mission and the potential to expand that mission. That response will be provided to Congress by June 2, 2003, as required, to meet congressional direction in the 2003 NDAA.

Question. Are there other appropriate and feasible ways to expand the current team mission?

Answer. As previously mentioned, the results of the National Guard's review will form the basis for the Department's analysis of the team's existing mission and the potential to expand that mission. That response will be provided to Congress by 2 June 2003 to meet congressional direction in the fiscal year 2003 NDAA. If confirmed, I would fully cooperate with the committee in reviewing this issue.

CHEMICAL BIOLOGICAL INCIDENT RESPONSE FORCE

Question. The Department currently has a single Chemical Biological Incident Response Force (CBIRF), a Marine Corps unit that is capable of mass decontamination in the event of terrorist attack with a weapon of mass destruction.

Is a single CBIRF adequate?

Answer. I do not consider a single CBIRF to be adequate. The development of similar capabilities within the Reserve Components, State or local authorities, or other possible alternatives, in order to effectively respond to domestic CBRNE events should be considered. In addition, the Department of Homeland Security should be encouraged to review the possible development of these technical capabilities within the civilian emergency response system.

Question. In the event of a conflict in the Persian Gulf, is it likely that CBIRF would deploy to that theater and therefore be unavailable to respond to a domestic WMD incident?

Answer. I am advised that CBIRF is tasked to provide sensitive site exploitation teams for use in support of potential conflicts in the Persian Gulf. CBIRF will also maintain its CONUS commitment to provide an initial response force to a CBRNE incident. Deconfliction of the two missions is an ongoing responsibility of U.S. Joint Forces Command and the Joint Staff, subject to OSD policy guidance.

NATIONAL GUARD ROLE IN HOMELAND DEFENSE

Question. There is currently considerable debate about the role the National Guard should play in defending the homeland. The U.S. Commission on National Security/21st Century (the Hart-Rudman Commission) recommended that the National Guard be given homeland security as a primary mission.

Do you believe that defending the homeland should become the National Guard's primary mission?

Answer. My personal opinion is that the National Guard should remain a balanced force, trained for both overseas and domestic missions. The appropriate roles and missions of the Total Force—Active, Guard, and Reserve—in all areas including homeland security and the global war on terrorism are currently under review. Defending the citizens, territory and domestic resources of the United States is the highest priority of the Total Force, including the National Guard.

The National Guard is clearly capable of conducting selected homeland defense missions, such as the Air National Guard's preeminent role in continental air defense. However, the National Guard is also combat ready to conduct overseas military operations and is relied upon by combatant commanders as part of a strategic reserve. As the Department reviews how best to deal with the challenge of the new security environment, it is mindful of the need to properly balance the application of the total force to: defend the homeland, contribute to the global war on terrorism, meet military commitments abroad, and, if necessary, participate in a major theater war.

Question. What type of role do you envision the National Guard and Reserve ultimately playing in homeland defense?

Answer. The Department of Defense is currently conducting a study mandated by Congress in the fiscal year 2003 National Defense Authorization Act to determine the proper balance of force structures, proper roles and missions, and command relationships with the National Guard.

RELATIONSHIP WITH U.S. NORTHERN COMMAND

Question. U.S. Northern Command was established in October 2002 with the mission of conducting operations to deter, prevent, and defeat threats and aggression aimed at the United States, its territories, and interests within the command's assigned area of responsibility; and, as directed by the President or Secretary of Defense, to provide military assistance to civil authorities, including consequence management operations.

If confirmed as Assistant Secretary of Defense for Homeland Defense, how do you anticipate you would coordinate roles and responsibilities with the Commander, U.S. Northern Command?

Answer. Combatant Commanders report directly to the Secretary of Defense. ASD(HD) will assist and advise the Secretary of Defense in refining policy guidance and then manage his prioritization of resources to accomplish assigned roles and responsibilities. ASD(HD) should provide DOD-wide supervision, oversight and coordination for all homeland defense matters on behalf of the Secretary of Defense. Furthermore, ASD(HD) will integrate the staff efforts of the Joint Staff, the Combatant Commands, and interagency staffs, particularly the OHS and DHS.

Question. How do you anticipate that the Assistant Secretary of Defense for Homeland Defense and U.S. Northern Command will coordinate with civilian law enforcement authorities including the Federal Bureau of Investigation?

Answer. If confirmed, I anticipate that a senior ASD (HD) official will coordinate with civilian law enforcement authorities, to include the FBI, within prescribed legal constraints and subject to the Secretary of Defense's approval. When appropriate and when authorized by the Secretary of Defense, U.S. Northern Command will coordinate with civilian agencies on operational and planning issues.

RELATIONSHIP WITH U.S. STRATEGIC COMMAND

Question. The role of U.S. Strategic Command will expand to include responsibilities such as coordinating intelligence-sharing and information operations that support the overall Defense Department mission of defending the homeland.

How will you coordinate your activities with the Strategic Command and the OSD C^3I organization?

Answer. I am informed that the coordination of intelligence-sharing and information operations within the Department of Defense is currently the purview of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence. If I am confirmed, I will develop and maintain a close professional relationship with the leadership of that organization, especially on matters relating to homeland defense.

RELATIONSHIP WITH THE DEPARTMENT OF HOMELAND SECURITY

Question. The establishment of the Department of Homeland Security is one of the U.S. Government's largest cabinet-level reorganizations. Despite this reorganization, the Department of Defense will continue to play a critical role in homeland defense.

What role do you expect to play, if confirmed, in the coordination of DOD activities with the Department of Homeland Security?

Answer. The Secretary of Defense has made a public commitment to work closely with the new Department of Homeland Security in order to coordinate the respective responsibilities. I fully support that effort. In general, the Department of Defense is responsible for homeland defense missions—to defend the land, maritime, and aerospace approaches from external threats—while the Department of Homeland Security will be responsible for major elements of domestic security and civil preparedness. DOD will also provide military assistance to U.S. civil authorities in accordance with U.S. law, as directed by the President and the Secretary of Defense. For example, such assistance could include support for consequence management operations led by the Department of Homeland Security when authorized by the President or the Secretary of Defense. There will be an ongoing requirement for U.S. Northern Command to coordinate plans, exercises, and training with the operating components of DHS.

HOMELAND SECURITY SCIENCE AND TECHNOLOGY ISSUES

Question. In recent years, the Department of Defense has devoted significant science and technology resources to efforts—such as chemical and biological defense technologies—that have potential utility for both military and homeland defense purposes.

In what manner, if any, do you believe that the Department should coordinate these science and technology efforts with the new Department of Homeland Security?

Answer. I believe that effective coordination between the Department of Defense and the Department of Homeland Security regarding scientific and technological development is essential. Moreover, the rapid transfer of new capabilities to civilian officials is imperative.

Question. What role do you expect to play, if confirmed, in such coordination efforts?

Answer. ASD (HD) will be responsible for situational awareness and coordination of homeland defense and homeland security-related research and development efforts with the Department of Homeland Security, the Department of Defense, and other elements of the Department of Defense.

Question. Section 1401 of the National Defense Authorization Act for Fiscal Year 2003 requires the Secretary of Defense to designate a senior official to identify, evaluate, deploy, and transfer to Federal, State, and local first responder's technology items and equipment in support of homeland security.

In what manner will the designated official coordinate this effort with appropriate officials at the new Department of Homeland Security?

Answer. I am advised that the Department of Defense is currently in the process of designating a senior official to carry out the functions as identified in Section 1401 of the National Defense Authorization Act for Fiscal Year 2003. One responsibility of the senior official would be to facilitate the timely transfer of appropriate technology items and equipment to Federal, State, and local first responders, in coordination with appropriate Federal Government officials outside the Department of Defense, including the Department of Homeland Security.

Question. What role do you expect to play, if confirmed, in such coordination efforts?

Answer. If confirmed, I would be responsible for maintaining situational awareness and coordination of homeland defense and homeland security-related research and development efforts, and would be the focal point for ensuring that effective coordination is accomplished among DOD, the Department of Homeland Security, and other Federal departments and agencies for projects of mutual interest.

Question. The Defense Advanced Research Projects Agency (DARPA) has developed a "Total Information Awareness" program, to develop and integrate information technologies that would enable the government to sift through multiple databases and sources to detect, classify and identify potential terrorist activities.

What legal constraints, if any, would impact the deployment of such a system within the United States?

Answer. I have been advised that the Total Information Awareness (TIA) program at DARPA is not an operational system and no decision has been made to deploy such a system in the future. Neither the development nor operational deployment of TIA would be under the office of the ASD (HD). Without more detailed knowledge about the TIA program, I am unable to provide specific comments concerning the legalities of any potential deployment of the TIA program.

Question. Do you believe that it is appropriate for the Department of Defense to play the leading role in developing such a system?

Answer. I believe it is appropriate for the Department of Defense to research, develop, and demonstrate innovative information technologies to detect patterns of terrorist planning and potentially hostile activity directed against American citizens. However, I also firmly believe the deployment of any such systems must be in strict accordance with relevant U.S. laws, and should be carried out, if at all, by civil law enforcement agencies subject to judicial oversight.

USE OF ACTIVE DUTY AND RESERVE PERSONNEL FOR HOMELAND DEFENSE/POSSE COMITATUS

Question. Following the terrorist attacks of September 11, 2001, National Guard personnel were ordered to active duty to provide airport security. Subsequently, Guardsmen were activated to augment Federal agencies to perform border security functions.

What is your understanding of the legal issues and authority associated with using National Guard and Reserve personnel in security roles within the United States?

Answer. There are a number of legal issues and authorities that may be associated with using the National Guard and Reserve in security roles in the United States. Each particular situation—such as State status, Title 32, and Title 10—may trigger different legal issues and authorities. For example, in order to order the National Guard and Reserve to active duty, or to call the National Guard into Federal service, the President must exercise one of several possible legal authorities. Potential legal authorities include his Constitutional authority and statutory authority under, for example, sections 12301, 12302, 12304, or 12406 of Title 10, United States Code. Once on active duty or in Federal service, legal issues and authority include ensuring a clear chain of command, providing appropriate use of force rules, and complying with the Posse Comitatus Act if the military mission includes providing support to civilian law enforcement in executing the laws of the United States. A more detailed discussion of legal issues and authority depends upon the particular fact pattern of a specific situation.

Question. In your opinion, does the Posse Comitatus Act (18 U.S.C. § 1385) or chapter 18 of Title 10, U.S.C. (which regulates the use of the Armed Forces in civilian law enforcement and related activities) require amendment to deal with the present homeland security situation?

Answer. As you are aware, last year Governor Ridge and Secretary Rumsfeld indicated that they believed that the act appropriately addressed the use of the military to support civilian law enforcement; that changes to the act were unnecessary at that time; and that they remained open to further study of the issues involved as necessary. Although I am in agreement with the position taken by Secretary Rumsfeld and Secretary Ridge, should I be confirmed and appointed as Assistant Secretary, I will fully cooperate with any exercise of legislative oversight in this manner.

Question. Last fall, in response to requests from the Federal Bureau of Investigation, the Department of Defense provided aerial platforms and camera equipment to a law enforcement task force seeking to apprehend the sniper suspects in the Washington, D.C. metropolitan area.

Under what circumstances do you believe that it is appropriate for the Department of Defense to provide assistance to law enforcement authorities in response to a terrorist event? What about a non-terrorist event?

Answer. I believe that Congress has effectively delineated several areas where military support to civilian law enforcement may be appropriate, as specified in Chapters 15 and 18 of Title 10, United States Code. Those authorities apply to military support of the law enforcement response to both terrorist and non-terrorist events. In summary, DOD may lawfully provide support to civil law enforcement authorities to enforce the law under routine circumstances, on a reimbursable basis, in such areas as training, expert advice, and for operations and maintenance of equipment. Under emergency circumstances—for instance, involving a weapon of mass destruction—posing a serious threat to the United States in which civilian expertise and capabilities are overwhelmed, and as jointly determined by the Secretary of Defense and the Attorney General, DOD may provide special capabilities and expertise necessary to not only counter the threat posed by the weapons involved, but also to prevent the serious impairment of civilian law enforcement authorities' ability to enforce the law and protect citizens. In this regard, the President and the Secretary of Defense would specifically direct the employment of these special DOD's capabilities.

Question. What role do you expect to play, if confirmed, in making such determinations and making such assistance available?

Answer. If confirmed and appointed, I expect to play a significant role in advising the Secretary of Defense regarding the legality and operational effectiveness of military support to civilian law enforcement, oversight in monitoring such support when provided, and in establishing clear procedures to expedite DOD support when directed by the Secretary.

CONTRACT LIABILITY RISK

Question. Liability risk has at times been a deterrent to the private sector freely contracting with the Federal Government to meet national security needs. To address this risk, Congress has acted in the past to authorize the indemnification of contracts for products that are unusually hazardous or nuclear in nature.

Do you see a need to indemnify contracts for homeland security or anti-terrorist products and services (to include biotechnology and information technology) that

would not meet the "hazardous or nuclear" criteria, as a way to encourage private sector solutions to homeland defense requirements?

Answer. I have not studied this matter carefully enough to make an informed recommendation at this time. However, if confirmed, I am prepared to review the matter with DOD Office of General Counsel and provide appropriate comment to the committee.

COORDINATION OF EXPERTISE BETWEEN THE DEPARTMENTS OF HOMELAND SECURITY AND ENERGY

Question. The personnel at the Department of Energy's (DOE) National Laboratories have expertise that may be useful to the Department of Homeland Security and to the Department of Defense in the execution of their homeland defense mission.

What mechanism do you anticipate will be put in place to expedite communication with the appropriate experts of the National labs to help respond quickly in the event of a national incident or emergency?

Answer. It is my understanding that the Homeland Security Act of 2002 created an Office for National Laboratories within the Directorate of Science and Technology of the Department of Homeland Security that will be responsible for the coordination and utilization of the Department of Energy's national laboratories and sites in support of homeland security activities. If confirmed, I will work to ensure that the Department of Defense coordinates fully with the Department of Homeland Security and the Department of Energy in order to maintain continuing awareness of the technical expertise at the national laboratories, which may be available to support DOD's homeland defense mission.

HOMELAND SECURITY AND INTERNATIONAL ISSUES

Question. If confirmed, do you anticipate that you will have responsibility for activities outside of the United States, such as nonproliferation activities, that would have a direct or indirect relationship to homeland security?

If so, what do you envision these responsibilities would be?

Answer. No. The responsible official within the Department of Defense for nonproliferation activities is the Under Secretary of Defense for Policy. Under Section 902(b)(4) of the fiscal year 2003 NDAA, the Under Secretary of Defense for Policy now has overall direction and supervision for policy, program planning and execution, and allocation and use of resources for the activities of the Department for combating terrorism. While maintaining worldwide situational awareness, the ASD (HD)'s foreign responsibilities will be limited to the U.S. Northern Command's area of responsibility.

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, when asked, to give your personal views, even if those 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 Assistant Secretary of Defense for Homeland 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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR SUSAN COLLINS

RELATIONSHIP WITH DEPARTMENT OF HOMELAND SECURITY

1. Senator COLLINS. Mr. McHale, one of the most important responsibilities for the Assistant Secretary of Defense for Homeland Defense is to manage the relationship between the Department of Defense and the new Department of Homeland Security. If confirmed, how would you ensure that the two departments communicate effectively?

Mr. MCHALE. The Secretary of Defense has made a public commitment to work closely with the new Department of Homeland Security in order to coordinate the respective responsibilities. I fully support that effort. In general, the Department of Defense is responsible for homeland defense missions—to defend the land, maritime, and aerospace approaches from external threats—while the Department of Homeland Security will be responsible for major elements of domestic security and civil preparedness. DOD will also provide military assistance to U.S. civil authorities in accordance with U.S. law, as directed by the President and the Secretary of Defense. For example, such assistance could include support for consequence management operations led by the Department of Homeland Security when authorized by the President or the Secretary of Defense. There will be an ongoing requirement for U.S. Northern Command to coordinate plans, exercises and training with the operating components of DHS.

The Principal Deputy Assistant Secretary of Defense for Homeland Defense has been assigned the responsibility to coordinate the Department of Defense's relationship with the Department of Homeland Security. In addition, DOD maintains representatives 24 hours a day in the Department of Homeland Security's Homeland Security Operations Center in order to facilitate information exchange and interagency coordination.

ROLE OF NATIONAL GUARD IN HOMELAND SECURITY

2. Senator COLLINS. Mr. McHale, the National Guard has played an important role in homeland security since September 11. Guard units were temporarily utilized for airport security, and the National Guard Weapons of Mass Destruction Civil Support Teams are trained to respond to domestic contingencies.

Do you believe that the role of the National Guard in homeland security should be expanded further?

Mr. MCHALE. Yes. However, the National Guard should remain a balanced force, trained for both overseas and domestic missions. The appropriate roles and missions of the Total Force—Active, Guard, and Reserve—in all areas including homeland security and the global war on terrorism are currently under review. Defending the citizens, territory, and domestic resources of the United States is the highest priority of the Total Force, including the National Guard.

The National Guard is well-prepared to conduct selected homeland defense missions, such as the Air National Guard's preeminent role in continental air defense. In addition, the National Guard is combat ready to conduct overseas military operations and is relied upon by combatant commanders as part of a strategic reserve. As the Department reviews how best to deal with the challenge of the new security environment, it is mindful of the need to properly balance the application of the Total Force to: defend the homeland, contribute to the global war on terrorism, meet military commitments abroad, and, if necessary, participate in a major theater war. The National Guard will retain important missions in each of these areas.

SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT

3. Senator COLLINS. Mr. McHale, the Department of Defense has devoted significant resources to research and development. Many of the technologies being developed by the Department might have homeland security applications. For instance, sensors being developed to detect biological or chemical weapons for force protection might also be useful to protect American cities. The new Department of Homeland Security is establishing its own science and technology capability.

What is the best way to ensure that there is no duplication of effort between the two departments in technology development?

Mr. MCHALE. Since many significant elements of the Federal homeland security/homeland defense efforts will be spread among different agencies, including the Departments of Defense and Homeland Security, the need for increased collaboration will be essential. While there is no "best way" to eliminate duplication of effort between various research and development entities, there are a number of avenues the

Department of Defense can utilize to ensure maximum coordination and minimize duplicative research and development efforts.

For example, the Technical Support Working Group (TSWG) has a well-established and successful process for articulating priorities, soliciting and evaluating proposals, and rapidly prototyping technologies with the operational community. We anticipate that the Department of Homeland Security will join this effort between the Departments of Defense and State in support of the homeland security/homeland defense mission.

Through the TSWG and other collaborative efforts, we can ensure that research and development efforts among agencies engaged in homeland defense/homeland security efforts can be properly coordinated and duplication of effort can be greatly reduced.

Section 1401 of Public Law 107–314, the Bob Stump National Defense Authorization Act for Fiscal Year 2003, requires that the Secretary of Defense "designate a senior official of the Department of Defense to coordinate all Department of Defense efforts to identify, evaluate, deploy, and transfer to Federal, State, and local first responders technology items and equipment in support of homeland security." I anticipate that I will be designated as this "senior official" by the Secretary of Defense and, if so, will do my best to carry out the assigned statutory responsibilities of this role.

QUESTIONS SUBMITTED BY SENATOR ELIZABETH DOLE

COMBATING TERRORISM AND COUNTERDRUG STRATEGIES

4. Senator DOLE. Mr. McHale, as a part of your responsibilities and role in combating terrorism activities, will you have a role in counterdrug activities?

Mr. MCHALE. Yes. The Assistant Secretary of Defense for Homeland Defense is responsible for providing oversight, policy, and guidance to U.S. Northern Command. U.S. Northern Command, through Joint Task Force-Six (JTF–6), provides Department of Defense operational, training, and intelligence support to domestic law enforcement agency counterdrug efforts in the continental U.S. to reduce the availability of illegal drugs in the U.S. In addition, U.S. Northern Command is preparing an operational concept to coordinate the existing Title 32 and Title 10 counterdrug effort. In the future, the preponderance of Defense Department counterdrug efforts will be executed by States through their National Guards in both State status and Title 32 status.

HOMELAND DEFENSE'S RELATIONSHIP WITH SPECIAL OPERATIONS COMMAND

5. Senator DOLE. Mr. McHale, I am interested in the relationship that your new office will have with the U.S. Northern Command. Specifically, how do you envision that the Special Operations Command and its component special forces units might be used in a homeland defense role?

Mr. MCHALE. The Assistant Secretary of Defense for Homeland Defense is charged by law to ". . . provide overall supervision of all homeland defense activities of the Department of Defense." As such, I will exercise supervision and oversight with regards to U.S. Northern Command's homeland defense activities.

The capabilities of Special Operations Command, as well as the capabilities of any of the combatant commands, may be brought to bear on homeland defense as the situation dictates.

6. Senator DOLE. Mr. McHale, does the new role of the Special Operations Command as a supported command fit in with any possible role it may have in homeland defense activities?

Mr. MCHALE. The Commander of NORTHCOM will in all probability be the supported commander for military operations in defense of the U.S., as authorized by the President or the Secretary of Defense. The Commander of U.S. Special Operations Command role as a supported commander is aimed principally at our overseas efforts to prosecute the global war on terrorism.

SCIENCE AND TECHNOLOGY RESEARCH

7. Senator DOLE. Mr. McHale, what role will your office play in coordinating with the Department of Homeland Security on new science and technology efforts which DOD has sponsored?

Mr. MCHALE. Since many significant elements of the Federal homeland security/homeland defense efforts will be spread among different agencies, including the Departments of Defense and Homeland Security, the need for increased collaboration will be essential. While there is no "best way" to eliminate duplication of effort between various research and development entities, there are a number of avenues the Department of Defense can utilize to ensure maximum coordination and minimize duplicative research and development efforts.

For example, the Technical Support Working Group (TSWG) has a well-established and successful process for articulating priorities, soliciting and evaluating proposals, and rapidly prototyping technologies with the operational community. We anticipate that the Department of Homeland Security will join this effort between the Departments of Defense and State in support of the homeland security/homeland defense mission.

Through the TSWG and other collaborative efforts, we can ensure that research and development efforts among agencies engaged in homeland defense/homeland security efforts can be properly coordinated and duplication of effort can be greatly reduced.

Section 1401 of Public Law 107–314, the Bob Stump National Defense Authorization Act for Fiscal Year 2003, requires that the Secretary of Defense "designate a senior official of the Department of Defense to coordinate all Department of Defense efforts to identify, evaluate, deploy, and transfer to Federal, State, and local first responders technology items and equipment in support of homeland security." I anticipate that I will be designated as this "senior official" by the Secretary of Defense and, if so, will do my best to carry out the assigned statutory responsibilities of this role.

QUESTIONS SUBMITTED BY SENATOR HILLARY RODHAM CLINTON

DEPLOYMENT OF COAST GUARD UNITS

8. Senator CLINTON. Mr. McHale, recently the Pentagon announced that it was sending eight Coast Guard cutters and several port security units to the Persian Gulf, and that the deployment would happen soon. In New York, we count on the Coast Guard to guard our ports against terrorist threats.

What missions did these cutters perform and what provisions will be made to replace their functions?

Mr. MCHALE. These forces contribute unique Coast Guard capabilities in coastal and waterfront security, environmental response, force protection, and protection of high value assets as part of an integrated maritime force package for the operational commander. Port Security Units are Reserve Forces specifically organized and trained for overseas operations. Since September 11, the Coast Guard has met all requirements for domestic port security, supported combatant commanders, and continued their traditional roles in maritime safety and law enforcement. Through continued careful asset management, the Coast Guard will be able to support both overseas and domestic missions.

9. Senator CLINTON. Mr. McHale, what will the deployment of the USCGC *Bainbridge Island*—homeported in Sandy Hook, NJ—mean for homeland security along the eastern seaboard?

Mr. MCHALE. The Coast Guard will maintain the same presence on the eastern seaboard by increasing the operating tempo of forces that are not deploying. Operating tempo for non-deployed forces will be increased by approximately 20–25 percent. As part of its normal contingency planning, the Coast Guard is able to increase operating tempo by up to 33 percent, and to support that increase for as long as necessary.

[The nomination reference of Paul McHale follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 9, 2003.

Ordered, that the following nomination be referred to the Committee on Armed Services:

Paul McHale, of Pennsylvania, to be an Assistant Secretary of Defense. (New Position)

[The biographical sketch of Paul McHale, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF PAUL MCHALE

Former Congressman Paul McHale was born and raised in Bethlehem, Pennsylvania.

He graduated from Liberty High School in 1968 and then attended Lehigh University where he majored in Government, was elected to the national honor society Phi Beta Kappa, earned a Bachelor of Arts degree and graduated with highest honors in 1972.

Following his graduation from Lehigh University, McHale volunteered for duty with the U.S. Marine Corps. Commissioned a second lieutenant in 1972, he spent 2 years on active duty, including an overseas deployment as a rifle platoon leader in Okinawa and in the Philippines.

After release from active duty, Mr. McHale entered Georgetown Law Center in 1974 and received his Juris Doctor degree in 1977. For the next 5 years, he practiced law in Bethlehem, Pennsylvania.

Congressman McHale began his involvement in public service when he was first elected to the Pennsylvania House of Representatives in 1982. During his tenure in the Pennsylvania General Assembly, McHale wrote and sponsored numerous pieces of important legislation, including the Child Passenger Protection Act, the Dangerous Juvenile Offender Act, and the Pennsylvania 911 Emergency Communication Statute. McHale was also one of the leaders in the successful fight to pass the 1989 Public Ethics Act and was awarded the Champion of Good Government Medal by Pennsylvania Common Cause for his efforts.

McHale was elected to five consecutive terms in the State House. He resigned in 1991 following Iraq's invasion of Kuwait, when he volunteered for active duty as an infantry officer with the Marine Corps during Operations Desert Shield and Desert Storm.

In January of 1993, Paul McHale began service in the United States House of Representatives representing the 15th Congressional District of Pennsylvania. He was elected to a third term in November 1996. McHale was an active member of the House Armed Services Committee which has oversight responsibility for all U.S. military operations and training. In addition, he served on the House Science Committee which has jurisdictional responsibility for the many Federally-funded advanced technology programs.

During his three terms in the U.S. House, Congressman McHale championed the rights of crime victims, the cause of environmental protection, the funding of Medicare and veterans benefits, the reclamation and reuse of older industrial sites, as well as the passage of numerous governmental reforms, including the Congressional Accountability Act, term limits for committee chairmen, a ban on all gifts to Members of Congress, a balanced Federal budget, and the line item veto. President Clinton signed into law the Lobby Disclosure Act, a major reform measure originally introduced in the House by Congressman McHale.

In 1996, Congressman McHale co-founded the House of Representatives National Guard and Reserve Components Caucus representing within Congress the interests of U.S. reservists and citizen soldiers worldwide. His efforts through the caucus earned him several important honors, including the Marine Corps Reserve Officers Association 1997 Frank M. Tejeda Leadership Award, the 1998 Reserve Officers Association Minuteman of the Year Award, and the Department of Defense Distinguished Public Service Medal.

McHale has frequently lectured on government, law, and military policy on the campuses of many colleges and universities, including the U.S. Army War College, where he is an adjunct professor, and the U.S. Naval Academy, where he served as a member of the Board of Visitors. Mr. McHale is currently a member of the Board of Advisors at the Naval War College, Newport, Rhode Island. In 1995, he was awarded an honorary Doctor of Laws degree by Muhlenberg College. In 1997, he received the Jewish Theological Seminary's Herbert H. Lehman Public Service Medal in recognition of his efforts on behalf of the Jewish community both in the Lehigh Valley and abroad.

On January 3, 1999, Congressman McHale retired from the U.S. House of Representatives and became a shareholder in the Allentown law firm of Tallman, Hudders & Sorrentino, P.C. He withdrew from active law practice on September 30, 2002 and is currently employed as a consultant to the Secretary of Defense.

Mr. McHale is married to Katherine Pecka McHale, Vice President of Millennium Cell Inc., a Lieutenant Commander in the U.S. Navy Reserve, and a former member

of the Pennsylvania General Assembly. They are the parents of three children with whom they reside in Bethlehem, Pennsylvania.

[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 Paul McHale in connection with his nomination follows:]

January 16, 2003.

Hon. JOHN WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Assistant Secretary of Defense. It supplements Standard Form 278, "Executive Personnel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I nor any member of my immediate family will invest in any organization identified as a DOD contractor or any other entity that would create a conflict of interest with my governmental duties. My wife is currently employed as a Vice President of Millennium Cell, Inc., a NASDAQ-traded public company, which has had very limited commercial contact with the Department of Defense. As noted in my accompanying SASC disclosure form (Part C, Question 2), my wife currently holds stock options in Millennium Cell. In addition, we jointly own approximately 1,800 shares of stock in Millennium Cell. I do not anticipate that my wife's employer will have any business activity related to the DOD position for which I am being considered.

I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity. If confirmed, I am committed to serve in is position at the pleasure of the President throughout his term of office.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have been party to only one civil litigation, arising out of a minor traffic accident and settled amicably, without adjudication of fault. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation, aside from the background check ordered as a part of this nomination, and aside from routine investigation associated with the renewal of the security clearance I hold as an officer in the U.S. Marine Corps Reserve.

I am a member of certain organizations and professional societies, which have previously been provided to the committee. None of these should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

PAUL MCHALE.

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 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.)
Paul McHale.

2. **Position to which nominated:**
Assistant Secretary of Defense for Homeland Defense.

3. **Date of nomination:**
January 9, 2003.

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:**
July 26, 1950; Fountain Hill, Pennsylvania.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Katherine Marie Pecka McHale.

7. **Names and ages of children:**
Matthew Cornwell McHale, age 18.
Mary Wynne McHale, age 15.
Luke Brendan McHale, age 12.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Liberty High School, Bethlehem, Pennsylvania; Attended Sept. 1965 to June 1968; Graduation diploma awarded, June 1968.
Lehigh University, Bethlehem, Pennsylvania; Attended Aug. 1968 to May 1972; B.A., with highest honors awarded May 1972.
Georgetown University Law Center, Washington, DC; Attended Aug. 1974 to May 1977; J.D. awarded May 1977.

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.
Consultant to the Office of the Secretary of Defense; Room 4E808; The Pentagon; Washington, DC; September 2002–present.
Vice President/Shareholder/Attorney; Tallman Hudders and Sorrentino; Allentown, Pennsylvania; January 1999–September 2002.
Member of Congress; U.S. House of Representatives; Washington, DC; January 1993–January 1999.
Attorney at Law; Law Offices of Paul McHale; Bethlehem, Pennsylvania; April 1991–January 1993.

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, Pennsylvania House of Representatives; Harrisburg, Pennsylvania, 1982–1991.

Member, Board of Directors, Pennsylvania Parks and Forest Foundation, January 2001–present.

Member, Fountain Hill Planning Commission, 1978.

Board of Visitors, U.S. Naval Academy, 1997–1999.

Board of Advisors, U.S. Naval War College, 2000–present.

Adjunct Professor, U.S. Army War College, 2000–present.

Member, DOD Acquisition Reform Panel (Dawkins), 2000.

Member, Pennsylvania Sentencing Commission, 1983–1987.

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.

Partner, Paragon Partners, Allentown, Pennsylvania, Real Estate Investment Partnership.

Member, Board of Directors, Marine Corps Association, Quantico, Virginia.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

American Bar Association Pennsylvania Bar Association Rotary Club of Bethlehem American Legion.

Veterans of Foreign Wars, Marine Corps Association—Board Member, Reserve Officers Association, Marine Corps Reserve Officers Association, Ben Franklin Partnership (non profit) Board Member, Lehigh Valley Industrial Park (non profit)—Board Member, MPAP (St. Luke's Hospital, non-profit)—Board 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.

1980—Candidate for Congress in Democratic primary, 15th District of Pennsylvania.

1982, 1984, 1986, 1988, 1990—Candidate for Pennsylvania House of Representatives, 133rd District.

1989—Candidate for Pennsylvania Commonwealth Court in Democratic primary.

1992, 1994, 1996—Candidate for Congress, 15th District of Pennsylvania.

(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.

March 2000—$500 to John Morganelli for Attorney General campaign committee—candidate for Pennsylvania Attorney General.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Phi Beta Kappa, Lehigh University, 1972.

Honorary Doctorate awarded by Muhlenberg College, Allentown, Pennsylvania, 1995.

Military Medals: See attached military biography.

Distinguished Public Service Medal, Department of Defense, 1998.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

I have written a limited number of letters to the editor and op-ed pieces. In most cases the text can be found through an appropriate Internet search. The best source for this information is the Internet archive of the Allentown, PA Morning Call, the principal newspaper covering the legislative districts I represented. Upon retirement from Congress, I donated without fee or tax deduction all of my congressional papers to Muhlenberg College, Allentown, PA. These documents are available for inspection.

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.

I served for 15 years in the Pennsylvania House of Representatives and the U.S. Congress. As might be expected, I delivered numerous floor speeches in those legislative bodies, the text of which can be found in their respective journals. Nearly all public speeches which I delivered during this time frame were extemporaneous, delivered from a few handwritten notes or brief outlines. In many cases the text or quotes can be found through an Internet search of the archives of the Morning Call

of Allentown, PA. During the 4 years since my retirement from Congress all of my formal speeches on military matters have been limited to commemorative events, such as Veterans Day and Memorial Day ceremonies.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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.

PAUL MCHALE.

This 16th day of January, 2003.

[The nomination of Paul McHale was reported to the Senate by Chairman Warner on January 30, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 4, 2003.]

[Prepared questions submitted to Christopher Ryan Henry by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than a decade has passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms.

Do you support full implementation of these defense reforms?

Answer. Yes, I support the implementation of these reforms. The focus upon "jointness" and civilian oversight driven by the Defense Reorganization Act of 1986 has significantly enhanced the responsiveness, readiness, and warfighting capabilities of our U.S. Armed Forces.

Question. What is your view of the extent to which these defense reforms have been implemented?

Answer. The Goldwater-Nichols reforms represent a first step in the transformation process. They have had a pathfinder impact within DOD. They have strengthened civilian control, improved military advice to the President and Secretary of Defense, strengthened unity of command within our combatant commands, and improved readiness to operate as a joint warfighting team.

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. The unambiguous responsibility and authority assigned to combatant commanders for mission accomplishment and the increased attention to strategy formulation and contingency planning are the most important aspects in my view.

Question. The goals of Congress in enacting these defense reforms, as reflected in Section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and contingency planning; providing for more efficient use of defense

resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. Yes.

Question. Recently, there have been articles which indicate an interest within the Department of Defense in modifying Goldwater-Nichols.

Do you anticipate that legislative proposals to amend Goldwater-Nichols may be appropriate? If so, what areas do you believe it might be appropriate to address in these proposals?

Answer. I cannot recommend any amendments to Goldwater-Nichols at this time. The Secretary of Defense has an abiding interest in the transformation of the Department to improve our national defense. Questions of responsibility, authority, and organization are matters of specific interest and continuous review. If any of these reviews recommend refinements to Goldwater-Nichols, I would expect the Department will consult closely with Congress, and especially this committee. If confirmed, I would be personally interested in working with the committee on any efforts to review this legislation.

DUTIES

Question. Section 134a of Title 10, United States Code, provides that the Deputy Under Secretary of Defense for Policy shall assist the Under Secretary of Defense for Policy in the performance of his duties. Department of Defense Directive 5111.3 emphasizes that the Deputy Under Secretary of Defense for Policy advises and assists the Under Secretary of Defense for Policy, particularly on strategy formulation, contingency planning, and the integration of Department of Defense plans and policy with overall national security objectives.

What is your understanding of the duties and functions of the Deputy Under Secretary of Defense for Policy?

Answer. My understanding of the duties and functions derives from DOD Directive 5111.3, which states: The Principal Deputy Under Secretary of Defense for Policy (PDUSD(P)), as the principal assistant to the Under Secretary of Defense for Policy (USD(P)), advises and assists the USD(P) in providing staff advice to the Secretary of Defense and Deputy Secretary of Defense, particularly on strategy formulation, contingency planning, and the integration of DOD plans and policy with national security objectives, and by law is empowered to act in his or her stead.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I believe I have been privileged to serve in positions and gain first-hand experience that qualify me to perform the duties of Deputy Under Secretary of Defense for Policy.

During the first 20 years of my professional career I served as a naval surface warfare officer and aviator, seeing extensive combat in two wars—Vietnam and Operation Desert Storm. During this period, I was a naval strike planner, sea-strike mission commander, strike leader, and commanding officer, while making six extended deployments to the Western Pacific and Indian Ocean. These experiences allowed me to work at the implementation end of policy development, contingency planning, and the execution of national security strategy.

For the next 6 years, I broadened my experience base in the areas of national security policy, transformational technology development, legislative oversight, policy analysis and development, and corporate operations and leadership. Upon returning from the Gulf War, I was a top graduate from the National Defense University in 1992 and won the Commandant's Award for my defense strategy paper, "Access and Agility—Strategy and Structure for the 21st Century." At the Defense Advanced Research Projects Agency (DARPA), I served as the Information Systems Architect, integrating "generation-after-next" systems into the first network-centric command, control, communications, computers, intelligence, surveillance, and reconnaissance (C^4ISR) architecture and laying the groundwork for early warfighter integration. During the first session of the 104th Congress, I served as a Senior Military Fellow with the Defense Subcommittee of the Senate Appropriations Committee, working on the Defense Appropriations Bill (PL 104–61) and gaining an appreciation and understanding of the value of Congressional oversight and consultations. Following retirement, I was a Senior Fellow at the Center for Strategic and International Studies (CSIS), where my work focused on the impact of a Revolution in Military Affairs (RMA) on the future of U.S. warfighting and the new security challenges confronting the U.S. and its allies after the end of the Cold War.

For the past 5 years I have worked at Science Applications International Corporation (SAIC). Initially, I built a successful business segment that worked with the

science and technology community in steering efforts to develop national security architectures for the Information Age and the discovery of future tactical, operational, and organizational paradigms.

For the past year, working directly with the Chairman of the Board and CEO, I have overseen the corporate-wide development of strategic business and technology initiatives in the Nation's largest employee-owned research and engineering company (over $6 billion in annual revenue and 40,000 employees). I have been developing the strategy and courses of action to provide information technology, systems integration, and eSolutions to government and commercial customers in order to solve complex technical problems in national security, homeland defense, energy, the environment, telecommunications, health care, and transportation.

I believe these experiences provide a solid base to advise and assist the Under Secretary in providing staff advice and assistance to the Secretary of Defense and the Deputy Secretary, particularly on strategy formulation, contingency planning, and the integration of DOD plans and policy with overall national security objectives.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Deputy Under Secretary of Defense?

Answer. Having just returned this past week from 5 years of full-time employment in the private for-profit sector, I will need to acquaint myself fully, across the breadth of the Policy Under Secretariat, with its personnel and their individual work. I am also looking forward to receiving in-depth briefings on defense strategy, deliberate and crisis action plans, the integration of DOD plans and policy with national security objectives, and on the budgetary implementation of defense plans.

Question. Assuming you are confirmed, are there any other duties and functions that you expect that Secretary Rumsfeld and Secretary Feith will prescribe for you?

Answer. None of which I am currently aware.

RELATIONSHIPS

Question. If confirmed, what would be your relationship with:

The Secretary of Defense

The Deputy Secretary of Defense

The Under Secretary of Defense for Policy

The other Under Secretaries of Defense, including the Under Secretary of Defense for Intelligence

The Assistant Secretaries of Defense

The General Counsel of the Department of Defense

The Chairman of the Joint Chiefs of Staff and the Joint Chiefs of Staff

The Commanders of the Regional Combatant Commands

The Administrator and Deputy Administrators of the National Nuclear Security Administration

Answer. If confirmed, I will report to the Secretary of Defense and Deputy Secretary of Defense through the Under Secretary of Defense for Policy. I will work closely with and help coordinate the work of the Assistant Secretaries in the Office of the Under Secretary of Defense for Policy. I expect to maintain a close working relationship with under secretaries and assistant secretaries across the Department, the General Counsel of the Department of Defense, the Secretaries of the Military Departments, the Chairman and Vice Chairman of the Joint Chiefs of Staff, and with combatant commanders. As appropriate, I also will, if confirmed, work closely with the Administrator and the Deputy Administrators of the National Nuclear Security Administration.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges and problems that will confront the Deputy Under Secretary of Defense for Policy?

Answer. In my view, the primary challenges are: a) successful prosecution of the global war on terrorism; b) strengthening joint warfighting capabilities; c) transforming the force to protect and advance U.S. national interests; and d) building more adaptive war plans that are responsive to the changing and uncertain security environment. The PDUSD(P) plays an important role with respect to these three challenges.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges and problems?

Answer. If confirmed, one of my first priorities would be to assist the Under Secretary for Policy in advancing DOD's role in the war on terrorism. In this capacity, I would help the newly created office of the Assistant Secretary of Defense for Homeland Defense to define and organize the Department's homeland security func-

tions. I would also provide advice on the effective prosecution of the war on terrorism.

If confirmed, I also would support the Secretary's efforts to enhance joint warfighting: 1) through integrating air, land, and sea assets in deliberate and crisis action planning; 2) extending jointness to all levels in the Department through transformation guidance; 3) strengthening joint exercises and training; and 4) building a more agile and responsive system for war planning through new processes and collaborative planning tools.

Finally, with respect to transformation, if confirmed, I would continue to focus the Department's transformation efforts on achieving the critical operational goals laid out in the 2001 Quadrennial Defense Review (see question 17).

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Deputy Under Secretary of Defense for Policy?

Answer. I believe the priorities mirror the challenges addressed in question four above. If confirmed, my priorities would be to: 1) Successfully prosecute the global war on terrorism; 2) Strengthen jointness; and 3) Transform the force.

I would also contribute to the following priorities of the Secretary:

- Define and organize the Department's role in homeland security;
- Develop new concepts of global engagement;
- Counter the proliferation of WMD;
- Build war plans to fit the new defense strategy;
- Streamline DOD processes;
- Improve interagency process, focus, and integration; and
- Enhance consultation with Congress.

STRATEGY FORMULATION AND CONTINGENCY PLANNING

Question. One of the purposes of Goldwater-Nichols was to increase attention on the formulation of strategy and contingency planning. Department of Defense Directive 5111.3 specifically assigns a major role to the Deputy Under Secretary of Defense for Policy for those important matters.

What is your view of the civilian role, as compared to the military role, in the formulation of strategy and contingency planning?

Answer. As I understand this activity, the Secretary of Defense sets the strategic direction for the Department, and the priorities for deliberate and crisis action planning, in consideration of Presidential guidance and the National Security Strategy. The Principal Deputy Under Secretary of Defense for Policy (PDUSD(P)), on behalf of the Secretary, then works in an interactive and iterative manner with combatant commanders, the Joint Staff, and the military departments to develop written guidance to the Department for plans, programs, and budgeting and to the combatant commanders for war plans to achieve the Secretary's goals. PDUSD(P) conducts formal reviews of the final products to ensure they meet the Secretary's intent.

SPACE MANAGEMENT AND ORGANIZATION

Question. What role, if any, do you believe the Deputy Under Secretary of Defense for Policy should play in the establishment of national security space policy?

Answer. As I understand it, the Under Secretary of Defense for Policy has the lead for development of defense strategy, and as such should play a prominent role in developing national security space policy and coordinating it through the Space Policy Coordinating Committee (PCC) within the National Security Council interagency process. The Principal Deputy Under Secretary of Defense for Policy should identify, coordinate, and resolve national security space policy issues within the Department and support the Secretary of Defense and Deputy Secretary of Defense for any Principals or Deputies Committee meetings on national security space policy issues.

NATIONAL GUARD ROLE IN HOMELAND DEFENSE

Question. There is currently considerable debate about the role the National Guard should play in defending the homeland. The U.S. Commission on National Security/21st Century (the Hart-Rudman Commission) recommended that the National Guard be given homeland security as a primary mission.

Do you believe that defending the homeland should become the National Guard's primary mission?

Answer. I view the National Guard as clearly capable of conducting selected homeland defense missions. However, the National Guard should also be available to play a critical role in support of combatant commanders executing military operations abroad.

I understand that the Department of Defense has undertaken a study mandated by Congress in the fiscal year 2003 National Defense Authorization Act to determine the "proper balance" of force structures, proper roles and missions, and command relationships with the National Guard. Therefore, I believe it is premature for me to offer an opinion on the assignment of particular forces and missions pending the outcome of that review.

Question. What type of role do you envision the National Guard and Reserve ultimately playing in homeland defense?

Answer. Independent of the results of the study described above, I believe the States will continue to use their National Guard in a state status for a variety of homeland security missions. I understand that several States, in fact, have already exercised this authority.

HOMELAND DEFENSE

Question. Despite the establishment of a new Department of Homeland Security, the Department of Defense retains homeland defense capabilities that will continue to be a key element of any homeland security strategy.

In your view, what are the principal roles and missions of the Department of Defense with regard to overall homeland security?

Answer. The Department defines its role in homeland security as follows: (1) *homeland defense,* the protection of United States territory, domestic population, and critical defense infrastructure against external threats and aggression; and (2) *civil support,* providing military support to civil authorities at the Federal, State, and local levels across a range of conditions.

Question. What do you feel are the principal challenges to the effective integration of defense, intelligence, law enforcement and border/port security capabilities to improve our homeland security?

Answer. I believe that one of the main challenges is information flow between the agencies with responsibility for homeland security and defense. Heterogeneous and incompatible information and communications systems inhibit integration and responsiveness. If confirmed, I would advocate an interagency roadmap to address this long-term problem and procedural work-arounds in the interim. Similarly, new partnership protocols and interagency concepts of operation can enhance the combined effectiveness of Federal, State, and local organizations. Finally, I believe the Department should reevaluate the processes by which it shares national foreign intelligence with the homeland security community.

POSSE COMITATUS

Question. Some have suggested that the Posse Comitatus Act, which governs the use of U.S. Armed Forces in domestic law enforcement, is in need of review in the "post-September 11" environment. Do you feel Posse Comitatus unduly inhibits the use of American military capabilities in support of homeland security efforts?

Answer. As I understand it, the Posse Comitatus Act does not unduly inhibit the use of American military capabilities in support of homeland security efforts. The Posse Comitatus Act comes into play only when military personnel are directly involved in the enforcement of civilian criminal laws. In that event, it places restrictions on U.S. military personnel's ability to engage in search, seizure, or arrest activities.

As you are aware, last year Secretary Rumsfeld and Governor Ridge indicated that they believed that the act appropriately addressed the use of the military to support civilian law enforcement. I understand that this issue is continually under review. If confirmed, I would look forward to consulting with this committee on this issue.

COMBATING TERRORISM

Question. Clearly, combating terrorism is one of the most important missions of the Department of Defense.

What is the Department's comprehensive strategy for combating terrorism, both at home and abroad?

Answer. As I understand it, in accordance with the National Security Strategy, the Department's strategy for combating terrorism is directed toward the accomplishment of three comprehensive goals.

First, the Department's strategy seeks to eliminate terrorism as a threat to America's way of life by disrupting and destroying terrorist organizations with global reach. The Department is using and will continue to use intelligence to identify groups that pose a threat to the United States, and will employ law enforcement and military efforts to defeat them.

Second, the Department is working with other Federal agencies and departments to create an international environment inhospitable to terrorists and those who support them. It will do this by waging a war of ideas against extremism and anti-Americanism. The Department is working vigorously to deny state sponsorship, support, and sanctuary to terrorists. The United States will not allow tyrants and dictators to use sovereignty as a shield behind which to hide and plot against the sovereignty and security of others.

Finally, the Department appears to be closely involved in strengthening America's security at home to deter and protect against terrorist attacks. As described in the Quadrennial Defense Review, the military's highest priority is the protection of the United States and its citizens and interests. The U.S. Northern Command and the newly established office of the Assistant Secretary of Defense for Homeland Defense will work to improve the Department's ability to deter terrorist attacks and better manage the consequences of such attacks should they occur.

Question. How can the Department best structure itself to ensure that all forms of terrorism are effectively confronted?

Answer. In my view, the Department currently appears well-structured for combating terrorism. Its capabilities should become more robust with the development of U.S. Northern Command and the offices of the Under Secretary of Defense for Intelligence and the Assistant Secretary of Defense for Homeland Defense.

Question. Are changes to the defense intelligence community advisable to ensure optimal support to combating terrorism and other homeland security efforts? If so, please elaborate.

Answer. There appears to be a significant effort underway to coordinate among all elements of the defense intelligence establishment regarding intelligence support. I understand that these efforts are continuously being evaluated within the interagency working groups. The new office of the Under Secretary of Defense for Intelligence will coordinate with the Director of Central Intelligence to maximize the effectiveness of defense intelligence.

Question. Are there steps the Department should take to better coordinate its efforts to combat terrorism with those of other Federal agencies?

Answer. I believe the Department of Defense will work with the new Department of Homeland Security and the intelligence community to continue to improve coordination of interagency plans and operations to combat terrorism at home and abroad. The Assistant Secretary of Defense for Homeland Defense, once confirmed, should play a significant role in enhancing DOD's integration into the Nation's homeland security efforts.

SAUDI ARABIA

Question. What is your assessment of the current state of U.S.-Saudi Arabian defense cooperation?

Answer. I view our decades-long, military-to-military relationship with Saudi Arabia as healthy and resilient. We have had a U.S. military training mission in the kingdom since the 1950s. Saudi Arabia has traditionally been one of the largest purchasers of U.S. weapons and training. The Persian Gulf War, and shared security concerns since that time, have significantly increased the breadth and depth of our defense dialogue. Over the past 10 years, in particular, this dialogue has provided a solid foundation for the strategic partnership that exists between our two countries today. This is not to say that all aspects of the relationship have been without difficulty at all times.

Question. What changes, if any, would you suggest to this relationship?

Answer. If confirmed, one area I am inclined to examine is the current level of Saudi participation in the Department's military exchange programs. Now more than ever, I think it is important that DOD invite Saudi military professionals into its war colleges, universities, and other venues, where the Department might promote an in-depth exchange to address any issues or concerns that might exist among the next generation of military leaders in both countries.

AFGHANISTAN

Question. In your view what are the major challenges the United States and the international community face in Afghanistan today, and how should we approach them?

Answer. In my opinion, major challenges facing the United States and international community include reforming and rebuilding key security institutions such as the Afghan National Army, the national police force, the border police force, and the judicial system. We must also effect the demobilization, disarmament, and reintegration of ungoverned parties. Success will require the continued support of this Congress, along with effective work by U.S. counterparts in the other countries who have committed themselves to these missions, and by the United States.

Concurrently, I believe we must ensure implementation of the Bonn Agreement of December 2001, which has led to the first legitimate government in 30 years. As I understand it, this agreement provides a framework for settling constitutional questions in 2003 and conducting national elections in 2004. Success will no doubt depend upon continued coordination with the Karzai government, the international community, and the United Nations to shape and resource a central government that is viable.

Question. Do you believe that the United States should increase its troop-strength in Afghanistan?

Answer. I believe that the Department's goal is to keep its footprint small. The U.S. seeks to be a stabilization force, not an occupation force. Afghanistan belongs to the Afghans. At the same time, we must ensure that sectors of the country do not revert to safe havens for terrorists. I understand that DOD's current commitment (about 8,000 military personnel) is considered sufficient for the mission. In my view, judicious investments in the Afghan National Army and the central government will help reduce the commitment of military forces provided by U.S. and allies over the coming years.

IRAQ—POST-CONFLICT

Question. If we go to war against Iraq, what is your view of the appropriate role for the Department of Defense in the post-conflict environment?

Answer. In my view, if Iraq is liberated, the United States and its coalition partners will become responsible both for the temporary administration of the country and the welfare of its population. DOD should commit itself to stay only as long as necessary to ensure security, protect the territorial integrity of Iraq, rid the country of WMD, eliminate terrorist infrastructure, assist the Iraqi people in the process of rebuilding their country, and facilitate the creation of a broad-based, representative, Iraqi government.

At the same time, I believe DOD also must commit to leave as soon as the Iraqi people are able to undertake these responsibilities on their own behalf. Thus, if confirmed, I would advocate post-war plans that emphasize expeditious transfer of responsibilities from U.S. military forces to appropriate U.N. agencies, non-governmental organizations, and ultimately to the Iraqi people themselves.

SPECIAL OPERATIONS COMMAND

Question. The Nunn-Cohen amendment to Goldwater-Nichols established the Special Operations Command (SOCOM) and the office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD/SOLIC).

What is your view on the relationship between SOCOM and ASD/SOLIC?

Answer. As I understand it, pursuant to law, ASD/SOLIC is responsible for oversight, policy, and resourcing of special operations within the Department of Defense, and SOCOM has the responsibility for operational control over the actual special operations forces. The relationship appears sound and has proven beneficial to the effectiveness of the Nation's Special Operations Forces. Their superb performance in Afghanistan serves as a case in point.

Question. What is your view of granting SOCOM greater ability to function as a supported, as opposed to supporting, command?

Answer. I believe new realities require an expanded role for special operations. Just as U.S. Northern Command was established to meet new challenges, so SOCOM must adapt to better apply its scarce resources in a new security environment more effectively. I believe SOCOM should not only retain current responsibilities for acquisition, but also develop its capacity to function globally with its own operational planning staff. It is my understanding that the Secretary has designated SOCOM as a supported command in the global war on terrorism.

WAR ON DRUGS

Question. What is your assessment of the ongoing efforts of the United States to significantly reduce the amount of drugs illegally entering our Nation?

Answer. I observe the United States continuing to work with its friends and allies in Latin America, Mexico, and Southeast Asia to detect, monitor, and interdict the

movement of illegal drugs to the United States. The President's National Drug Control Strategy represents a vision that can continue to decrease the supply of drugs, while significantly increasing the education of Americans about the dangers of using illegal drugs and the resources needed to treat Americans who are addicted to illegal drugs.

Question. In your view, what is the appropriate role of the Department of Defense in U.S. counterdrug efforts?

Answer. I view the appropriate role of the Department of Defense in counterdrug efforts as one of support to law enforcement. By statute, the Department serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of illegal drugs toward the United States. The Department also supports other Federal agencies whose core missions include counterdrug activities.

The Department's role is restricted to ensure military personnel do not participate in actual field operations, including: search, seizure, arrest, or other similar activities. In my view, the Department should continue to execute its counterdrug support responsibilities, as long as they employ military-unique capabilities not available to civil authorities and do not detract from their core warfighting responsibilities.

MILITARY TRANSFORMATION

Question. The transformation of U.S. defense capabilities to successfully confront 21st century threats has been the subject of much discussion over the past few years.

In your view, what should be the objectives of military transformation?

Answer. I view transformation as a continuous process, not an end state. We must remain open to innovative concepts and ideas developed through service and joint experimentation programs. Broad objectives, however, are necessary to inform the transformation process and allow us to make critical near-term investments that are prerequisites for more transformational capabilities. In this regard, I believe that the six critical operational goals articulated in the 2001 Quadrennial Defense Review are the right ones: 1) Protect critical bases of operations and defeat CBRNE weapons and their means of delivery; 2) Assure information systems in the face of attack and conduct effective information operations; 3) Project and sustain U.S. forces in distant anti-access or area-denial environments and defeat anti-access and area denial threats; 4) Deny enemies sanctuary by providing persistent surveillance, tracking, and rapid engagement with high-volume precision strike; 5) Enhance the capability and survivability of space systems and supporting infrastructure; and 6) Leverage information technology and innovative concepts to develop an interoperable, joint C^4ISR architecture and capability.

Question. What is the role of experimentation, including joint experimentation, in this process?

Answer. Ongoing experimentation is an essential part of the development of future warfighting concepts, which are the engines of change for driving the development of transformational capabilities. Experimentation programs assist in the development, testing, and further refinement of future concepts. However, in the immediate future it is particularly important to have a robust joint experimentation program. Enhanced joint capabilities will produce non-linear increases in combat capabilities, particularly as we attempt to exploit new technologies that provide improved situational awareness and intelligence across the entire battlespace.

I have been told that the Department's fiscal year 2004 budget request, for instance, increases funding for the Joint National Training Center by about $65 million, a 55 percent increase over its fiscal year 2003 budget. Likewise, the fiscal year 2004 budget request for the U.S. Joint Forces Command increases funding by $16 million from fiscal year 2003.

NATO ISSUES

Question. At the Prague Summit in November 2002, NATO invited seven countries to begin accession talks to join the Alliance. The gap in military capabilities between the United States and many of its NATO partners, however, has been a growing concern over the past few years. The entry of new members into NATO may exacerbate this problem.

In your view, what are the main reasons, from a military perspective, for enlarging NATO?

Answer. I think the accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia into NATO will have a positive effect on the military effectiveness of the Alliance. Each of these invitees has robustly supported U.S. and allied actions in multiple theaters such as the Balkans, Afghanistan, and the global war on terrorism. The United States has been intimately involved in the creation

of defense reform plans for each invitee. I understand that these plans emphasize development of niche capabilities that will allow for important contributions to the Alliance despite a relatively limited resource base within each particular state.

Question. Do you believe the Prague Capabilities Commitment and the NATO Response Force will succeed in encouraging NATO allies to improve their military capabilities?

Answer. I am hopeful for both initiatives. The Prague Capabilities Commitment (PCC) represents a firm political commitment to address specific shortfalls in NATO capabilities. Participants identified a number of concrete programmatic efforts they should undertake—such as the acquisition of unmanned aerial vehicles and new precision guided munitions. The commitment to develop the NATO Response Force (NRF) is an equally important achievement. The NRF should operate as a technologically advanced force that is capable of high-end operations. Allies should commit specific units to take part in the NRF under a rotational plan. During their period of participation, assigned units should receive hardware improvements and intensive training. These initiatives are mutually reinforcing and can serve as levers for the transformation of NATO.

Question. Why should we expect these efforts to be more successful than the Defense Capabilities Initiative proved to be?

Answer. As I understand it, the Prague Capabilities Commitment (PCC) focused on a smaller and more achievable set of capability shortfalls than the Defense Capabilities Initiative (DCI). It also received unprecedented support from the Secretary General. The NRF complements the PCC as a mechanism to assess and exploit PCC progress. The Prague Summit committed to specific timelines for NRC implementation. It also has strong political support. Thus, I am optimistic with respect to both initiatives.

Question. The relationship between NATO and Russia is an important element of the new strategic framework with Russia.

How well, in your judgment, is the NATO-Russia Council working in practice?

Answer. I believe the NATO-Russia Council (NRC) has established an early record of accomplishments with: 1) the completion of the civil emergency preparedness exercise in 2002; 2) the completion of the generic concept paper on peacekeeping operations; and 3) discussions on topics ranging from terrorism to missile defense. These successes suggest continued utility as a mechanism for encouraging cooperation between the Alliance and Russia.

RUSSIA

Question. Are there steps you believe we should take to improve Russian and U.S. military relationships?

Answer. In my view, our military relationship with Russia has measurably improved over the last 2 years in a variety of spheres—such as the global war on terrorism, emergency/consequence management, and search and rescue. I see a number of areas where we might make further strides, such as shared missile warning, missile defense, expansion of exchange programs, and in combined exercises.

Question. Would you support resumption of a comprehensive military-to-military exchange and dialogue program, along the lines of the previous exchange program between Strategic Command and its Russian counterparts?

Answer. In my view, exchange programs with Russia can serve many important goals, including the promotion of: 1) transparency and strategic stability; 2) opportunities for cooperation in the global war on terrorism; and 3) opportunities to promote Russian defense reform. If confirmed, I am open to consideration of any proposals that serve these objectives.

BALKANS

Question. U.S. forces have been engaged, together with our NATO allies, in peacekeeping operations in the Balkans since 1995.

What is your estimate as to when SFOR in Bosnia and KFOR in Kosovo, and United States participation in those forces, will no longer be needed to maintain stability?

Answer. In my view, the U.S. contribution to NATO's military efforts in the Balkans has been essential for its success to date. However, while NATO's commitment to the peace of the region is enduring, the commitment of U.S. forces should not be indefinite. I believe that as the situation on the ground further improves, NATO and the United States should continue the transition from force deployments to more normal security cooperation activities and initiatives. These actions can establish the foundation for Balkan integration into Euro-Atlantic security structures.

NORTH KOREA

Question. How do you assess the near-term and longer-term threat North Korea poses to U.S. and allied interests in East Asia?

Answer. In my view, North Korea poses a considerable threat to the U.S. and allied interests in Asia. Although North Korea's economy continues to deteriorate, North Korea maintains a robust indigenous missile program, has over 10,000 artillery pieces along the demilitarized zone, and is pursuing a nuclear weapons program. These programs not only pose a threat to North Korea's neighbors in East Asia, but North Korea's proliferation activities threaten global stability. The threat posed by North Korea will only grow over time if left unchecked.

Question. What are the military implications for the United States of the ongoing tension on the Korean Peninsula?

Answer. In my opinion, the growing tensions on the Korean Peninsula have significant implications for the United States. North Korea could embark any day on further provocations in an effort to compel the United States into bilateral talks. The U.S. and its allies and friends must be prepared to respond to provocations by North Korea, such as a ballistic missile launch over Japan or the U.S., the reprocessing of spent fuel, or a nuclear test. The Combined Forces Command of United States and the Republic of Korea (ROK) must maintain a robust deterrence posture and high state of readiness. The U.S. should continue to closely coordinate with the ROK, Japan and the international community on the current situation. This is not just a Korean Peninsula problem. The proliferation of fissile material or nuclear weapons could impact the foundation of U.S. defense strategy.

NUCLEAR WEAPONS

Question. The Nuclear Posture Review established a goal of reducing operationally deployed nuclear weapons to a level between 1,700 to 2,200 by the end of 2012. The same facilities, personnel, and resources that will be used to sustain and modernize this smaller, operationally deployed force would also be used to dismantle retired nuclear weapons.

What criteria should guide U.S. policy in prioritizing these activities?

Answer. In my view, the Department's primary goal is to sustain the warheads it plans to deploy through a series of Life-Extension-Programs (LEPs), while reducing the number of operationally deployed weapons over the next decade. Refurbishment programs should stay ahead of component aging to modernize components where needed. Over the next decade or more, the planned LEPs for the B61 gravity bomb, the W80 cruise missile warhead, and the W76 sea-launched ballistic missile warhead will likely consume most of the capacity available for assembly and disassembly of warheads. Within the remaining margin of available resources, I understand there is flexibility to adjust these activities to accommodate for unplanned repairs or dismantlement of warheads that DOD will retire.

Question. The Nuclear Posture Review did not recommend additional reductions to the total number of nuclear weapons in the stockpile.

What nuclear weapons, if any, do you believe should be dismantled in the future?

Answer. The Nuclear Posture Review (NPR) identified the W62 as a warhead that the United States plans to retire when it is removed from the Minuteman III Inter-Continental Ballistic Missile (ICBM) force later in the decade. Retirement is the first step in the dismantlement process. When it is dismantled will depend on the availability of capacity within the nuclear weapons complex.

Question. Should the entire stockpile of nuclear weapons be modernized and sustained at the same level?

Answer. I do not believe the Department currently needs to modernize all warheads in its stockpile, nor should they anticipate sustaining the total stockpile at its current size. I confirmed, I would advocate that the Department reduce the number of operationally deployed weapons, the Department should assess its warhead requirements in periodic reviews to meet their goals for the New Triad.

Question. What is the current U.S. policy on underground nuclear testing?

Answer. To the best of my knowledge, there is no technical requirement to resume underground nuclear explosive testing, and the President has decided to maintain the testing moratorium.

ARMS CONTROL

Question. What is your view of the role that formal arms control agreements should play in U.S. national security in the post Cold-War era?

Answer. I support U.S. participation in the formal arms control treaties that serve U.S. national security interests. Future agreements must be judged on a case-by-

case basis, based on the criteria of advancing U.S. national security interests. In general, I believe Cold War-style arms control agreements have well-served their purpose and that agreements such as the Moscow Treaty are more appropriate to future U.S. security needs.

The Treaty on Strategic Offensive Reductions (also known as the Moscow Treaty) is very different from previous strategic arms reduction treaties in that it does not include extensive counting rules, verification provisions, or interim reduction goals.

Question. Do you support the Moscow Treaty?

Answer. Yes. I believe that the Moscow Treaty represents a significant improvement over Cold War-style treaties that reflected and exacerbated a confrontational and antagonistic strategic relationship between the United States and Russia. The successful negotiation of a concise treaty represents a turning point in building a new strategic relationship with the Russian Federation, based more on the pursuit of our mutual interests than the threat of mutual annihilation.

Question. Do you believe that any conditions, understandings, or reservations to the resolution of ratification to the Moscow Treaty are needed to protect U.S. interests?

Answer. I do not believe that the Moscow Treaty needs any conditions, understandings, or reservations to protect U.S. interests. The Moscow Treaty preserves the necessary flexibility to carry out our national security responsibilities and our ability to respond promptly to advanced threat developments.

Question. In the context of the terms of the Moscow Treaty, do you believe that the United States and Russia will have adequate insight into each other's strategic nuclear plans and programs?

Answer. The Consultative Group on Strategic Stability established by our respective presidents will serve to strengthen mutual confidence, expand transparency, and share information and plans. This group has already established a working group of experts to explore ways to enhance offensive nuclear transparency. Thus, I believe that we have a good basis for insight into each other's plans and programs.

Question. Would you support the early implementation of the warhead reductions required by the Moscow Treaty?

Answer. As noted in the Nuclear Posture Review (NPR), DOD will conduct periodic reviews to evaluate the existing security environment, assess the continuing role of nuclear forces in achieving the defense policy goals, and review the progress made in the development of the New Triad. DOD will support the early implementation of the warhead reductions required by the Moscow Treaty if such reductions are justified by these periodic reviews. The current NPR plan is to reduce the number of operationally deployed strategic nuclear warheads to 3,800 warheads by the end of 2007. The first review will begin this year.

Question. What is your view of the role of the Nuclear Nonproliferation Treaty in U.S. national security in the post Cold-War era?

Answer. The United States is strongly committed to its obligations under the Treaty. The President wants to reduce U.S. reliance on nuclear weapons by bringing U.S. nuclear forces down from current levels while developing newer non-nuclear and defensive capabilities and revitalizing our defense infrastructure. This important policy is part of the administration's desire to build a new cooperative relationship with Russia. Moreover, compliance remains critical to the success of the NPT. In order to avoid weakening the treaty, we must continue to press for full compliance by certain states and take steps to strengthen IAEA safeguards.

Question. Do you support other arms control treaties in force to which the U.S. is a party?

Answer. Yes. I believe that the United States should adhere, as it has always done, to its treaty commitments. In addition, we should publicly name those countries that violate their treaty obligations in order to bring international pressure to bear on them to come into compliance. Treaties will be an effective international mechanism only if parties live up to their obligations.

Question. What is your view of the Comprehensive Test Ban Treaty and its verification measures?

Answer. The President has made it clear that he does not support the Comprehensive Test Ban Treaty and that he does not plan to resubmit it to the United States Senate for its advice and consent to ratification.

NUCLEAR FORCE STRUCTURE

Question. The U.S. removed the bulk of its theater and tactical nuclear forces from the field in the 1990s, and its remaining nuclear force structure of ICBMs, SLBMs, and bombers was intended to deter our Cold War adversaries.

In your view, have requirements for U.S. nuclear weapons systems, platforms, and delivery vehicles kept pace with the rapidly changing security environment?

Answer. My understanding of the Department's Nuclear Posture Review (NPR) is that it examined the requirements for U.S. nuclear weapons systems and found that a new strategic triad, composed of diverse capabilities, is currently needed to underwrite U.S. national security in the 21st century. The NPR recognized that the new security environment demanded that we reexamine the requirements for strategic nuclear weapons systems, platforms, and delivery vehicles.

In my view, the range of capabilities the New Triad should possess (including non-nuclear and nuclear strike systems, active and passive defenses, and a responsive infrastructure, supported by robust planning, command and control, and intelligence capabilities) should better keep pace with the rapidly changing security environment.

Question. Are existing systems, platforms, and delivery vehicles relevant and responsive to the current security environment?

Answer. I believe a broad range of capabilities are needed to be fully responsive to the uncertainties of the new security environment. The application of the Nuclear Posture Review's capabilities-based approach to U.S. nuclear forces generated a decision to transform the existing triad of U.S. strategic nuclear forces—intercontinental ballistic missiles (ICBMs) heavy bombers, and submarine-launched ballistic missiles (SLBMs)—into a New Triad composed of a diverse portfolio of systems. The New Triad is designed to give the President and Secretary of Defense a broad array of non-nuclear and nuclear, and offensive and defensive options to address a wide range of possible contingencies. ICBMs, SLBMs, and bombers will continue to play a vital role in U.S. and allied security as part of the New Triad. I believe that this New Triad will be responsive to the current security environment.

Question. What is your view of the role nuclear weapons should play in U.S. national security in the future?

Answer. Based on the reductions agreed to in the Moscow Treaty, I believe that nuclear weapons should continue to play a role in U.S. and allied security. They should: 1) continue to help deter attacks against the United States, its allies and friends; 2) dissuade competition from potential adversaries; and 3) continue to provide assurance to the public and to U.S. allies that have security agreements with the United States. That said, I believe the Department should continue seek to reduce U.S. dependence on nuclear weapons.

Question. In your view, is the Stockpile Stewardship Program meeting the goals of allowing the Secretaries of Defense and Energy annually to certify each of the nuclear weapon types within our nuclear weapon stockpile as safe, secure, and reliable?

Answer. My understanding of the Stockpile Stewardship Program is that it has not failed us to date. But I believe the challenge to the Department of Energy, and, in particular, to the Administrator of the National Nuclear Security Administration, will grow as time passes and the stockpile ages.

Question. Do you support the Stockpile Stewardship Program?

Answer. I support the Stockpile Stewardship Program (SSP). Stockpile Stewardship is an important tool for sustaining our nuclear weapons in a safe and reliable configuration. I believe we must continue to furnish it with the resources that it needs, including the infrastructure within the nuclear weapons complex, in order to meet future challenges.

Question. Do you believe that there is a current requirement to resume underground nuclear weapons testing to maintain the safety and reliability of the nuclear weapons stockpile?

Answer. I do not believe there is any current need, or desire, to resume underground testing. While there are a number of questions that scientists and engineers might answer through an underground test, I understand that their current technical judgment is that there is no need certify the safety, security, or reliability of any weapon type in the stockpile at this time through underground testing.

The Secretaries of Defense and Energy address the question of the need to test annually in the Certification Report to the President. Their recommendation takes into account the judgments of the Nuclear Weapons Council, the Directors of the Department of Energy's Laboratories, the military departments, and the Commander of the U.S. Strategic Command.

Question. In your opinion, will the U.S. have such a requirement in the future?

Answer. I believe it is conceivable that circumstances could generate requirements that would compel the United States to conduct a nuclear test at some point in the future. For instance, the non-nuclear test and evaluation program could find a serious safety, security, or reliability problem in a special class of weapon and deter-

mine that the only option available to restore confidence in that class of weapon is a nuclear test.

Question. What is your view about whether the National Nuclear Security Administration is equipped and ready to return to underground nuclear testing should the Nuclear Weapons Council find they cannot certify all or a portion of the nuclear weapons stockpile and the President decides an underground test is necessary?

Answer. I understand that the Department of Energy has maintained its nuclear weapons test site in a 3-year readiness posture. Many view this as insufficiently responsive should circumstances—such as the discovery of a problem with a type of nuclear warhead—compel a U.S. President to resume testing. To that end, I also understand that the Department of Energy is initiating a program to increase the readiness of this site such that it can technically support a test within 18 months of deciding to do so. If confirmed, I would support this initiative.

THREAT OF GROWING BIOTECHNOLOGY CAPABILITIES

Question. Within the next 5 years, expected advances in biotechnology may lead to other nations having improved capabilities to manipulate biological agents. While the Department is currently focused on enhancing means of protection against known biological agents, it must also address emerging threats posed by these near-term advances in biotechnology.

What is your view of this threat and the adequacy of the Department's response thus far?

Answer. I view the ongoing revolution in biotechnology as holding great promise for helping mankind conquer a host of deadly human diseases. Unfortunately, these same scientific breakthroughs, such as genetic manipulation, not only open new frontiers in medical treatment, but also provide opportunities for potential adversaries to create a new more horrific class of weapons.

That said, I believe that the Department has taken prudent steps in recent months to enhance the protection of our troops against biological threats of greatest concern. As a former combatant in Operation Desert Storm, I strongly support the ongoing program to immunize U.S. forces against smallpox and anthrax who are at greatest risk of exposure and the most critical to military operations.

In addition, if confirmed, I would advocate that the Department also develop a research and development program to anticipate the emergence of new biological threats.

DOD'S COOPERATIVE THREAT REDUCTION (CTR) PROGRAM

Question. The CTR program has four key objectives: (1) dismantling former Soviet Union (FSU) weapons of mass destruction (WMD); (2) consolidating and securing FSU WMD and related technology and materials; (3) increasing transparency and encouraging higher standards of conduct; and (4) supporting defense and military cooperation with the objective of preventing proliferation.

Do you believe the CTR program should maintain its current scope?

Answer. I understand that the Department is trying to refocus the CTR program, which is in its second decade. The CTR program now supports the global war on terrorism and interdiction of WMD. The WMD Proliferation Prevention Initiative should help non-Russian Former Soviet Union (FSU) states secure their own borders against WMD smuggling by terrorists and others. The Department also has refocused CTR's Biological Weapons Prevention Program. The CTR program is establishing a disease outbreak surveillance system in the states in Central Asia in recognition of the expanded U.S. presence there. In addition, the Department hopes to request authority this year to use CTR outside the FSU to address emergency nonproliferation situations, or to take advantage of significant nonproliferation opportunities. If confirmed, I would support these efforts to enhance the effectiveness of the CTR program.

Question. Are there other potential opportunities to address threat reduction using the CTR model, or do you believe the CTR model is applicable only to the FSU?

Answer. With the war on terrorism and the expanded, global focus on proliferation of WMD, I believe that other opportunities may arise outside the FSU. This is why, if confirmed, I would support the Department's request for authority to take advantage of opportunities to prevent proliferation of WMD outside the FSU.

Question. Given increases in Russia's gross domestic product during the past year and subsequent increases in its military spending and arms exports, what is your view regarding Russia's ability to assume more of the cost share associated with CTR projects in Russia?

Answer. As I understand it, CTR assistance is provided in support of U.S. national security objectives. As such, the Department continues to work with the FSU to live up to their commitments under CTR. The Department also is looking for new ways for other Western countries to increase their support for the program, as well as for increased commitments by the recipient countries. Preventing the proliferation of WMD, and its means of production and delivery is the key U.S. objective. Congress and the administration have supported up-front investment through CTR to achieve this goal. If confirmed, I also would support this continued investment formula.

EXPORTS OF SENSITIVE TECHNOLOGIES

Question. In the *National Strategy to Combat Weapons of Mass Destruction,* the administration states that "we must ensure that the implementation of U.S. export controls furthers our nonproliferation and other national security goals, while recognizing the realities that American businesses face in the increasingly globalized marketplace. We will work to update and strengthen export controls using existing authorities. We also seek new legislation to improve the ability of our export control system to give full weight to both nonproliferation objectives and commercial interests. Our overall goal is to focus our resources on truly sensitive exports to hostile states or those that engage in onward proliferation, while removing unnecessary barriers in the global marketplace."

What policies and procedures do you believe are needed to achieve this objective?

Answer. It is my understanding that the administration has begun a comprehensive assessment of the effectiveness of U.S. defense trade policies to identify necessary changes and ensure that those policies continue to support U.S. national security, economic, and foreign policy goals. DOD plays a key role in the ongoing interagency review. The aims of the review are to maintain America's technological and warfighting advantages over its potential adversaries, while facilitating friends' and allies' efforts to increase capability and interoperability and enhancing controls where necessary to address key national security priorities. If confirmed, I would support the Department's effort to improve U.S. defense trade policies.

Question. What role should the Department of Defense play in this process? Have recent export control reforms designed to streamline the process, such as the use of the global program license authority for JSF, adequately addressed this challenge, or do you believe that additional steps are needed? What is your view regarding the status of negotiations with our allies to grant them special status in the form of waivers from certain U.S. export control laws?

Answer. I understand that the Department of State is currently leading administration efforts to negotiate legally binding agreements with the UK and Australia that will exempt them (like Canada) from certain requirements in the International Traffic in Arms Regulations (ITAR). The ITAR country exemptions are extended to waive certain license requirements for export from the United States of certain unclassified defense items, technical data and limited services to countries with export control systems comparable to those of the United States. The objectives of ITAR country exemptions, as I understand them, are: a) raising foreign export control standards toward the U.S. level; b) enhancing defense trade and cooperation among allies; c) helping to streamline the licensing process by reducing the number of applications; d) enhancing U.S. technology security by allowing our licensing system to focus on higher risk export license applications; and e) supporting interoperability by facilitating defense industrial cooperation between the United States and select allies. If confirmed, I would support the above objectives and waivers for our UK and Australian allies.

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, 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 Deputy Under Secretary of Defense for Policy?

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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR ELIZABETH DOLE

REPEATED FORCE DEPLOYMENTS

1. Senator DOLE. Mr. Henry, we have been through a year of deployments of units from all of the services, including extensive use of marines and special forces. Now we are in the midst of deploying forces again in preparation of a possible war in Iraq.

In carrying out your responsibilities for contingency planning, how would you factor in the use of forces that have been through repeated deployments?

Mr. HENRY. One of the strengths of our contingency planning system is that it addresses the possibility of repeated deployments. It does so through a two-step process. First, we take great pains to apportion forces among the Department's war plans to minimize the changes of overtaxing units. Second, when a plan must be executed, we carefully examine which units required by the plan have returned recently from deployments and which have been repeatedly stressed over time. When advisable, and possible, we use forces other than those originally envisioned for the plan.

2. Senator DOLE. Mr. Henry, what emphasis will you place on concerns about the readiness of forces that have been through repeated deployments and the morale of those forces and their families?

Mr. HENRY. I take this issue very seriously. Maintaining a high state of readiness and morale is central to the operational performance of our forces. The Department monitors the readiness and morale of our forces carefully because of its concern about the long-term impact of repeated deployments—particularly as they affect high demand units. In this regard I support the Secretary of Defense in his pursuit of ways to shape the force more appropriately for today's missions. I also wholeheartedly support his attempts to identify and field better management tools for assessing and balancing force requirements and risk.

Important to achieving good morale and readiness is the sense of security those who serve our county gain by knowing that their families are well cared for during deployments. I wholeheartedly support the Secretary's myriad efforts in this regard, starting with his commitment to quality of life initiatives like improved housing, health care, and pay equity. I also strongly endorse service programs that enable servicemen and women to deploy with greater piece of mind such as well-run and active family support programs and initiatives that enable regular communications between deployed service members and their loved ones during deployments.

3. Senator DOLE. Mr. Henry, as you look at other possible conflicts (for example, military action on the Korean Peninsula) how does your planning process recognize and acknowledge these morale and readiness issues as limitations on your contingency planning?

Mr. HENRY. Our planning system is designed to mitigate the overuse of our forces—and the resultant degradation in readiness and morale—in several ways. First, our forces are structured to fight two overlapping wars. No unit is apportioned to both wars. Second, our planning system apportions the best available unit to any particular mission. At the same time it ensures that like-type forces are distributed optimally among all the plans. Third, the Department intensely monitors and manages high-demand units, such as command and control or intelligence assets, that could be subject to overuse and high stress. Finally, the services constantly review force requirements generated by the contingency planning process and adjust unit deployment schedules as necessary after assessing available units' capabilities and readiness. The strength of our planning system is its ability to factor readiness, morale, and other potential stresses into the assignment of particular units to a mission.

To help the department better manage the risks of overtaxing the force, we are currently developing new tools for making force apportionment and deployment decisions. One new tool uses an integrated database to track the status and location

of all units worldwide. It allows us to see very quickly the systemic impact of potential deployment decisions. Analysis that used to take us many hours, if not days, can now be done very quickly, sometimes in minutes. We believe this tool, along with others, will allow the Department to make better and more timely deployment decisions—giving us better visibility on the status of the force as a whole and minimizing the risks of undermining the readiness and morale of our forces.

SPECIAL OPERATIONS COMMAND

4. Senator DOLE. Mr. Henry, how does the newly announced role of the Special Operations Command as a supported command affect your strategy formulation and contingency planning activities?

Mr. HENRY. In the past, we faced state adversaries who generally were organized in a hierarchical fashion, and who could be confronted directly. Today, we face a very different type of enemy—a loose network of terrorist groups and their supporters. In order to defeat the international terrorist network, we will need to bring to bear a range of tools—diplomatic, economic, military, and intelligence—in new and unusual ways. The terrorist network has proven to be adaptive and resilient. Consequently, we are attacking it relentlessly and across all fronts. The U.S. Special Operations Command (USSOCOM) is playing a key role in this effort.

As the lead for the Department's global war against terrorism, USSOCOM will plan and selectively execute combat missions against terrorists like Al Qaida and their associated organizations around the world. USSOCOM will conduct operations as a supported command when appropriate, e.g., if the terrorist network activities cross regional boundaries or the synchronization of forces for a particular operation dictates USSOCOM lead. In other cases, USSOCOM will participate in operations as a supporting command. The decision to select which command will be supported or supporting will be made by either the President or by the Secretary of Defense, depending on the circumstances of threat and operational practicalities.

To win the war on terrorism, seamless cooperation and collaboration is required by the Department of Defense, the intelligence community, the Department of Justice, the Federal Bureau of Investigation, the Department of Treasury, and other Federal agencies and departments (to include the Department of State and our ambassadors overseas). USSOCOM fully recognizes this imperative and has established a focused planning capability to draft, coordinate, and synchronize global plans and operations. Contingency planning will have to be done more quickly than ever in order to react to emerging intelligence and exploit targets of opportunity. In some cases, our military forces may not be the option ultimately chosen to undertake the mission; rather, cooperative host nation security forces, other allies, or other arms of the U.S. Government may well be better able to undertake missions successfully.

By organizing an operational planning capability at USSOCOM headquarters, as well as at smaller Theater Special Operations Commands in the regional theaters, the U.S. Special Operations Command will have the tools it needs to better plan and execute missions in support of the global war on terrorism. These same tools will, in turn, enable USSOCOM to better meet future challenges and threats to our national security beyond the war on terrorism.

U.S. NORTHERN COMMAND

5. Senator DOLE. Mr. Henry, how does the U.S. Northern Command fit into your contingency planning?

Mr. HENRY. Like all combatant commands, U.S. Northern Command is assigned specific planning responsibilities for its geographic area of responsibility and in support of other combatant commanders' plans. As I stated in my testimony, U.S. Northern Command will work closely with U.S. Pacific Command to ensure that homeland defense plans cover all of the United States, its territories, and its possessions.

6. Senator DOLE. Mr. Henry, do you envision the use of special forces as part of your contingency planning in the area of homeland defense?

Mr. HENRY. Special forces' principal role in homeland defense is in keeping threats away from U.S. shores. By helping to drain the swamps where terrorists find sanctuary, special forces take the fight from the shores of our homeland to our enemies abroad. This includes undertaking military operations beyond U.S. borders and training foreign militaries in places like Afghanistan. It also includes special forces' assistance in countering the proliferation of weapons of mass destruction that

could threaten our Nation. Finally, special forces play a discrete role in U.S. Northern Command's contingency planning for homeland defense.

COMBATING TERRORISM AND COUNTERDRUG STRATEGIES

7. Senator DOLE. Mr. Henry, in your role in developing strategies for combating terrorism, how will counterdrug strategies fit into your planning?

Mr. HENRY. We have found that trafficking in weapons, money, people, and other illegal items is not restricted to narco-traffickers. Many networks that support the illicit movement of these items for drug activities also support terrorist groups like Al Qaida, Hizballah, the Revolutionary Armed Forces of Colombia (FARC), Islamic Movement of Uzbekistan (IMU), and the Al-Ittihad al Islami (AIAI), to mention a few. To the extent that narcotics trafficking is related to terrorism and trafficking in other illegal materials, our counternarcotics programs and activities will also combat terrorism and counter the trafficking of WMD and arms. We will seek to continually address the congruence of these threats in order to maximize the efficient use of our resources and policies to counter them both.

8. Senator DOLE. Mr. Henry, what role do you think DOD can and should play in counterdrug activities?

Mr. HENRY. The Department of Defense's counternarcotics efforts are in direct support of the President's National Drug Control Strategy. DOD appropriately focuses its counternarcotics programs on fulfilling statutory responsibilities, providing military-unique resources, and enhancing readiness. As an example, DOD executes drug demand reduction programs to maintain the Armed Forces as an effective fighting force.

DOD also carries out drug detection and monitoring at U.S. borders and beyond. This capability can be leveraged to detect and monitor the movement of other threats to the United States. Thus, to the extent that narcotics trafficking is related to terrorism and trafficking in other illegal materials, our counternarcotics programs and activities also combat terrorism and counter the trafficking of weapons of mass destruction and arms.

9. Senator DOLE. Mr. Henry, what specific actions should DOD be taking in dealing with the drug production problem in Afghanistan?

Mr. HENRY. At the January 2002 Tokyo conference, the United Kingdom (UK) agreed to lead counternarcotics efforts in Afghanistan. As lead nation, the UK coordinates activities and programs of other donor nations and international organizations in eradication, interdiction, alternative livelihoods, education, and treatment.

The Department of State is the lead United States Government organization for counternarcotics in Afghanistan. DOD supports the UK and Department of State as requested and consistent with ongoing military operations.

The United States Government is currently seeking a lead nation to train the Afghan Border Police, which will have a primary role in interdicting drug trafficking. The Department of Defense has offered to assist in that training.

QUESTIONS SUBMITTED BY SENATOR DANIEL K. AKAKA

JOINT WARFIGHTING AND TRAINING RESPONSIBILITIES

10. Senator AKAKA. Mr. Henry, in your responses to our pre-hearing questions, you stated that you would contribute to enhancing joint warfighting efforts by strengthening joint exercises and training.

What specific actions did you have in mind to accomplish that goal?

Mr. HENRY. During the past year, the Department of Defense embarked upon an aggressive new training strategy reflected in the "Strategic Plan for Transforming DOD Training" signed by the Deputy Secretary in June 2002. The goals of training transformation are bold and comprehensive and will take years to accomplish. Training transformation is built around a dynamic, capabilities-based training system that expands traditional perspectives of jointness. By creating an integrated training environment that employs live, virtual, and constructive events, the Department will provide accurate, timely, relevant, and affordable training and mission rehearsal in support of specific operational needs. For example, the Department will identify interfaces between training systems and acquisition, logistics, personnel, military education, and command and control processes to ensure training is integrated into all of these processes. Another important element of training transformation is its expansion of joint leadership development and Joint Professional

Military Education. The creation of a Joint National Training Capability and continued emphasis on range management are equally critical to enhancing joint warfighting efforts.

11. Senator AKAKA. Mr. Henry, what should the relationship be between the Office of the Secretary of Defense and the services with respect to balancing joint training and the services' Title 10 training responsibilities?

Mr. HENRY. The Office of the Secretary of Defense provides the broad objectives, framework, and resources that enable the services to provide trained and ready forces for the combatant commanders. The services direct and oversee individual and unit training at all echelons of command. They have the responsibility for honing service-related operational skills to contribute maximally to joint warfare. Joint training builds upon this service foundation and integrates training between the services at the command level where joint forces are brought together. This joint training does not compete with service training, but rather complements and enhances it.

The Department has just begun developing joint doctrine underpinned by new joint operating concepts. These new concepts will undoubtedly cause us to rethink how we execute the full range of military operations in a fully joint way. As they mature, I anticipate we will need to integrate the joint fight at successively lower echelons of command. Our training will reflect this dynamic.

Anticipating this change, the Department has a number of initiatives underway at U.S. Joint Forces Command to codify the most promising initiatives for joint training. It is also exploring and expanding opportunities for joint training. Particularly exciting is U.S. Joint Forces Command's initiative to create a "Joint National Training Capability" which will be designed to achieve synergy between joint and service training at the appropriate level of command.

12. Senator AKAKA. Mr. Henry, how would you integrate training for such cooperation into your broader training goals, balancing priorities between inter-service, inter-departmental, and inter-organizational training opportunities?

Mr. HENRY. At the same time the Department is expanding its joint training goals and emphasizing inter-service training opportunities, its understanding of what constitutes "jointness" also continues to expand. The full participation of other agencies and nations are increasingly important to the success of U.S. military operations under the new strategy. With this trend in mind, the Department has set in motion several important initiatives. One such undertaking, the "Strategic Plan for Transforming DOD Training," tasks the Office of the Under Secretary of Defense for Policy to lead a study that identifies, analyzes, and develops a common set of interagency, intergovernmental, and multinational "Joint" mission-essential tasks. I look forward to leading this effort. Because this expanded concept of jointness will undoubtedly strain our existing training construct, we will need to be innovative in how we approach this new challenge. It has the potential to drive a significant transformation of our training system.

13. Senator AKAKA. Mr. Henry, in your pre-hearing answers, you stated that joint experimentation is an essential part of developing future warfighting concepts, and noted that DOD's budget request will include large increases for a Joint National Training Center.

What relationship do you see between experimentation and training, which by and large tend to operate in separate stovepipes?

Mr. HENRY. A robust joint experimentation program is critical to military transformation. Across the Department, components are exploring new warfighting concepts, including joint operating concepts, effects-based operations, rapid decisive operations, and information operations. U.S. Joint Forces Command assists the Secretary of Defense in identifying the experimentation necessary to explore these concepts fully and to test the application of new capabilities.

Military training transformation is tightly linked to this joint experimentation program. New and exciting joint operational concepts will require experimentation to develop them more fully. These concepts will also generate new systems and organizations that must themselves be tested through experimentation. These various experiments will be fully integrated with training opportunities. Notably, the Joint National Training Capability will provide the opportunity to integrate new concepts, systems, and organizations into a dynamic, capabilities-based joint training environment.

14. Senator AKAKA. Mr. Henry, are there synergies between experimentation and training that would enhance their benefit, and that you would attempt to encourage?

Mr. HENRY. I am very interested in encouraging the Department to take advantage of synergies between experimentation and training. Through service and joint experimentation, the Department can develop innovative concepts and ideas. Training transformation, in turn, rigorously tests and validates these concepts through a dynamic, expanded concept of jointness. The synergy between the two informs long-term transformation and near-term investments.

Interoperable, net-centric capabilities—such as embedded simulations, job performance aids, and integrated simulators and training devices—will further highlight experimentation—training synergies. The resulting integrated live, virtual, and constructive training environment will improve operational effectiveness by ensuring affordable training and mission rehearsal opportunities. Further, by linking this broadened joint focus to assessments of force readiness, the Department will be better able to measure, assess, and report on the concepts explored through experimentation and achieve synergistic training.

DOD PROCESSES

15. Senator AKAKA. Mr. Henry, I reviewed your comments about the need to streamline DOD processes. Are there specific processes that you believe should be streamlined, and do you have any ideas about how you would bring that about?

Mr. HENRY. I intend to focus on reforming three major Department processes: the Planning, Programming, and Budgeting System (PPBS), the joint requirements process, and the analysis process that supports requirements and resource allocation decisionmaking.

The PPBS process is now over 40 years old. Having been originally conceived, in a much different era, and despite some evolutionary changes along the way, its capability to support the decision making needs of the Department's top leadership continues to diminish. The Department recently completed an internal study on how to streamline this system, and we are carefully considering, its conclusions and recommendations. Due to the vast size and complexity of PPBS, and its resulting inertia, major efforts will be required not just to modernize it, but to transform it. My foremost concern will be to ensure that any reforms the Department undertakes promote the goal of a strategy- and planning-driven resource allocation process.

Another process that must be streamlined is the joint requirements process. Presently, military requirements take too long to be evaluated and validated. Further, they must be reoriented away from a platform-centric approach and toward a capabilities-oriented approach. I will be working with the Joint Staff to help make this happen.

A third process in need of streamlining is the Department's underlying analytic process. Strategic analyses of key issues of concern to the Secretary take far too long to accomplish, sometimes on the order of years. In addition, the overall quality of their results must be improved, and the processes for developing them, especially within the Joint Staff and the services, must be better integrated. It is essential that the analytic process be fully transparent to all DOD stakeholders, and that the databases needed for conducting analyses be in ready condition. Improvements in these areas can produce an analytic system that is much more nimble and responsive than today's to short-notice requirements from the Department's leadership. The Office of the Secretary of Defense and the Joint Staff have agreed on an analytic agenda to ensure that these goals are achieved, and I shall be working assiduously to ensure that we follow through with that agenda.

CONSULTATION WITH CONGRESS

16. Senator AKAKA. Mr. Henry, I was interested to see that, if confirmed, you intend to assist the Secretary in enhancing consultation with Congress. I welcome your commitment to this goal. Can you describe how you might improve upon current levels and means of consultation, and what areas you believe are in greatest need of enhancement?

Mr. HENRY. I am committed to working with Congress to further the Secretary's agenda. In assuming the role of the Principal Deputy Under Secretary of Defense for Policy, I am primarily concerned with sharpening the Policy Directorate's focus on legislative issues. I hope to ensure that senior policy officials maintain regular contact with congressional members and staffs and, equally, that the Under Secretary of Defense for Policy and his staff are fully informed of legislative issues that

affect their accounts. Some means of improving this two-way communication are by using legislation as a means of furthering important reforms, increasing briefings to congressional staff, discussing the value of congressionally required reports and improving the timeliness of our response on those reports we are assigned. Accordingly, I am creating a position for a Special Assistant for Legislative Affairs. This individual would report directly to me and would work with the Office of the Assistant Secretary of Defense for Legislative Affairs, the Department of Defense Comptroller's Office, and other DOD organizations to facilitate the Policy Directorate's interactions with Congress.

17. Senator AKAKA. Mr. Henry, can you give us some examples of what increased consultation might involve?

Mr. HENRY. By improving the policy organization's awareness of legislative issues affecting it, I hope to encourage my staff to exploit such consultative mechanisms as briefings to congressional staff and responding to congressionally reporting requirements. I will create a Special Assistant for Legislative Issues to focus policy's legislative efforts.

[The nomination reference of Christopher Ryan Henry follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 9, 2003.

Ordered, that the following nomination be referred to the Committee on Armed Services:

Christopher Ryan Henry, of Virginia, to be Deputy Under Secretary of Defense for Policy, vice Stephen A. Cambone, resigned.

[The biographical sketch of Christopher Ryan Henry, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF CHRISTOPHER "RYAN" HENRY

Ryan Henry currently serves as Science Applications International Corporation's (SAIC) Corporate Vice President for Strategic Assessment and Development. His professional career spans two wars, 26 years of military service, advanced research and development, and policy analysis. He served as a business leader, policy analyst, Congressional fellow, technology and warfare architect, combat commanding officer and experimental test pilot.

While at SAIC, Ryan worked with the science and technology community in developing national security architectures for the Information Age and spearheaded many leading-edge technology initiatives. He worked with former principals of the U.S. Joint Chiefs of Staff to design overarching sensor, communication and information blueprints that offered dominant battlespace awareness for the High Commands of the Nordic nations.

While a Senior Fellow at the Center for Strategic and International Studies (CSIS), Ryan led the information-based warfare initiative and served as Director of the "Conflict in the Digital Age" project. His book and articles address the impact of technology on public policy, national security, future conflict, and military operations.

At DARPA, Ryan coordinated a system of information systems designed to support the American warfighter in the 21st century. He also served as a Senior Military Fellow with the Senate Appropriations Committee (Defense Subcommittee, 104th Congress, 1st session) and Program Manager of Special/Classified Programs at DARPA. While on deployment during Desert Storm, Ryan commanded the first Sea-Strike squadron to engage in combat, personally led their first weapons delivery sortie and accumulated 88 other combat missions. His squadron pioneered numerous operational capabilities and set an unprecedented number of performance records. He has over 5,500 flight hours in 54 different aircraft types and 750 carrier landings.

He graduated with merit from the U.S. Naval Academy and was a top graduate at the National Defense University. He has advanced degrees in Aeronautical Systems, Systems Management and Public Administration. Ryan's military awards in-

clude the O'Neill Trophy, Bronze Star with Combat "V", Meritorious Service Medal (2), Individual Air Medal (3), Strike Flight Air Medal (2), and numerous others. He is the proud father of Maile (27), Terrence (25), Megan (23) and Terrell (20) and husband of Delonnie of McLean, Virginia.

[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 Christopher Ryan Henry in connection with his nomination follows:]

January 21, 2003.

Hon. JOHN WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Principal Deputy Under Secretary of Defense for Policy. It supplements Standard Form 278, "Executive Personnel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

If confirmed by the United States Senate and appointed to the position of Principal Deputy Under Secretary of Defense for Policy, I will take the following actions to avoid potential conflicts of interest or appearances of conflicts of interest:

SAIC

After confirmation, but not later than my appointment date, I will resign my position as Vice President, SAIC and will request full and complete payment, if any, to be accomplished within 90 days of appointment, for all services I rendered to SAIC prior to my appointment. In the interim, I will not participate personally and substantially as a Government official in any particular matter having a direct and predictable effect on the financial interests of SAIC.

Within 90 days of my appointment, I agree to take the following action with regard to the following employee plans provided by SAIC:

(1) SAIC Employee Stock Purchase Plan—I agree to divest all stock held in this plan

(2) SAIC Employee Stock Retirement Plan—I will maintain this interest by rolling over this plan into Vanguard Fund that is managed by Vanguard,

(3) SAIC CODA Plan—

(a) Vanguard U.S. Growth Fund—I will maintain this interest;

(b) SAIC Stock Exchangeable—I will rollover all exchangeable stock into Vanguard Fund,

(c) SAIC Stock Non-exchangeable—I will forfeit all non-exchangeable stock held in the SAIC CODA Plan.

(4) SAIC Keystaff Deferral Plan—This is a cash account that I will be required to liquidate. I will take a lump sum payment.

(5) SAIC Profit Sharing Retirement Plan—This plan is invested in Vanguard Life Strategy Cons. Growth Fund. I will maintain this interest.

(6) SAIC Direct Stock Ownership Fully Vested Shares and Unvested Shares—I will divest all vested SAIC stock and forfeit all unvested shares in this plan.

(7) SAIC Options Outstanding Fully Vested Options and SAIC Option Outstanding Unvested Options—I will exercise and then divest of all vested options and I will forfeit all unvested options in this plan.

As defined by § 2635.502(b)(1) of title 5 of the Code of Federal Regulations, I will have a "covered relationship" with SAIC. Therefore, where circumstances would cause a reasonable person with knowledge of the relevant facts to question my impartiality in a particular matter involving this specific party or persons represented by this party, I will—not, for a period of 1 year from the date of my resignation, participate in such particular matters, unless in accordance with section 2635.502(d), it is determined that my participation in a particular matter outweighs the concern over an appearance of a loss of impartiality.

During my term of office, neither I nor any member of my immediate family will invest in any organization identified as a DOD contractor or any other entity that would create a conflict of interest with my Government duties.

I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity. If confirmed, I am committed to serve in this position at the pleasure of the President throughout his term of office.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I am a member of certain organizations and professional societies, which are either listed below or have been previously provided to the committee. None of these should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

CHRISTOPHER RYAN HENRY.

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 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.)
Christopher Ryan Henry.

2. **Position to which nominated:**
Principal Deputy Under Secretary of Defense (Policy).

3. **Date of nomination:**
9 January 2003.

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:**
11 May 1950; Pasadena, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Delonnie (NMN) Avery Henry.

7. **Names and ages of children:**
Maile (NMN) Henry Reid; 27; daughter.
Terrence Ryan Henry; 25; son.
Megan (NMN) Henry Rich; 23; daughter.
Terrell Ryan Henry; 20; son.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

School	Dates	Degree
Punahou School (Honolulu, HI)	1966–1968	HS (1968)
U.S. Naval Academy (Annapolis, MD)	1968–1972	BS (1972)
University of West Florida (Pensacola, FL)	1973–1973	MS (1974)
U.S. Navy Test Pilot School (Patuxent River, MD)	1979–1980	
University of Southern California (off-campus)	1975–1982	MS (1982)
National Defense University (Washington, DC)	1991–1992	
University of Southern California (DC campus)	1992–1997	MPA (2003) [1]

[1] Degree currently in processing process due to clerical error.

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.

Job Description	Employer	Location	Dates
Corporate Technology Development SAIC	SAIC	La Jolla, CA	2002–2003
Group Technology Development	SAIC	Arlington, VA	1997–2002
Senior Fellow	CSIS	Washington, DC	1996–1997
Navy Captain/Special Programs Mgr.	DARPA	Arlington, VA	1992–1996

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.

Naval Officer/Pilot 1968–1996

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.

SAIC–Corporate Vice President.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Church of Jesus Christ of Latter-Day-Saints (Mormon).

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.

SAIC Political Action Committee—$600 per year.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Military Medals—(personal, not unit) Bronze Star, Air Medal (3), Combat Action, Meritorious Service, Navy Commendation (3), Navy Achievement (2).

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Co-editor of book: The Information Revolution and International Security (CSIS Press, 1998).

Co-authored articles:

"Military Theory and Information Warfare," Parameters, Autumn 1998, pp. 121–35.

"Assessing 'Byte City': An Insightful or Misleading Vision?" The Washington Quarterly, Volume 20, Number 2, Spring 1997, pp. 73–78.

Co-authored op-ed column: "Our Exposure to Digital-age Terrorism," The San Diego Union Tribune, August 23, 1998.

Co-authored several other op-ed columns between 1996 and 1997 in Washington Times, San Diego Union Tribune, and Seattle Post-Intelligencer, but I no longer have access to the titles or exact dates of those columns.

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.

None.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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.

CHRISTOPHER RYAN HENRY.

This 21st day of January, 2003.

[The nomination of Christopher Ryan Henry was reported to the Senate by Chairman Warner on January 30, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 4, 2003.]

NOMINATIONS OF HON. STEPHEN A. CAMBONE TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE; JOHN PAUL WOODLEY, JR., TO BE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS; AND AMBASSADOR LINTON F. BROOKS TO BE UNDER SECRETARY FOR NUCLEAR SECURITY AND ADMINISTRATOR FOR NUCLEAR SECURITY, NATIONAL NUCLEAR SECURITY ADMINISTRATION, DEPARTMENT OF ENERGY

THURSDAY, FEBRUARY 27, 2003

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

The committee met, pursuant to notice, at 9:38 a.m., in room SH–216, Hart Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, Inhofe, Allard, Collins, Levin, E. Benjamin Nelson, and Clinton.

Other Senators present: Senator George Allen.

Committee staff members present: Judith A. Ansley, staff director; Gabriella Eisen, nominations clerk.

Majority staff members present: Charles W. Alsup, professional staff member; L. David Cherington, counsel; Brian R. Green, professional staff member; Carolyn M. Hanna, professional staff member; Mary Alice A. Hayward, professional staff member; Patricia L. Lewis, professional staff member; Ann M. Mittermeyer, counsel; Scott W. Stucky, general counsel; and Richard F. Walsh, counsel.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Daniel J. Cox, Jr., professional staff member; Madelyn R. Creedon, minority counsel; Kenneth M. Crosswait, professional staff member; and Creighton Greene, professional staff member.

Staff assistants present: Michael N. Berger, Leah C. Brewer, Jennifer Key, and Sara R. Mareno.

Committee members' assistants present: John A. Bonsell, assistant to Senator Inhofe; Douglas Flanders, Lance Landry, and Jayson Roehl, assistants to Senator Allard; James P. Dohoney, Jr., assistant to Senator Collins; Aleix Jarvis, assistant to Senator

Graham; Henry J. Steenstra, assistant to Senator Dole; Aaron Scholer, assistant to Senator Lieberman; William K. Sutey, assistant to Senator Bill Nelson; Eric Pierce, assistant to Senator Ben Nelson; Andrew Shapiro, assistant to Senator Clinton; and Terri Glaze and Walter Pryor, assistants to Senator Pryor.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. The committee meets this morning to consider three very important nominations. Dr. Stephen A. Cambone has been nominated by the President of the United States to serve in the newly created position of Under Secretary of Defense for Intelligence. Mr. John Paul Woodley, Jr., has been nominated by the President of the United States to fill the position of Assistant Secretary of the Army for Civil Works. Ambassador Linton F. Brooks has been nominated by the President of the United States to serve in the position of Administrator of the National Nuclear Security Administration and Under Secretary for Nuclear Security at the Department of Energy.

We welcome all of the nominees, and particularly families and the younger members of the family who decided either on their own or by persuasion to attend today. Thank you for coming.

I remember so well coming before this committee so many years ago that most of you were not on planet Earth——[Laughter.]

—for my nomination proceeding to be in the Department of Defense. I still have a yellowed piece of paper that was printed up by the Senate recording the events of that day, and hopefully we will have one to record these proceedings and to reflect on the importance of your service to the country, and the support that you get from your families to perform that service.

I am going to omit going into a lot of material here, Mr. Levin, which we will put in the record, but it recites the distinct careers that each of these gentlemen have had. I will defer to you now, Senator Levin, and then we will recognize our colleague, Senator Allen.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT BY SENATOR JOHN WARNER

The committee meets this morning to consider three very important nominations. Dr. Stephen A. Cambone has been nominated by the President to serve in the newly-created position of Under Secretary of Defense for Intelligence; John Paul Woodley, Jr., has been nominated to fill the position of Assistant Secretary of the Army for Civil Works; and Ambassador Linton F. Brooks has been nominated to serve in the position of Administrator of the National Nuclear Security Administration and Under Secretary for Nuclear Security of the Department of Energy. We welcome the nominees and their families.

Family support is critical to the success of individuals in senior positions in our government, and we appreciate the support and sacrifices of the families of these distinguished nominees.

I had the opportunity to meet with all of our nominees earlier this week. I congratulate each of you on your impressive accomplishments and your nomination by the President to these important positions.

Dr. Cambone, since your previous appearance before this committee on June 27, 2001, and your subsequent Senate confirmation for the position of Deputy Under Secretary of Defense for Policy, the world has changed dramatically. You have been a key advisor to the Secretary of Defense, and instrumental in his determined effort to transform the Department of Defense and the U.S. military to meet current and future threats.

Your appointment in July 2002 as Director, Program Analysis and Evaluation, clearly reflects the trust that Secretary Rumsfeld places in you and the breadth of your knowledge and ability.

Your resume of achievements and positions held prior to returning to the Department is impressive by any measure. Our Nation is fortunate to have someone of your caliber willing to serve in this challenging new position of Under Secretary of Defense for Intelligence, a position that clearly reflects the growing importance of intelligence to our military operations, and the vital need for total cooperation between the military and our Nation's Intelligence Community.

Mr. Woodley has had a distinguished career in law and public service, and presently is serving as Assistant Deputy Under Secretary of Defense for the Environment. Prior to his appointment to this position in October 2001, Mr. Woodley served the Commonwealth of Virginia as Secretary of Natural Resources from January 1998 until October 2001, and prior to that as Deputy Attorney General of Virginia for Government Operations. Mr. Woodley is a Lieutenant Colonel in the Army Reserve and served on active duty with the Army JAG Corps from 1979 until 1985 in Germany and the Pentagon. Mr. Woodley, you are well known in the Commonwealth of Virginia. I am pleased to have you before the committee.

Ambassador Brooks previously appeared before the committee on October 11, 2001, for his nomination hearing for the position of Deputy Administrator for Defense Nuclear Nonproliferation of the National Nuclear Security Administration. On July 9, 2002, the President appointed him as Acting Administrator for this vitally important agency.

Ambassador Brooks has had an extensive and distinguished career in government service. He served as the Assistant Director for Strategic and Nuclear Affairs at the United States Arms Control and Disarmament Agency, and in the State Department as Head of the United States Delegation on Nuclear and Space Talks and Chief Strategic Arms Reductions (START) Negotiator. Prior to that he served as Deputy Head for the Delegation, holding the rank of Ambassador. Ambassador Brooks' many accomplishments were built upon a foundation of a distinguished 30-year Navy career. He commanded the nuclear-powered attack submarine U.S.S. *Whale* (SSN 638), and served at sea in destroyers, ballistic missile submarines, and attack submarines, retiring with the rank of captain.

The committee has asked our witnesses to answer a series of advance policy questions. They have responded to those questions and our standard questionnaire. Without objection, those responses will be made a part of the record.

STATEMENT OF SENATOR CARL LEVIN

Senator LEVIN. Thank you, Mr. Chairman. Let me very briefly join you in welcoming our nominees and their families. They are well-qualified for the positions to which they have been nominated. I join you, Mr. Chairman, in thanking their families for their commitment and service in standing behind these nominees. There will be many times when they will not get home in the evenings because of their work, and it is the families that understand that kind of commitment to country, which your loved ones are committed to, and we thank you for that. If they do not get home too many evenings, it probably means that we have been giving them too big a load, or that the Senate is in the middle of a filibuster, one or the other.

But I join you, Mr. Chairman, in welcoming our nominees. Senator Allen, I understand, will be introducing one of our nominees. It is always great to see you here, Senator Allen.

Chairman WARNER. In the course of that, either you, Senator Allen, or Mr. Woodley, introduce the members of your family—each of you kindly introduce the members of your family.

But reflecting on the sage observation of my very able and good friend here, we have been together 25 years, side by side here on this committee. While I have always admonished the members of the Department of Defense—and I think the Department of Energy is pretty much the same, all those decisions made after about 7

o'clock at night are changed the next morning, so go on home. [Laughter.]

Families, get them home. It is the way it worked when I was there.

Senator LEVIN. Now, if we apply that to the Senate, we would have been out of here last night at 7 o'clock instead of 2 o'clock in the morning. [Laughter.]

Chairman WARNER. Senator Allen, your youthfulness and your bright face is shining as if nothing occurred last night.

Senator ALLEN. Well, that is probably a pretty good description of what happened last night. [Laughter.]

But thank you, Mr. Chairman, Senator Warner, Senator Levin, for at least bringing a smile to a lot of tired faces around here this morning. Thank you for holding this hearing.

Chairman WARNER. Though I think in fairness to our leadership, we would have to say that it was a matter of principle felt strongly by both sides and manifested our Constitutional responsibilities.

Senator ALLEN. That is right. We will keep fighting.

Senator LEVIN. Amen.

Chairman WARNER. Amen.

Senator ALLEN. Amen. [Laughter.]

You do not know what you came into here, John Paul. [Laughter.]

STATEMENT OF HON. GEORGE ALLEN, U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator ALLEN. I am here, Mr. Chairman, Senator Levin, and members of the committee, to present an individual who I know very well. John Paul Woodley is a close friend. He is an outstanding Virginian, and I think in listening to the opening remarks, you will recognize he is an outstanding choice of the President in his nomination to be Assistant Secretary of the Army for Civil Works.

I have known and worked with John Paul Woodley for decades. I have known him, and I will get into that, and I recommend him to this committee with my highest recommendation and without any reservation whatsoever.

His background as you go through it superbly qualifies him for this position. You know the responsibilities of it. He presently is serving as Assistant Deputy Under Secretary of Defense, making him a principal advisor for all environmental, safety, and occupational health policies and programs in the Department of Defense.

Prior to his current position, Mr. Woodley served as Cabinet Secretary for Governor Gilmore in Virginia, as Secretary of Natural Resources.

I am proud to say that when I was governor, he was serving in the Attorney General's office, particularly focusing on government operations. Believe me, while he served in the Attorney General's office, he served all the people of the Commonwealth of Virginia in the government operations aspect. There was much controversy from time to time. You needed steady, trusted, expert, legal advice on how to do things properly.

He is also an Army officer with 22 years of active and Reserve service. He served in active duty in the U.S. Army Judge Advocate General's Corps from 1979 to 1985. Mr. Woodley holds the rank of

lieutenant colonel in the Army Reserve, and has been awarded the Army Achievement Medal, the Army Commendation Medal, and the Meritorious Service Award.

He also practiced law prior to serving in the Attorney General's office in Richmond. I will say that people regardless of background, party, partisan affiliation all look at him as very steady, considerate, and knowledgeable in all of his examinations of the law and in the different approaches one would take. I know he will just do an outstanding job for the people of this country.

He is joined by his family here, his wife Priscilla, his daughters, Elizabeth and Cornelia——

Chairman WARNER. I wonder if they might stand as Senator Allen introduces them.

Senator ALLEN. Priscilla and Elizabeth and Cornelia and John Paul, and his father-in-law, Colonel Ingersoll, is here as well. It is great to have you all here.

Chairman WARNER. The colonel is from the class of 1944 at West Point, and then he went into the Army Air Corps and achieved goals which I would have liked to have achieved, but never did, and probably never could. Thank you, sir.

Senator ALLEN. Thank you all. Thank you.

So he is backed by a wonderful family, and I can think of very few public servants that do have such an outstanding record of service and commitment to the people he is serving. He is a trusted team player. He will leverage his experience with environmental issues to make the U.S. Army Civil Works program highly regarded in the preservation and the restoration of America's natural resources.

So, Mr. Chairman and members of the committee, it is my pleasure to introduce to you all this exceptional nominee this morning. I recommend him to you and, as swiftly as possible, recommend his confirmation.

Chairman WARNER. Thank you, Senator Allen.

Senator ALLEN. Thank you, Mr. Chairman.

Chairman WARNER. I would like to associate myself with your remarks and say how proud we are from the Commonwealth of Virginia for the many years of public service of this distinguished gentleman and his family. We shall proceed, hopefully, with that swiftness.

Senator ALLEN. Thank you, Mr. Chairman. If I may take leave, I have to get to the Commerce Committee.

Chairman WARNER. The senior Senator grants the junior Senator leave of absence.

Senator ALLEN. All right, sir. [Laughter.]

Thank you.

Chairman WARNER. Thank you very much.

I am going to ask of our nominees now the standard questions propounded by the chair of this committee over many years to each of the nominees that come before us.

The committee has asked our witnesses to answer a series of advance policy questions. They have responded to those questions in our standard questionnaire. Without objection, these responses will be made a part of today's record.

But before we hear from our witnesses, I have several questions to ask of each. First, have you adhered to applicable laws and regulations governing conflicts of interest?

Ambassador BROOKS. Yes, sir.

Dr. CAMBONE. Yes, sir.

Mr. WOODLEY. Yes, sir.

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

Ambassador BROOKS. I have not, sir, but I have been acting in the position at the President's direction, and have taken the decisions necessary in that status.

Mr. WOODLEY. No, sir.

Dr. CAMBONE. No, sir.

Chairman WARNER. Will you ensure that in the event of confirmation your staff complies with deadlines established for requested communications, including prepared testimony and questions for the record in the hearings before this committee?

Ambassador BROOKS. Yes, sir.

Mr. WOODLEY. Yes, sir.

Dr. CAMBONE. Yes, sir.

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

Ambassador BROOKS. Yes, sir.

Dr. CAMBONE. Yes, sir.

Mr. WOODLEY. Yes, sir.

Chairman WARNER. Will those witnesses be protected—and I repeat—be protected from reprisal for their testimony or briefings?

Ambassador BROOKS. Yes, sir.

Dr. CAMBONE. Yes, sir.

Mr. WOODLEY. Yes, sir.

Chairman WARNER. All right. Thank you. Now, why don't we just start left to right? Ambassador Brooks, please make such opening remarks as you desire. I understand that members of your family were not able to join you today.

Ambassador BROOKS. No, sir. But in everything I do, the members of my family are with me.

STATEMENT OF AMBASSADOR LINTON F. BROOKS TO BE ADMINISTRATOR FOR NUCLEAR SECURITY, NATIONAL NUCLEAR SECURITY ADMINISTRATION, AND UNDER SECRETARY FOR NUCLEAR SECURITY, DEPARTMENT OF ENERGY

Ambassador BROOKS. Mr. Chairman, Senator Levin, members of the committee, I want to thank you for the opportunity to appear today, but more for the strong support this committee has always given our nuclear weapons program.

I am honored by the confidence President Bush has placed in me in nominating me to lead the National Nuclear Security Administration. Over the last 16 months, I have had the opportunity to work closely with this committee as Deputy Administrator for Nonproliferation, and if confirmed, I look forward to continuing that association as administrator.

I want to take a few moments to review my background and how that background will shape my approach to my responsibilities, if confirmed.

I have over four decades of experience in national security, much of it associated with nuclear weapons. I have carried weapons on several ships. I have studied their technology, and I have examined their effects. From this, I have learned that their immense power demands immense care. Thus the first conclusion I have reached as I consider my potential new responsibilities is the utter importance of safety, security, and reliability. If I am confirmed, maintaining a safe, secure, and reliable nuclear stockpile will be my highest priority.

I have also had the opportunity to serve in nuclear policy positions in the White House, the State Department, the Navy, and the Office of the Secretary of Defense. I have been thinking and writing about nuclear matters for decades and that has convinced me, as the President has made clear, that nuclear weapons will remain a crucial component of American power throughout our lifetime.

Thus, a second conclusion I have reached is that we must plan for the long-term. This means paying attention to infrastructure, to attracting and retaining excellent people, to understanding the fundamental science that underlies nuclear weapons, and to extending the lifetime of the stockpile. If I am confirmed, these will also be priorities.

Like everybody with experience in national security, I have always understood that physical security matters, but the events of September 2001 drove that home in a horrifying way. Along with many people in this room, I lost friends and colleagues at the Pentagon.

But it could have been worse; it could have been nuclear. Therefore, if confirmed, I will place priority on implementing the agenda of the President and of Secretary of Energy Abraham to improve the protection of highly-enriched uranium and plutonium worldwide. I will place a priority on maintaining effective security throughout the National Nuclear Security Administration facilities in the face of what is almost certainly a permanent transformation of a threat.

If the Senate confirms me, this will be my fourth opportunity to serve in a confirmed position. My experience with such positions is it is very easy to be consumed by the urgency of the in-basket, and it is very difficult to think about the future.

Thus another conclusion is the importance of consulting widely, including with Members of Congress, to ensure that I am doing my utmost to ensure long-term security and the long-term health of the nuclear weapons complex. Finally, from every job I have ever had, I have learned that people are what matter. My final conclusion, therefore, is that if I am confirmed, I should spend a great deal of time taking care of people.

In the near-term, this means making sure that the reorganization we announced in December 2002 is implemented in a way that gains the benefits of increased effectiveness while ensuring fair and equitable treatment for individuals.

In the longer-term, it means sustaining a challenging and rewarding working environment in order to retain and recruit the kind of people that the nuclear weapons complex deserves.

In taking on the duties of Administrator of the National Nuclear Security Administration, I am conscious that I am assuming a great responsibility. I believe I am also being given a great privilege. Not everybody gets a chance to make a difference. Not everybody gets the chance to work to make the world safer and the country more secure. Not everybody gets the chance to use exciting technology for important national ends. But the men and women of the National Nuclear Security Administration do that every day.

If the Senate confirms me, I will do my utmost to ensure that both they and I meet our responsibilities. Thank you for your attention, and I look forward to your questions.

Chairman WARNER. Thank you.

Dr. Cambone.

STATEMENT OF HON. STEPHEN A. CAMBONE TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

Dr. CAMBONE. Thank you, Mr. Chairman, members of the committee. I would like to introduce the family that is here with me. If I may, I would like to start with my sister Catherine Brown, her husband Steve, and their daughters, Katie and Megan Brown. I would also like to introduce my wife Margaret, who is behind me here and my daughter Maria, who sits immediately behind me.

Mr. Chairman, members of the committee, it is an honor to appear before you as the President's nominee for the position of Under Secretary of Defense for Intelligence. I am grateful to the President for his consideration in placing my name before you as the nominee for this new office within the Department of Defense.

I would also like to thank you, Mr. Chairman, Senator Levin, and the members of this committee for your support in the creation of this new office.

Mr. Chairman, we are a nation at war. It is a war different in kind than any other in which our great Nation has engaged. It is likely to persist for some time, but it is one that we will win.

Now, experience thus far in that war has taught us important lessons. One lesson which it seems we must learn anew with each passing generation is that we will be surprised. As the Secretary of Defense has remarked, "The only thing that should surprise us any longer is that anyone is surprised that we are surprised."

This truism is reflected in the President's request for the creation of the Office of the Under Secretary for Intelligence. If we know surprises await us, it is important that we do all in our power to avert them, knowing we will not be completely successful and preparing to mitigate their consequences when those surprises do occur.

For the Department of Defense, this is a particularly pressing task. The men and women, civilian and military, of the Department have volunteered to defend the freedom of the American people at the risk of their own lives.

The Secretary of Defense believes that the Department owes it to them to have a senior official report to the Pentagon each morning with only one task in mind, to ensure that they, the men and

women of the Department, have the intelligence and intelligence-related support they need to avert those surprises, to be prepared if they do occur, and to move swiftly to respond when called upon to do so by the President.

That is the task, Mr. Chairman, of the Under Secretary of Defense for Intelligence. To that end, if I am confirmed, I will ensure that the components within the Department are, to quote Title 10 of the U.S. Code, manned, trained, equipped, and I might add organized, for this era of surprise.

The Under Secretary of Defense for Intelligence will also ensure that the men and women of the Department have timely access to the intelligence resident within the Intelligence Community that can help them to: develop and acquire the weapon systems that will sustain our military advantages over potential adversaries; develop and implement defense strategies and policies that will permit the Nation to adjust in a timely fashion the posture and structure of our forces, the doctrine of those forces, their deployment and employment; conduct military operations by pitting our strengths against an adversary's weaknesses and protecting ourselves against his strengths—an especially difficult challenge against adversaries that are not state actors, and then finally to assist them in protecting on a day-to-day basis our people, facilities, networks, and information from assault by foreign and hostile espionage services.

Mr. Chairman, it is worth taking a moment to note that which is not the task of this Under Secretary. It is not his task to manage the collection, analysis, and dissemination of intelligence. The Intelligence Community and its head, the Director of Central Intelligence, are responsible for that task.

Mr. Chairman, if confirmed, I am committed to working closely with the senior leadership of the Department of Defense, the directors of the intelligence components within the Department, the Director of Central Intelligence, this committee, and other interested committees of Congress in executing the tasks that await the Under Secretary.

Mr. Chairman and members of the committee, let me thank you again for your consideration. I am ready to answer any questions you may have of me.

Chairman WARNER. Thank you very much, Dr. Cambone.

Mr. Woodley.

STATEMENT OF JOHN PAUL WOODLEY, JR., TO BE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

Mr. WOODLEY. Mr. Chairman, members of the committee, I want first to express and acknowledge my deep gratitude to Senator Allen for his words which are more kind than any public servant could possibly in truth deserve, but I hope you will take them at face value.

I also appreciate your kindness in acknowledging my family members who have come to be with us on this important occasion.

I, too, am mindful of the confidence expressed in me by President Bush and Secretary Rumsfeld in submitting my name in nomination for this important post with the Department of the Army.

The Army Corps of Engineers and its civil works function encompassing navigation, flood control, water resource development, and environmental improvement, has for 200 years contributed greatly to the prosperity and well-being of our Nation.

Mr. Chairman, in the committee's written questions and in the course of my visits with many of you during the past few weeks, the issue of the organization of the Corps of Engineers and whether some of its missions and functions should be privatized or shifted to other agencies of government has been very prominent, so I think it would be appropriate for me to make clear at the outset of this hearing what my views are on the matter.

In Section 109 of the Omnibus Appropriations Act for 2003, Congress has spoken with extraordinary clearness and directness on this question. That section directs that the transfer of the Corps of Engineers' missions and functions should not be implemented or even studied without further direction by Congress.

I do not have any plans or intentions that are inconsistent with Section 109. If, in the future, I have ideas to improve the operation of the Corps of Engineers' civil works function, the Secretary of Defense has been clear on the need and importance of consulting with Congress as an important first step with respect to any such idea. I promise you full and open communication and consultation.

I deeply appreciate the courtesy of the committee. If confirmed, I look forward to working with the Chairman and all members to address the vital navigation, flood control, water resource, and environmental challenges of the Nation. Thank you. I would also like to respond to questions.

Chairman WARNER. Thank you very much.

I am going to defer my question period, Senator Levin, to our distinguished colleague from Maine who, as the Chair of the Committee on Governmental Affairs, has to undergo other duties shortly.

Senator COLLINS. Thank you very much, Mr. Chairman. I do very much appreciate your courtesy this morning. I do have to chair a nomination hearing in the Committee on Governmental Affairs, but I did have a couple of issues that I wanted to raise. So thank you so much.

Mr. Woodley, first of all, congratulations on your nomination. I think we are very fortunate to have someone with your background willing to serve in this important capacity. With an annual budget of approximately $5 billion, the civil works projects of the Army Corps of Engineers not only have important implications for the environment, but they are also vital to the well-being and the safety of many of the communities across our Nation.

I would like to direct your attention today to one such community located in my home State of Maine, and I know my staff has had some discussions with you about this.

Perhaps more than any other community in the Nation, the safety and well-being of the people of Camp Ellis in Saco, Maine, depend on successful action by the Army Corps of Engineers. Unfortunately, it is also precisely because of the Army Corps that the safety and well-being of the residents in this area are in jeopardy.

Let me give you a little bit of background about this. Over a century ago, the Army Corps built a jetty which extends out into the Saco River adjacent to Camp Ellis Beach. It has long been known

by the residents of this area and was recently confirmed by the Army Corps' own study, that this jetty has altered the patterns of currents and sand deposition, and it is the primary cause of what is truly devastating erosion in this area that has been shown to have been caused by this jetty constructed by the Army Corps over 100 years ago.

I want to give you some idea of the extent of the erosion. We have made a poster which we have given you a smaller copy of to demonstrate it, but more than 30 houses have been washed into the sea during the last 100 years. The 1998 shoreline is 400 feet from where the shoreline stood in 1908.

[The information referred to follows:]

The houses that are now in danger were once six rows back from the shore. I have toured this area and I have walked out to the end of the jetty and it is an incredible sensation to look out at these blue waters and realize that once that was the site of roads, of houses, of city blocks, even of a railroad track.

Now, recently the problem has taken on an even more dire aspect. The beach and the dunes have retreated further and the sea is advancing to such an extent that there is a distinct possibility if there were a large storm that it would breach the peninsula and Camp Ellis would turn into an island. That is how devastating this situation is.

I apologize to my colleagues for taking so much time on what is a parochial issue, but——

Chairman WARNER. I acknowledge the Chair is fascinated.

Senator COLLINS. Good. [Laughter.]

Chairman WARNER. I am saying to myself: Where was Margaret Chase Smith? Where was Edmund Muskie? Where was William Cohen on this issue? [Laughter.]

Senator COLLINS. Exactly. Well, I am coming to the rescue now——

Chairman WARNER. That is quite clear.

Senator COLLINS.—I hope, with the help of our nominee.

Chairman WARNER. Quite clear.

Senator COLLINS. But the Corps has recognized the extent of the erosion. The Corps has recognized it is a direct result of this jetty, and the Corps has undertaken steps to mediate the problem as a Section 111 project.

Now, the Senate has provided $350,000 in fiscal year 2002 for a study, an additional $1.2 million for fiscal year 2003 to start construction. But unfortunately, the Corps has discovered a flaw in its design, and it has now gone back to the drawing board. It has raised questions about whether it can even undertake the project.

So today I have two requests of you. The first is I want to invite you, and you can bring your whole family, we will give them lobster.

Chairman WARNER. Can I come? [Laughter.]

Senator COLLINS. You can come too, Mr. Chairman, and the ranking member can come.

I want to invite you to come tour this area, because until you see it with your own eyes and see the devastation that has occurred and see where houses once stood, and now the sea has taken them, it is really difficult to imagine just how serious this erosion is. So I think if you saw it with your own eyes that it would be helpful.

Second, I would ask you to work with me and State and local officials to solve this problem once and for all. The people locally are very discouraged, because they thought they had an agreement with the Corps to solve this problem, and now we seem to be back to square one.

So I am not asking you to commit to a solution today, but I am asking you to commit to helping us find a solution. I thank the indulgence of the other committee members.

Mr. Woodley, could you respond?

Mr. WOODLEY. Yes, Senator, and thank you very much. I will say that I think it is very important for government officials, whether State or Federal, who are responsible for natural resource management issues and policy to travel to these places and see the land.

I was very proud as Secretary of Natural Resources where I had oversight for our State parks that I was the first Secretary of Natural Resources in Virginia to actually visit each of our State parks, and we have some 35 in our system. It took me a lot longer than I thought it would to actually get to all of them. But it is critically important as you say to go and see the ground and understand—and speak to the local officials and understand the issue.

If confirmed, that would certainly be a part of my policy, and a trip to Maine would be a very important part of that endeavor.

Senator COLLINS. Thank you, Mr. Chairman. Mr. Chairman, I do have some questions for the other witnesses, but I will submit them for the record. I appreciate the indulgence of the Chair. Thank you.

Chairman WARNER. We thank our distinguished colleague very much. It was quite an illuminating bit of history.

Senator LEVIN. I think Senator Collins has made quite a dramatic presentation. I think we would all be interested in your response to that problem as an indicator of how you are going to respond to these kinds of important local issues. This is more than a local issue obviously, since it involves a national shoreline as well.

Mr. Woodley, let me start with you. There was a National Academy of Sciences' recommendation that there be an independent review of large-scale civil works projects proposed by the Army Corps of Engineers, and the budget of the President for the last 2 years has expressed support for that approach.

Will you commit, if confirmed, to ensure that independent reviews are conducted for large-scale civil works projects proposed by the Army Corps of Engineers?

Mr. WOODLEY. Yes, sir, I will.

Senator LEVIN. The Army Inspector General in November 2000 found that three Army Corps of Engineers officials had manipulated data in a cost-benefit analysis in order to justify a $1 billion project. Will you personally commit, if confirmed, that you will work to ensure the integrity of the analyses conducted by the Corps?

Mr. WOODLEY. Yes, sir, I will.

Senator LEVIN. Will you personally commit, if confirmed, to comply with the letter and spirit of the Whistleblower Protection Act, ensuring that professionals at all levels within the Corps of Engineers are encouraged to do their jobs to the best of their capacity without fear of retaliation or harassment because their conclusions may not be what the leadership of the Corps was looking for?

Mr. WOODLEY. Yes, sir, I will.

Senator LEVIN. Thank you.

Dr. Cambone, let me talk to you about your new position here. Congratulations particularly on your appointment—congratulations to all three of you, but since you are the first, Dr. Cambone, to occupy this office, you get a special note here this morning. You are really paving the way, and you will set the tone for how that office functions in the future.

In October 2002, there was a story in the New York Times that reported that a four- to five-person intelligence team had been established by the Under Secretary of Defense for Policy to search for information on Iraq, including its ties to terrorist organizations.

The Deputy Secretary of Defense, Paul Wolfowitz, was quoted as describing—here, I am quoting him—at least as quoted by the New York Times, "a phenomenon in intelligence work that certain people who are pursuing a certain hypothesis will see certain facts that others won't and not see certain facts that others will." Then Mr. Wolfowitz said, "The lens through which you are looking for facts affects what you look for."

Do you believe that different intelligence analysts look through different lenses? Will your analysts, your people, look through a different lens than the other Intelligence Community as a whole?

Dr. CAMBONE. Sir, first the office, itself, is not being structured to do analysis. That is to be done inside of the Defense Intelligence

Agency (DIA) and the CIA. It is the work that is done by the National Security Agency (NSA) and the National Imagery and Mapping Agency (NIMA). What the staff of the OUSD/I will do is inquire if there are questions that are being raised by the Secretary, or other senior members of the Department, about finished intelligence or even some of the unfinished, if you will, intelligence that is received.

If there are differences between and among the Intelligence Community analysts, if there are questions that senior DOD officials would like to pursue with more vigor, this office would facilitate that kind of activity, and press the questions with the Intelligence Community as a whole, but it is not intended to do the work itself.

On the question of whether different analysts see different problems in different ways, I think the answer to that is: Yes, they do. In part it has to do with their area of expertise. The photo interpreters at NIMA see things differently than do the analysts at NSA.

The key to the all-source intelligence product that is delivered to the Department and other agencies of the government is that under the direction of the Director of Central Intelligence (DCI), those are all brought together as a finished product. But in the end, asking questions about how analysts arrived at those conclusions and what the sources of the information were, I think, are the kinds of activities that the customer ought to engage in because the customer of the intelligence really does need to know something about that. Those who are doing the analysis for them need to know what issues the customers have in the back of their minds, and what concerns they may have.

Senator LEVIN. People with different functions in the intelligence world obviously are looking for information that relates to their particular function, but the statement that Mr. Wolfowitz made was that the Intelligence Community is pursuing one hypothesis which the Defense Department intelligence team is not pursuing. What hypothesis is that? Give me an example.

He has not answered my letter I wrote him on November 19. He has not responded to my letter, and I am determined the he will respond to this letter. But what is the hypothesis that that is——

Dr. CAMBONE. Yes, sir. I cannot speak for the Deputy, but what I can reflect on is the issue of the hypothesis. That is, I think, that it is often the case that, depending on the question you ask, you tend to pursue a problem with a certain set of assumptions that flow from that question and follow the material that you have in front of you in light of the questions that you have asked.

The value of having multiple individuals looking at information is that many of them will ask a different question. They will come to the information with a different question, see different patterns, pursue different angles on a thought. In the end, that information is brought together again for yet another look, to ask "Have we considered all the angles on this question?"

Senator LEVIN. I do not think it is a question of different individuals looking——

Dr. CAMBONE. Yes, sir.

Senator LEVIN.—but it is a question of whether the team, the function of the intelligence team at the DOD has a different function, a different hypothesis——

Dr. CAMBONE. Yes.

Senator LEVIN.—that is going to be pursued than the Intelligence Community as a whole. Let me try to phrase it a different way.

Critics have interpreted the establishment of the new position that you have been appointed to as evidence of Secretary Rumsfeld's contest with Director Tenet for dominance over American intelligence operations. Others have stated that Secretary Rumsfeld is creating another Director of Central Intelligence for all practical purposes.

Now, I joined with Senator Warner in the creation of this position, so that is not a view which I particularly hold or that I hope will prove to be in any way accurate. But what is your answer to those critics?

Dr. CAMBONE. Yes, sir. That is not the intent behind the creation of the office. That is why in the opening remarks I took a moment to say what this office is not. It is not an office whose purpose is to do the work of or substitute for the work of the DCI and the Intelligence Community as a whole.

To the extent that it will be engaged with the Director of Central Intelligence, it will be through the Secretary of Defense, who is the one responsible for all intelligence matters within the Department.

It is designed to enable the DCI, in particular, when he has needs that can be satisfied by the Department of Defense, to enable us to respond with alacrity. There have been occasions in the past—I am sorry to say—when that has not always been the case. Why? It has been primarily bureaucratic in character.

In the preparation for this hearing, when I sent around the answers to the questions that the committee asked me to respond to, it was 28 individuals to whom I had to send those questions to even get a first level look at the answers. Had I gone further, I probably would have been at 50 offices.

So within the Department of Defense we need to be able to streamline our approaches to intelligence. We need to make sure that we are able to respond with the timeliness and the accuracy that the DCI needs, even as we need to do the same for the combatant commanders.

So the office is meant to be a staff function for the Secretary of Defense, much like his other offices within OSD, to ensure that he, the Secretary of Defense, is able to execute both his Title 10 and, unique to him, his Title 50 responsibilities under the U.S. Code.

Senator LEVIN. Thank you.

Chairman WARNER. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Dr. Cambone, when I see you, I think quite often that things really do work out for the better, even though we go through times when we are not too certain of it, and you know what I am talking about.

Dr. CAMBONE. Thank you very much.

Senator INHOFE. I can remember—and I have to say that I believe I was wrong initially when we were going—I know you are not in the program analysis and evaluation (PA&E) business any-

more, and this has nothing to do with your new position. But I do think that when we had to redo this thing, it—with the goal of still giving our kids adequate cover by 2008, by giving it a capability that they do not have today, and still having it work out with the future combat system, using the——

Dr. CAMBONE. Yes.

Senator INHOFE. I think it had a happy ending. I feel good about that. I would assume you would agree with that.

Dr. CAMBONE. Yes, sir, I do.

Senator INHOFE. Let me just ask you this question. I have a quote from you. You said, "The single most important action will be to rely on and appoint individuals from throughout the DOD and Intelligence Community who are highly skilled and experienced in intelligence, and in intelligence resource management and acquisition, operations, and policy to positions of responsibility and authority."

Do you think we should have had somebody who has that background more than a background of consuming intelligence?

Dr. CAMBONE. Consuming—that is a fair question, sir.

Senator INHOFE. Yes.

Dr. CAMBONE. My answer is no. Let me first say why I said what I said about those positions. The purpose of the office is, as I said, to assist the Secretary in the execution of his responsibilities. The Intelligence Community is a broad and diverse place. In order, therefore, to get the best advice to the Secretary and the other senior management in the Department, I thought it was important that we have people who are skilled in working within that community, so that is one half of the problem is managing.

The other half, of course, of the problem is leadership. Management and leadership are not quite the same.

I think it is important that the head of each of the Under Secretary components in the Department share the kinds of objectives for the remaking, the modeling of those activities over which they have been given responsibility. So that is one reason.

Second, to go back to this issue of the consumer, the consumer plays a very important role in—I think, in the work of the intelligence communities. To the extent that the consumer is interested, pays attention, follows up on questions, and gives credit when it is due, and criticism when it is appropriate, that makes both the consumer and the producer of the intelligence better. If both are better, then we will all be better.

Senator INHOFE. I think that is an excellent answer, and I think you would do an excellent job in this position.

Mr. Woodley, there is an issue that apparently is not a current issue, but it was discussed. That is the proposal to divest the Army Corps of Engineers. If that were an issue today, what would your feelings be?

Mr. WOODLEY. Senator, my feelings on that would be that Congress has spoken on that issue in, I believe, it is Section 109 of the Appropriations Act. I have no views, plans, or intentions in any way that are contrary to that provision of law.

Senator INHOFE. Of course, we would, in that section, we know it is not going to happen in this fiscal year, but it could happen in

the future. I was just wondering if you had any opinions on that, should it come up.

Mr. WOODLEY. No, sir. The only opinion I have with respect to that is that that is something that would have to be presented to Congress, if it——

Senator INHOFE. Yes. It does have to come for congressional approval.

Mr. WOODLEY. If a proposal came forward——

Senator INHOFE. That is true. Now, one of the things that we will be talking about—and it affects not just my State or Arkansas and the other States, and that is the 9- versus 12-foot channel issue. We have already talked about that. I would hope that we will be able to stay together on that so we can use that capacity and use it very effectively. Do you have any thoughts about your 12-foot channel?

Mr. WOODLEY. No, sir. That is not an issue that I have studied or had any opportunity to develop views on, but I would certainly want to consult with you on that as we proceed to manage and develop those water resources and navigation.

Senator INHOFE. Ambassador Brooks, you and I have visited. I appreciate very much your giving me your time coming by the office.

I think we have talked about this over the years, our concern over the reliability of the stockpile without testing. In a recent NPR interview, you mentioned the age of the United States plutonium is the oldest that has ever existed and its characteristics change with age. What is your comfort level in terms of the reliability, and at what point will testing have to come into play?

Ambassador BROOKS. I am very comfortable about the reliability of the stockpile today. We have a number of mechanisms including independent looks by the two national laboratories, a body that advises the commander of the U.S. Strategic Command, so I am completely comfortable with the reliability of the stockpile today.

The farther you go in the future, the less dogmatic I am willing to be. I do not see any specific time when testing is likely to be required, but because I cannot be sure, I think it is important that we maintain the capability to test, if necessary, to either confirm or correct a problem with a significant weapon in the stockpile.

Senator INHOFE. I assume that during your term of service in this position that you will readily come and advise us as time goes by as to that reliability?

Ambassador BROOKS. Absolutely, sir.

Senator INHOFE. Fine. Thank you very much.

Thank you, Mr. Chairman.

Chairman WARNER. If I might ask, Senator, that is a key exchange of question and reply. But I am not sure, though I listened very carefully: Were you referring to the testing that will be provided by the stockpile, what we call that system——

Ambassador BROOKS. Stockpile stewardship, sir.

Chairman WARNER.—stewardship, or returning to an actual testing?

Ambassador BROOKS. I am referring to the continued reliability and how sure we can have it without continually testing.

Chairman WARNER. The actual testing?

Ambassador BROOKS. Actual testing.

Chairman WARNER. It is the word "actual," I think that should be——

Ambassador BROOKS. Yes, sir.

Chairman WARNER.—put in the record to clarify it exactly.

Senator INHOFE. Thank you for the clarification.

Chairman WARNER. That was my understanding of this important colloquy, but I believed it would be helpful to me and maybe others to follow it, to put something in on that.

Ambassador BROOKS. Certainly, Mr. Chairman. In my reply, I was using the word "testing" to mean underground nuclear testing with a nuclear explosion.

Chairman WARNER. Which currently the United States is not doing.

Ambassador BROOKS. Which currently we do not do. We do a vast amount of testing of components——

Chairman WARNER. Right.

Ambassador BROOKS.—and of systems. That continues, and must continue.

Senator INHOFE. But when this restriction was first placed on it, you and I remember——

Chairman WARNER. Oh, yes.

Senator INHOFE.—questioning, at what point are we taking a risk? That is what we are getting at. Thank you very much.

Chairman WARNER. I think that is important. I intend to return to this when I start my own questioning. But I want to accommodate the members who are coming and going.

Senator Ben Nelson.

Senator BEN NELSON. I thank you, Mr. Chairman. Thank you to all of you today for being here before us.

For Dr. Cambone, it is a welcome back.

Dr. CAMBONE. Thank you, sir.

Senator BEN NELSON. I think it is the hope of the committee that the position that you have been nominated for will greatly improve the intelligence-gathering capabilities of the Department and enhance our national security.

Ambassador Brooks and Mr. Woodley, I apologize for having to cancel the planned office calls due to my attendance at President Roh's inauguration in South Korea. I appreciate your willingness to engage with all of the members of the committee on this, on the occasion of your potential positions.

Ambassador Brooks, 2 years ago when General Gordon testified before the Subcommittee on Strategic Forces, I inquired about some cuts that the administration's fiscal year 2002 budget would make to the Department of Energy's nonproliferation programs. I was concerned because they were cuts of approximately $400 million, and that included the Material Protection, Control, and Accounting (MPC&A), our accounting program, which improves the physical security at Russian nuclear weapons facilities, and that was cut by $31 million; and the nuclear cities initiative, a program to assist the Russian weapon scientists' transition to commercial positions, was cut by $20 million.

Now, having said that, I would like to begin by complimenting you and the Department of Energy for requesting a 30 percent in-

crease now over last year's budget for nuclear nonproliferation programs. The fiscal year 2004 budget of $1.3 billion is the largest in history for these programs. As far as I am concerned, it is some of the best money that we can spend for the protection of the world, but particularly for the protection of our own people.

My question is with regard to strategic command at Offutt Air Force Base in Nebraska. Obviously, it relies heavily on NNSA's ability to ensure the safety and reliability of this Nation's stockpile. Since 1992, explosive tests have not been conducted, which NNSA has stated are not needed at this time but, instead, the lengthy and tedious process of disassembly and inspection, has been conducted to include refurbishment. The development of improved surveillance modeling and simulation tools show signs that earlier reliability assessments were maybe overly optimistic.

Given that, is our ability to conduct inspections and perform refurbishment in jeopardy at the current funding rate? Have we put in enough money to be able to conduct these inspections and perform refurbishment at this time?

Ambassador BROOKS. Senator, I believe we have. The budget that the President submitted has, in addition to the substantial increase in nuclear nonproliferation, a substantial increase in the weapons program work as well.

I think there are several parts to this. One is to continue to develop the extremely high-tech tools like the National Ignition Facility, the Dual Access Hydro Radiography Facility, that will allow us to understand these very complex physical phenomenon without nuclear explosions. The second part is to improve our modeling capability through the Advanced Simulation and Computing Program. Both of those programs are well funded and proceeding well.

Then, as you correctly note, we have a routine surveillance program, and that program is not being hampered by funds or by anything else. So I do not now believe that there are significant reliability issues with the stockpile. I do not now see a need to resume underground nuclear testing in the immediate future.

But as I said in response to a question from one of your colleagues, I think no one can predict the future with enough certainty to know that you will never need that. That is why I believe the test readiness at the Nevada test site needs to continue to be maintained.

Senator BEN NELSON. But you think at the present time, regardless of what may happen in the future, we are okay?

Ambassador BROOKS. Yes, sir.

Senator BEN NELSON. All right.

Ambassador BROOKS. There is probably no single issue which we devote more intellectual talent to than making sure that the statement I just made is true.

Senator BEN NELSON. Now, if asked to dismantle and disassemble warheads to a level of, I think, 1,700 by 2012, do you think that the budget is sufficient to handle that, at least at the present time?

Ambassador BROOKS. The agreement under the Treaty of Moscow refers to deployed nuclear warheads. The disposition of all of those, that is whether they will be retained as part of the so-called Responsive Force, or dismantled, that decision has not been made. The approach that we take to dismantlement which takes place at

our Pantex facility in Amarillo, Texas, is a level funding or a level effort approach. So we use dismantlement to keep the workforce steady in between life extensions.

If I had a massive requirement by 2012 to do more dismantlement, then I think we would need to take a look. It might not be a money question. It might actually be——

Senator BEN NELSON. Capacity to do it.

Ambassador BROOKS.—yes, a capacity question. But our approach to dismantlement is to treat it, essentially, as an industrial process and do it in an efficient way while giving greater priority to the life extension of the active stockpile.

Senator BEN NELSON. I thank you, Ambassador. My time has expired.

Thank you very much.

Chairman WARNER. Thank you very much, Senator.

I see Senator Clinton has joined us. Thank you, Senator.

Senator CLINTON. Thank you, Mr. Chairman.

Mr. Woodley, I understand your nomination will also be considered by the Environment and Public Works Committee on which I serve. I hope you will forgive me if I focus my attention today on the other two nominees. I will look forward to having the opportunity to discuss issues with you before the EPW Committee.

Mr. WOODLEY. Yes, Senator.

Senator CLINTON. Ambassador Brooks, much of the Nation's work in counter-terrorism will be, as I understand it, managed and funded by the newly established Department of Homeland Security (DHS). The Department of Energy and the National Nuclear Security Administration have led discussions to establish a joint sponsorship agreement with DHS, and they have identified five DOE labs that will directly support homeland security and have special relationships with the DHS.

At this time, the list of labs includes Lawrence Livermore, Sandia, Los Alamos, Pacific Northwest, and Oak Ridge. After several discussions with the principals involved, it appears unlikely that this list will include Brookhaven as one of the designated key laboratories, even though Brookhaven's capabilities are important and relevant to the technology development mission of the DHS. I am concerned about this refusal to consider Brookhaven as one of the special labs. It is clearly a critical facility that is performing an extraordinary amount of high level and essential work that I believe is directly relevant to the needs of homeland security and national security.

So my question is: What are you doing to ensure that the capabilities of all of the DOE labs are brought to bear on these problems? What about the role of Brookhaven? Is it possible that Brookhaven could now or in the future be included as a key DOE laboratory in the area of homeland security?

Ambassador BROOKS. Senator, the precise answer to the last part of your question, I am going to have to refer to my colleagues at the Department of Homeland Security. But let me make a couple of comments about how we got here.

First of all, I do not want anything that anybody in our Department or Homeland Security has done or said to be taken as some indictment of Brookhaven. Brookhaven has been supporting our

nonproliferation programs, my former responsibility, and Brookhaven supports our radiological assistance program, which is part of our emergency management area. When we began discussions with the Department of Homeland Security, we were primarily focused on the particular programs that or for which responsibility is being transferred.

Those programs are all of our chemical and biological programs, which will be transferred to the new department on Monday, and our nuclear smuggling program. In those particular programs, Brookhaven has not played a particularly large role. So our focus in our initial discussions with the Department of Homeland Security has been on the seamless transfer of ongoing programs.

I do not believe that there is any intent to exclude from future consideration Brookhaven or the other Department of Energy national laboratories. But we are—our initial focus was, as I say, on the laboratories which had ongoing programs. I will be—and the agreement that we are working on with the Department of Homeland Security would not preclude involvement of other national laboratories. I will be glad to carry your concern specifically to my Homeland Security colleagues.

Senator CLINTON. I really appreciate that, Ambassador. In part I do because I think potential for radiological attacks is as important and maybe even more likely, in some instances, than chemical and biological given the ease of putting together a dirty bomb and then, of course, other nuclear terrorist potential as well.

So I think there are some artificial lines that might be in the process of being drawn that I am not sure are going to make that sort of seamless transfer and the integration of the issues in DHS as smooth as they could be.

But, Ambassador, I also would like to ask: In response to the committee's policy questions, you state that you favor securing, accounting for, and disposing of weapons-usable nuclear material beyond the former Soviet Union, but that the countries typically identified for such assistance such as India, Pakistan, and China have thus far shown no interest in U.S. assistance. Are there other nations that you believe could benefit from expanded nonproliferation programs? Second, do you think we are devoting enough resources to securing, accounting for, and disposing of nuclear material in the former Soviet Union?

Ambassador BROOKS. The second one is easy: Yes. We are not now in the former Soviet Union limited by money. We are limited by the ability of a somewhat cumbersome and bureaucratic Russian system to absorb assistance. So there is no question that right now the resources that Congress has provided in 2002, 2003, and that I hope will be provided in 2004, are more than adequate.

With respect to other countries, the principal area that we need to focus on is research reactors that use highly-enriched uranium fuel. The notion here is to try and get those converted so that they do not need highly-enriched uranium, and then get the highly-enriched uranium fuel which is, by definition, suitable for weapons use, back. You saw that in the operation that the State Department and we and others led in Yugoslavia. We are working those discussions in other countries. I would like to be a little nonspecific about where we are talking.

Senator CLINTON. That is fine.

Ambassador BROOKS. I think that is the biggest area. Most of the highly-enriched uranium—there are a lot of reactors everywhere, but they use low enriched uranium of much less concern. Most of the highly-enriched uranium in the world is in the countries you have mentioned or in countries of Western Europe where you have—we are always in discussion with our friends about how to improve security. But the issues are of a whole different level. They have the knowledge and the resources. So I do not think that there is a large unmet need, except in the countries that I referred to in my statement. Cooperative programs require——

Senator CLINTON. Cooperation.

Ambassador BROOKS.—cooperation.

Senator CLINTON. I might want to follow up in a non-public hearing on some of the others.

Ambassador BROOKS. I would welcome that opportunity, ma'am.

Senator CLINTON. If I could, Mr. Chairman, I wanted to ask Dr. Cambone, based on your answers to the policy questions, you state that with much of our military based inside the United States and our role in protecting the Nation, there are likely to be many areas of common concern and potentially coordinated action with the Department of Homeland Security.

When George Tenet appeared before this committee 2 weeks ago, I asked him about the need to ensure that the new Terrorist Threat Integration Center (TTIC) directs proper intelligence to local and State law enforcement agencies. This is one of our continuing problems, and it is something that I am sure will never be resolved satisfactorily to all parties involved. But nevertheless, it is important that we have as clear an idea as possible about the type of intelligence, about the type of threats within our country that you will be sharing with the TTIC, and how that intelligence will flow to local officials.

If you could, would you briefly describe the state of play and the thinking about how that is going to work?

Dr. CAMBONE. Yes, I would. There are two, at least two dimensions in which the Department will interact at the State and local level. One has to do with the relationship of the base commanders, they in turn working through the command that we set up in Northern Command, will do what is called antiterrorism force protection activities; that is, the physical security of the installations.

That implies an interaction with the local authorities that assure that communications are properly done, information is shared. If there are people who are observed outside the fences of these installations, that information is often shared. Daily there are reports on the sharing of information between our people and the law enforcement people in the communities.

The TTIC, as it is called, is designed to enable the flow of broader information, intelligence, data, back out to those who need it, to include local and State officials. The key to this is going to be—and I must say it is in its very early stages, and I have not been involved in the detail of its construction to separate the information from the sources of the information. That is something that we need to learn to do.

It is unfortunate that we oftentimes lend the credibility of the information to the source. So, therefore, you tend to send the sourcing along with the information as a way of validating the information. But once you have done that, of course, you cannot disseminate the information very far because you put the source at risk. So one of the interesting cultural changes we are about to undergo, and have begun is to separate the collection from the analysis. If we can learn to do that, and they are struggling to learn to do it, I think then that flow of information will be a lot easier.

Now, that all has to be coordinated through Governor Ridge's people at the Department of Homeland Security. They are the ones who are charged with the lead. But the Secretary has made it plain that we are to be very active in this effort.

Senator CLINTON. Thank you.

Chairman WARNER. Thank you very much, Senator.

The Chair is going to remain throughout the hearing, obviously, so if I can accommodate other Senators. I will ask a few questions now, and then we will go through another round. This will be my first opportunity.

First, Dr. Cambone, Senator Levin in his questions correctly asked about concerns raised by some that the position for which you are recommended has been viewed by some as a challenge to the DCI. I think we ought to have in the record the views of Director Tenet. I think it is important that if you know them, just to articulate and summarize them.

Dr. CAMBONE. I do not have with me the detail of his statement to you. But it came in broadly in two directions in my conversations with the DCI, so let me talk there: First, it will enable his community management staff and others within the Intelligence Community, essentially to have a single point of reference with the Department for the purposes both of aiding and assisting the Intelligence Community in its activities and to better enable the collection of intelligence and the management of the intelligence agencies within the Department.

The second is, if you will, a more technical issue of concern to the DCI, but one that we are attentive to. That is a better association between the, if you will, lower level tactical intelligence collection that is done by the Department of Defense with aircraft, J–STARS, AWACS, the P–3s. There is an awful lot of information that we collect as an ordinary part of our everyday activity that does not seem to find its way back into the collective Intelligence Community.

One of the things we need to do is to assure that that takes place, because there is a great deal of valuable information there for the national community that they do not oftentimes have access to.

So I think the DCI is keen on getting that part of the relationship better established, in order that when he sits down to think about the national foreign intelligence program, he can better calibrate what it is he needs, where he is likely to get support from Defense and, therefore, how he can better distribute his resources which are always finite, over the wide array of concerns and problems that he faces every day.

Lastly, there is a relationship that has been long established between the Director of Central Intelligence and the Secretary of Defense, in which they meet in an executive committee arrangement. The Department of Defense has not had the proper staffing functions within it to implement the decisions that are taken there. So the Secretary of Defense is compelled to make a series of telephone calls after a meeting to assure that things happen, whereas Mr. Tenet returns home and turns to his director of community management.

So the Secretary of Defense now will have within the Department a staff organization that can receive those decisions and get them implemented and move us in the direction we need to go.

So I think those are, in my conversations with Mr. Tenet, the kinds of advantages that he expects to see coming from this.

Chairman WARNER. What will be the exact relationship between your post and the defense intelligence agencies?

Dr. CAMBONE. There are within the Department of Defense a number of intelligence agencies, to include the DIA, the National Imagery and Mapping Agency, the National Security Agency, the National Reconnaissance Office. They, being with the Department of Defense, are subject to the Secretary's guidance and authority but they are, at the same time, elements of the national Intelligence Community, and so they are in that capacity responsive to the Director of Central Intelligence.

When they are operating with the Department of Defense and particularly as we are now at war, those agencies serve as combat support agencies. They actually send people to the combatant commands where they supply them with the daily information that is needed for those combatant commanders to execute their missions.

So the expectation of the Secretary is that this Under Secretary will assure that those agencies, when operating as combat support agencies, are making full use of the information that is available, that they get to the combatant commanders the information that they need, that they get it to them in a format that is useful, that encourages the attention to what we in the Department have taken to calling "predictive intelligence."

Most intelligence work—I am sorry Senator Levin is not here, because this is one of those differences in perspective—has historically been trying to pick needles out of haystacks. I mean, you tend to look at the haystack and you turn it around and you wonder if there is anything in there that is important. Or you know there is a needle in there, and you try to go and find it.

What we are trying to get to is the point where we can move information and intelligence rapidly enough that our combatant commanders can begin to predict how a battle might unfold, what an adversary may do in order that our combatant commanders can be in a position to thwart those actions and to overwhelm the enemy. So in a combat support role, there are those kinds of changes in emphasis and approach that need to be done.

In terms of the contribution of these agencies to the national community, I think he expects that through this office, we will be able to give to the DCI a coherent understanding of what we believe in the Department is going to be necessary in the way of technical capability, manning, the skill sets of the members of those de-

fense agencies, in order to be able to support the things that we do, and then—that is one; and two, then, to rationalize those recommendations by the Department of Defense for a particular kind of signals intelligence capability, for example, over against those things that the DCI knows that he will need in order to be able to execute the missions that he has.

So there is a rationalization process, a distribution of resources then that has to be undertaken. So those are the kinds of functions that will be done by this Under Secretary relative to those defense intelligence agencies which are within the Department.

Chairman WARNER. Their reporting chain, the directors of the defense intelligence agencies, will they report through you to the Secretary, or how will that chain go?

Dr. CAMBONE. They report to the Secretary of Defense, sir.

Chairman WARNER. So there is no chain broken there.

Dr. CAMBONE. Not in the way that you are suggesting, which is that the chain of command would alter. As combat support agencies, the chain of command goes from the President to the Secretary to the Commander. The role for the Under Secretary is again to facilitate that activity. It is to make sure that on a day-to-day basis that communication is kept up, that the opportunities or interaction between the two are maintained, and to do the kind of staff functions that are necessary to ensure the smooth functioning of those organizations and their relationship with the Secretary.

Chairman WARNER. Thank you. I will return with further questions.

Mr. Woodley, it is essential that the President fully utilize all resources available for homeland defense and the war on terrorism. The Corps historically has played an important role in protecting the Nation's navigable waterways. What are your views about the Corps and how they might enhance their approach to the mission of that infrastructure?

I just want to further amplify this question.

I am sure that you are pleased that Ann Loomis is here today. She has been my chief of legislation for a number of years and has established an extraordinary, incredible reputation in the field in which you are about to enter, hopefully, with confirmation. I am going to read a little document that I asked her just a few minutes ago to prepare for me.

The maintenance of our Nation's navigable channels at major ports is critical to moving American goods and agricultural projects around the world. These channels with sufficient depths are also critical for ensuring the movement of our Armed Forces.

So my point is that the Corps' civil works mission is also essential to our military preparedness, or responsiveness and, indeed, America's economy. For example, today in the Hampton Roads Channel, carrier battle group departures on return to the Norfolk Naval Base depend on the high tide and coordination with the scheduled commercial vessels.

What are your views on the Corps' navigation mission and its relationship between the military requirements as well as our economic requirements?

Give me a short answer because this is going to require you to develop a longer response for the record.

Mr. WOODLEY. I am glad you mentioned the Port of Hampton Roads because——

Chairman WARNER. There was no doubt that that was going to be mentioned in the course of this day. [Laughter.]

Mr. WOODLEY. You are aware of the work we have done and the Commonwealth, and the Governor of the Commonwealth to ensure the viability of that port as a national security asset and as a commercial and trade asset. I believe it is and will remain one of the premiere port and transportation intermodal facilities on the east coast.

To the extent that the Corps of Engineers has a role, and I know very well that it has a great role, then the Corps of Engineers will continue to maintain that function and find ways to enhance it as it has in the past. I think it is a shining example of the ways in which the Corps of Engineers has contributed for 200 years to the security and well-being of our Nation.

Chairman WARNER. Now, for Ambassador Brooks. Where today do you see the stockpile stewardship program? I have followed this issue for these many years that I have been privileged to be here. The amount of funds that have gone into that are absolutely enormous. Where are we today on that curve between, of course, the start-up of that project, and where it has gotten to where it is first beginning to give us some results and where it is contemplated it will finally reach its plateau so that, hopefully, it more than fully provides the facts that were once provided by actual testing?

Ambassador BROOKS. Mr. Chairman, we are, I think, on schedule. The Nuclear Ignition Facility, which is one of the big tools, will actually start performing experiments that are directly relevant to the stockpile next year. We continue, of course, with a robust program of sub-critical experiments.

I had the opportunity to tour the Atlas and Jasper facilities in Nevada about 3 weeks ago. The progress there is good. We are moving steadily along in understanding the use of these very large-scale computers, and beginning to do calculations that are directly relevant to the stockpile stewardship program there.

Some of these programs, however, are not going to ultimately be finished until the end of the decade. The approach used for the National Ignition Facility, for example, which ultimately will have 196 beams, is to start doing experiments when you have enough beams to do them, but we will not be ready for the full experiments until later in the decade. I think that we will see over the next several years more and more data coming out from these programs which will increase our overall confidence in the stockpile. So I am confident that the program is on schedule. At the moment, we do not have any particular problems with the program. I mean, these are large, complex projects so there are always issues.

Chairman WARNER. It is awesome, the amount of computers involved. Try once again to show me: Where are we on the curve between start-up of this program many years ago, and the projected date at which it has reached its full capacity to provide the facts necessary to give verification to the reliability of our stockpile?

Ambassador BROOKS. I am not absolutely sure that I can give you a meaningful point using that analogy. I think we are several years away from having all of the tools that we believe are necessary completed. I think we are on the schedule that we expected.

I would be wary of misleading you if I tried to say that we have 70 percent of the date, sir. I would be happy to give you a more considered response for the record. But I do not—these are extraordinarily important things——

Chairman WARNER. Please think it through because——

Ambassador BROOKS.—and I do not want to shoot from the hip.

Chairman WARNER. Yes. To the layman, there is an assumption out there that our stockpile is credible. Our President periodically makes public his determination that it is credible through the reports that you and others provide. But given that the program that we have deemed the national nuclear stockpile stewardship program was yet to be completed, there comes a time when the aging process of just the raw materials and hand-made weapons themselves, that it crosses a line that we have to make that difficult decision: Had we better not quickly go to the actual testing until the stockpile has fully reached its optimal point?

Ambassador BROOKS. I think the right way, or the way I think of it at least, is that you use all of the tools that you have.

Chairman WARNER. Right now we do not have the tools.

Ambassador BROOKS. We do not have all of the tools yet that we are going to have. But all of the tools that we do have and all of the scientific judgment that we have and all of the data that we have tells us that the stockpile is currently reliable.

Chairman WARNER. I am not trying to impugn in any way your clear statement to that effect in the hearing.

Ambassador BROOKS. Yes, sir.

Chairman WARNER. I am looking out in the out-years. You have said I think in response to a very good question by Senator Inhofe that: "There may come a time when I have to come to the Congress of the United States and advise you of the progress or lack of progress of the stewardship program," because of difficulty of overcoming the most complex of challenges technically. We better resort temporarily to some testing to make sure we are going to be all right.

Ambassador BROOKS. Yes, sir. What I am trying to portray to you is a little bit of a race. As the uncertainties broaden because we are farther and farther from actual testing, so the capability of the tools increases. Assuming that we keep the capabilities of the tools and the laws of physics do not just actually surprise us, then I think we will continue to have confidence for the foreseeable future that we do not need to test.

But I do want to make the point that the history of the nuclear weapons program is replete with physical facts that we did not know until we knew them.

Chairman WARNER. Right.

Ambassador BROOKS. So if something comes up, then we could be in trouble sooner, but I do not see it right now.

Chairman WARNER. All right. We are going to ask for Senator Levin to take another round.

Senator LEVIN. Thank you, Mr. Chairman.

Dr. Cambone, I want to go back to this intelligence team that has been established by the Under Secretary of Defense for Policy to find out: What is the relationship between that team and your new office; as well as asking, I guess, the more fundamental question as to whether it is appropriate for that kind of intelligence analysis to be performed by personnel outside of the intelligence agencies whose job it is to perform the analysis? Why are we having an intelligence analysis capability in a policy shop?

Dr. CAMBONE. I will tell you what I understand of it. That is that there were a series of reports that had been produced by one or another of the various groups, intelligence agencies throughout the government. The Under Secretary for Policy wanted to take them and array them and ask, "What do they say? Let us look at all of them," and then compare the information and the analysis in those reports against the kind of information that is provided to him, by the way, on a routine basis. He is a consumer of unfinished intelligence. He is briefed every morning by the intelligence agencies.

So as a knowledgeable consumer, he then put together a handful of people to assist him in going through that information. They were not—in the way that one might use the term "technically," they were not intelligence analysts. Two of them, I believe, have had experience in the Intelligence Community. I do not remember their status. I think one was retired, and one had moved on from that position. Then there were one or two others who were assisting them with the paperwork. It was a way of putting together a better understanding for the Under Secretary about what all of this information meant.

Having gone through that drill, they then went out and met with the analysts at the agency and sat down and talked through with them sort of on: Where did the information come from? What is the meaning if we express it this way as opposed to that way? Does this information square with what you had?

It is my experience more than once that analysts on the same subject in different parts of an agency do not have the same information.

That conversation went on for the better part of an hour or two, and they left, again from my understanding, with an appreciation on the part of the analysts at the agency for their interest and their perspective on the data and the information. Now, did they in the end agree on all of the particulars? Again, having not been part of it, I do not know. I can almost assure you, however, that the answer is no, they did not agree on all of the particulars.

Senator LEVIN. I am trying to figure out: What is the role of that group compared to what you are going to be doing now?

Dr. CAMBONE. I wanted to get that square first.

The second is that they would not be a part of—that group as it was constituted would not have been—let me back up. If there had been a desire by the Under Secretary for Policy for a closer look at some of the information that had been provided, I would expect, once this office stands up and if I am confirmed by the Senate, that he would come to me and say, "Can we take a closer look at this? What is the view across the broader Intelligence Community activity? Why are they thinking these things?" Then we would, as I said earlier, facilitate that kind of conversation.

Senator LEVIN. Which means it is really the role of your office?

Dr. CAMBONE. I think in the end that will be true. But I do not want to——

Senator LEVIN. Are his handful of folks going to stay in place?

Dr. CAMBONE. I do not know that, sir. If you mean will they be—is he going to keep that function going when—I do not know the answer to that.

Senator LEVIN. He is going to ask you to perform it, hopefully?

Dr. CAMBONE. I would hope so. I think that is the intent, sir.

Senator LEVIN. I guess we will have to ask him. But I think we should ask for the record, to avoid any kind of sloppiness and duplication, fuzziness, lack of accountability, that we ask that question of Mr. Feith.

Chairman WARNER. I support you in that because it sounds like he would come and task you with responding to his need.

Dr. CAMBONE. I would think that would be the way that it would work.

Chairman WARNER. We ought to have that clarified, and the Senator is correct.

Senator LEVIN. We could ask Mr. Feith.

Dr. CAMBONE. But I do want to underscore, Senator Levin, that all of the consumers—and I think it is as true within the Department of Defense as it is elsewhere—to engage in a very active conversation with the analysts and the agencies.

Senator LEVIN. I would hope so.

Dr. CAMBONE. As I said earlier, it goes a long way to improving the understanding on both sides.

Senator LEVIN. Yes. I would hope they would have active conversations, but that is different from duplicating a function.

Dr. CAMBONE. Yes, sir.

Senator LEVIN. You made reference to remodeling the defense intelligence——

Dr. CAMBONE. Yes, sir.

Senator LEVIN.—in response to the committee's pre-hearing policy questions. I am wondering what kind of remodeling you have in mind.

Dr. CAMBONE. They are in the two main broad areas, sir, that I think we have to focus some attention on. One is the association of what the Department does for its operational and tactical level intelligence work, the P–3s and the Global Hawks and the kinds of things that we operate for the express purpose of supporting our combatant commanders and their subordinate commands.

Those units, those activities collect an awful lot of information that is useful to the national Intelligence Community. There has not been a good process for moving that information into the national domain and permitting the Intelligence Community analysts to factor that information into their datasets, first. Second, it does not really give the DCI a sense of how he might distribute his own resources in the National Foreign Intelligence Program, relative to what he knows he could get if he had a coordinated program at the operational and tactical level with the Department. So that is one.

The second is that we really have to step back a bit from our current efforts to support the war and the current needs of the Department of Homeland Security, Department of Justice, and the

FBI, and ask ourselves in some detail, "In 2018, in 2020, what are going to be the tasks of the Intelligence Community," not as a broad statement that "I need to know what leadership in one country or another is doing." But "what are the tasks? What are going to be the targets? Where do you have to go to get that information? What are going to be the obstacles to getting it?"

We know that our adversaries have found ways to deceive and deny us, to bury their facilities and activities underground, that they have learned how to bury their activities within cyberspace. So what are going to be the obstacles to getting the information that we want to have? What is the capability we have today against those expectations? Then how do we remedy those shortfalls?

It is when you get to the end of that chain and you say, "How are we going to remedy it," that you come to, I think, the view that an arrangement in which we allow for intelligence reporting to be done up very distinct chains where the information only comes together at the top—oftentimes, if I may say so, in the office of the consumer, that is not going to be adequate. We need to think through organizational relationships so that there is more sharing across those agencies and activities. So that is one.

The second is that the way that we employ our assets, whether they be technical or human, has to be thought through again. What we have is a set of parts that are all used independently of one another frequently. I believe that if we learn how to use them in concert as a single system, we will find that we are not only more efficient but that we are capable of learning things that we before had not been able to discover.

Lastly, we have to think then about the actual technical performance of those assets. What kind of signals? What kind of imagery? What kind of human—how do we have to equip our human intelligence assets so that they can get the information they need and transport it?

The world is changing rapidly. The technology is changing faster. The assets we have in hand today were designed 10 and 15 years ago. Whether they will be adequate to our needs 10 or 15 years from now is, I think, a question we have to pursue with a great deal of vigor and, based on the conclusions we come to, remodel the community then in terms of its technical capability, in terms of the way in which we use those technical capabilities, and then in the way that we organize and present the information so that a future President, a future Congress, a future Secretary of Defense has information that is appropriate to his circumstances and it is not information that is presented as a consequence of the way we are organized, and as a result of the technical performance of our systems.

Senator LEVIN. A few more questions if I may?

Chairman WARNER. Please.

Senator LEVIN. All right. Ambassador Brooks, let me ask you a few questions. Is there currently a requirement for a new nuclear weapon?

Ambassador BROOKS. No, sir.

Senator LEVIN. Is there a requirement now to repeal the prohibition on research, engineering, and development of a small, below-5-kiloton nuclear weapon?

Ambassador BROOKS. The administration is looking at that question. My personal view is that anything that inhibits thinking about the future should be looked at skeptically. But the administration has not made a decision yet on that specifically.

Senator LEVIN. As to whether or not to develop it?

Ambassador BROOKS. No, sir. There is no requirement——

Senator LEVIN. Are you looking skeptically at any restriction on the development, or just on the research or what?

Ambassador BROOKS. The question of development is a policy question, and I respond to military requirements from the Department of Defense as approved by the President.

The question of maintaining the intellectual capability at the labs is part of my responsibility. I believe that you maintain intellectual capability by working on real things, and that placing limits around what you can think about in general—I am skeptical of the wisdom of things that do that, sir.

Senator LEVIN. So you are talking about being skeptical of prohibitions on research and thinking.

Ambassador BROOKS. Yes, sir, I am.

Senator LEVIN. Okay. Is there, or do you know whether or not there has been a decision to proceed with the robust nuclear earth penetrator?

Ambassador BROOKS. To proceed with the study, yes. To proceed with a weapon, no, sir. There is not even an issue to be decided. The study is to talk about what might be done if we were to decide sometime in the future to do it.

But as soon as the Department of Defense submits the congressionally-mandated report, which I expect will come within the next week or two, my understanding of the law is that I am then authorized to take the money that was appropriated in the fiscal year 2003 appropriations act and start thinking through what might be done. But I want to distinguish it very carefully with proceeding to understand the technical implications, and proceeding with a decision to actually develop or deploy something. We are nowhere near the latter decision.

Senator LEVIN. All right. The National Nuclear Security Administration budget for 2004 requests $6 million for "advanced concepts."

Ambassador BROOKS. Yes, sir.

Senator LEVIN. What are "advanced concepts?" What kind of projects are we talking about?

Ambassador BROOKS. We are still discussing the specifics with the Department of Defense, the national labs, and the military community. We had a formal meeting to start that discussion in December.

What happens at those meetings is: The military community looks at concepts that they might—I want to emphasize the word "might"—find useful. Then the idea of this is for us to go and get an understanding of: Could that be done at all? Could it be done without testing? Could it be done with an adaptation of the existing weapons?

The kinds of concepts that often come up are improved concepts in safety and security, tailored effects, electromagnetic pulse, reduced radiation. So we are in the early stages of deciding exactly which of those possible things we will look at, but the idea would be to try and understand at a somewhat deeper level than we do now what might be technically available if there were formal military requirements in the past—in the future.

Senator LEVIN. Have you ever talked with representatives of other countries that are considering the development of nuclear weapons, trying to persuade them not to do it, at the same time that we are looking at advanced concepts for nuclear weapons? Have you ever been engaged in a conversation with a country that says, "You folks are still talking about possible testing. You are talking about new concepts, new weapons, and you are trying to talk us into signing a nonproliferation treaty"? Have you ever had that kind of conversation?

Ambassador BROOKS. I have not personally had that kind of conversation. My experience is that just as, to be candid, I tend to focus on what I think might be necessary to meet our own requirements, that other countries do, too.

I do not, however, believe that the things that we are doing—and I need to make this very clear, both my personal position and my understanding of the administration's position. We are not planning or considering a return to nuclear testing. We are maintaining a capability if we have to do that in the future. We are not planning, developing new nuclear weapons. We are maintaining the design expertise at the laboratories and trying to understand what the law of physics will allow if we are allowed to do it in the future.

So I think with that caveat, I would be prepared to have that debate with other countries, but I have not personally done it.

Senator LEVIN. One last question, Mr. Chairman.

Chairman WARNER. Yes.

Senator LEVIN. Do you support efforts to move where possible, using our dollars, to secure fissile materials that are, in addition to the former Soviet Union, in other places as well?

Ambassador BROOKS. Yes, sir. Once again, the programs that I administer are all cooperative programs, and so the first prerequisite is to find people who have a lot of fissile material, need our financial help, and are willing to offer it, because where we use the American taxpayers' dollars is important. Right now that pretty much means the former Soviet Union. But in principle, I am in favor of securing fissionable material anywhere it exists in the world.

Senator LEVIN. Thank you.

Thank you, Mr. Chairman.

Chairman WARNER. As a follow up to that important question, what is your professional understanding of the sensitivity between ourselves and the Russian government with regard to our participation in their nonproliferation programs and access to some of their sites, allegedly this material that should be carefully monitored?

Ambassador BROOKS. I think at the very highest levels of the Russian government there is strong support for our cooperative programs. I think at the working level, when you get to the actual

sites and to people whose responsibilities are to protect it, they welcome our cooperative program. I think in the middle, there is a bureaucracy and the FSB, the Federal Security Service, that still has trouble in believing we are really there to help rather than to gather intelligence.

So we have a continued challenge to get the appropriate access. By and large, in the programs that I administer, we have done well. We have had very good access in the Ministry of Atomic Energy sites. We have had very good access for the Russian Navy sites. I cannot speak for the Defense Department's access, but they also have had good cooperation.

As we finish and get down to the most sensitive facilities, we are going to see more resistance to U.S. access, and we are just going to have to continue to work with the Russian Federation. I am extraordinarily helped in that by the strong working relationship Secretary Abraham has with his Russian counterpart. So I think that we are doing well on access, but I do not want to mislead the committee into suggesting that everything is rosy. There are still a lot of people in Russia for whom the Cold War is not over, and we just have to work through that.

Chairman WARNER. Dr. Cambone, we have all heard stories of the terrorists using internet bulletin boards, cryptic messages, newspapers, and similar methods to communicate. Most defense intelligence analysts depend on U.S. and trusted allied intelligence censors and collectors for their information.

What role can open source information play in the defense arena? In your view, are we putting enough resources against that area?

Dr. CAMBONE. Open source information can be enormously valuable. I think the short answer is no, we do not put enough of our resources against that. The Foreign Broadcast Information Service which was once a—did an awful lot of work in collecting and finding open source material, is a smaller organization than it once was.

So, no, we have to put more emphasis on that, if for no other reason than to begin to give us some contextual understanding of what is taking place in the countries of interest to us, first.

Second, the technical journals are interesting sources of information on technical development. I will give you an example. When I was working on the Space Commission, we were concerned about the security of our space assets. We took that issue to the analytic community and the Intelligence Community, and they were interested but not as concerned, until we showed them the website for an organization at the University of Surrey in the U.K. which had a legitimate business essentially on the side in which they produced and operated micro satellites.

You sort of take that—if you just take the screen print and you say: Now, if the University of Surrey is engaged in this process—and by the way, one of the countries they list as a customer has entities in the People's Republic of China and elsewhere—does that give you some sense that relevant technology is readily available and that maybe space assets are prey to this kind of technology?

In the time since, I can assure you there has been increased interest and a different approach being taken within that community on that subject.

Senator Levin, if I may, that is another example of a different perspective on a problem. It is not that I knew anything more than they did about what was taking place in the world, other than I came across a piece of information which, when put into the puzzle, made you see it a little differently.

So as an example to the importance of open source information, I think that is a very good example.

Chairman WARNER. Let us talk a little bit about the private sector. U.S. commercial businesses have developed extraordinary capabilities over the past several years especially in the areas of imagery from space, encryption detection, data mining, and data visualization. Will you access, as best you can, all of those talents?

Dr. CAMBONE. Yes, sir. We certainly will. As you may know, in my current and previous position, I have been a very strong proponent of the use of commercial imagery. In my current position, in the budget that we have submitted for your consideration, there is a tremendous amount of resources, dollars, put against exploiting that contemporary technology in order to create that kind of horizontal integration that we need across the agencies.

Chairman WARNER. Now, my last question gets down to the real world, floods. Mr. Woodley, as we were returning from our trip, one of our colleagues was really deeply moved and concerned about some flooding in his State. I was quite impressed with the sincerity of his concern on that question.

Experience with natural disasters has shown that in a typical year the Corps responds to more than 30 Presidential disaster declarations, plus numerous State and local emergencies. Additionally, the Corps' flood control efforts include the maintenance and operation of 383 major dams.

Given the competing mission areas for the Corps of Engineers, how do you envision that this important responsibility be carried out in the future?

Mr. WOODLEY. Mr. Chairman, the maintenance of the civil works infrastructure, including the flood control infrastructure, is perhaps the greatest challenge facing the Corps of Engineers. It would be a very high priority for me, if confirmed. The work that is being done and the research that is being done in this area by the Corps of Engineers, I believe it is fair to say is second to none in the world.

There are a lot of innovative ideas that are coming forward in this arena that do not necessarily depend on the hard structures which have been the mainstay in the past, and there is a great deal of very forward-looking thinking on hydrology, and that is sponsored by the Corps of Engineers. I can tell you that, if confirmed, that would be something that we would continue and I hope that we would be able to enhance.

Chairman WARNER. These are very important hearings, and the responses to our questions I think have been quite satisfactory and very accurate. But there are more questions to be asked of each of the nominees. So Senator Levin and I will, on both sides of the

committee, endeavor to collect these questions and send them to you and ask for your earliest and most prompt acknowledgment.

Other than that, I thank, first of all, the young people who have joined us and withstood the test of time, and hopefully have——

Senator LEVIN. Which means staying awake, if I could just say.

Chairman WARNER. Oh, yes. [Laughter.]

They have increased their knowledge.

I join with all members of this committee in commending each of you for the recognition for your appointments by the President of the United States, to these very key and important positions. I would hope that the Senate will act expeditiously. I know my colleague and I will work to see that our committee does so, and then we will have the responsibility to work with other Senators on the floor to move these nominations ahead.

Senator LEVIN. We only foresee that one of you will have your nomination filibustered. But I am going to keep you guessing as to which one of the three that is. [Laughter.]

Chairman WARNER. Watch out for the floods, my fellow. [Laughter.]

Senator LEVIN. In other words, all three of you may be.

Chairman WARNER. That is right. [Laughter.]

Good luck, and we thank again the families for joining us.

We are adjourned.

[Whereupon, at 11:29 a.m., the committee adjourned.]

[Prepared questions submitted to Dr. Stephen A. Cambone by Senator Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than a decade has passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms.

Do you support full implementation of these defense reforms?

Answer. I fully support the implementation of the reforms.

Question. What is your view of the extent to which these defense reforms have been implemented?

Answer. The reforms called for by the Goldwater-Nichols Act have been widely implemented.

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. From my point of view, the most important aspects include the clear responsibility, authority, and accountability given the combatant commanders for mission accomplishment; the increased attention to the formulation of strategy and contingency planning; and the creation of a strong, direct, and unambiguous chain of command.

Question. The goals of Congress in enacting these defense reforms, as reflected in Section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. Yes, I support the goals of Congress in enacting the reforms of the Goldwater-Nichols legislation and, if confirmed, will support their continuing implementation.

DUTIES

Question. What is your understanding of the duties and functions of the Under Secretary of Defense for Intelligence?

Answer. My understanding is that, if confirmed, my primary responsibility will be to assist the Secretary of Defense in discharging his intelligence-related responsibilities under Title 10 and Title 50 U.S.C.:

- to serve as the principal adviser to the Secretary of Defense and, at his direction, to exercise authority, direction, and control of intelligence organizations within the Defense Department to ensure that they are manned, trained, equipped, and organized to support the missions of the Department;
- to serve as the principal adviser to the Secretary of Defense in the discharge of his responsibility to ensure that defense intelligence organizations that are elements of the national Intelligence Community are responsive to the Director of Central Intelligence (DCI) in the execution of the DCI's authorities;
- to support the Secretary of Defense in his role as the DCI's counterpart in the Intelligence Community Executive Committee.

Other responsibilities of the USD/I are to ensure, at the direction of the Secretary of Defense, that:

- the intelligence agencies within the Department are able to provide effective and timely support in response to tasking by the Director of Central Intelligence;
- the Chairman and other members of the Joint Chiefs of Staff and combatant forces are provided with the intelligence and related support needed to discharge their responsibilities;
- the senior leadership of the Department, civilian and uniformed, is provided information needed to make decisions affecting long-term capabilities of U.S. forces, including development of weapons systems, posture, basing, deployment and employment;
- information—including tactical information—useful to defense intelligence consumers, and to other users identified by the DCI, is collected, analyzed, and distributed by defense intelligence organizations in a timely fashion and in formats appropriate to users' needs;
- the conduct of counterintelligence operations is overseen to defend the security of defense personnel, facilities, processes, information, and systems, to include computer and network-based systems;
- recommendations are made to the Secretary of Defense and the Department's intelligence and intelligence-related policy, plans, programs, requirements, and resource allocations are coordinated, to include preparation of Joint Military Intelligence Program and Tactical Intelligence and Related Activities budgets as well as DOD activities included by the DCI in his submission to Congress of the NFIP.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. If confirmed, I believe my past experience qualifies me to perform the duties of USD/I. I was a consumer of intelligence while serving on the staff of the Director, Los Alamos National Laboratory in the early 1980s and as the Director of Strategic Defense Policy in the Office of the Secretary of Defense in the early 1990s. I served as Staff Director for two Congressional commissions—The Commission to Assess the Ballistic Missile Threat to the United States (1998) and The Commission to Assess United States National Security Space Management and Organization (2000). This collective experience has provided me a broad foundation of knowledge on the collection, analysis, and production of intelligence, as well as the organization, technical capabilities, and operations of the Intelligence Community.

The positions I have occupied in the Department since January of 2001—the Special Assistant to the Secretary of Defense and to the Deputy Secretary of Defense; Principal Deputy to the Under Secretary of Defense for Policy; and now as Director, Program Analysis and Evaluation—have given me day-to-day experience with defense intelligence as well as the broader Intelligence Community both as a consumer and in preparation of policy and programmatic guidance. For example, in my current position, I have been actively engaged in the development of elements of the fiscal year 2004 budgets for the National Foreign Intelligence Program, the Joint Military Intelligence Program and the Tactical Intelligence and Related Activities aggregate.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Under Secretary of Defense for Intelligence?

Answer. If confirmed, the single most important action will be to rely on and appoint individuals from throughout the DOD and the Intelligence Community who are highly skilled and experienced in intelligence and in intelligence resource management and acquisition, operations, and policy to positions of responsibility and authority within the OUSD/I. They will be critical to the tasks of identifying information resident in the Intelligence Community of interest to defense users and finding ways to ensure the timely delivery of that information.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If I am confirmed, I expect that I will:

- Work closely with the DCI and his Community Management Staff to ensure that there is no misunderstanding between the Secretary of Defense and the DCI on intelligence matters of high importance and consequence to the Nation, on the development of intelligence-related policies, plans, programs, requirements, and resource allocations and in the day-to-day management of intelligence;
- Recommend to the Secretary of Defense policies, plans, and intelligence requirements related to the execution of contingency operations and preparation of deliberate plans by combatant commanders;
- Assist the Secretary of Defense and other senior defense officials in reducing the likelihood of surprise by remodeling the defense intelligence culture and capabilities to continue the efforts within defense intelligence to be more responsive to its users, quicker to identify emerging threats, and enabled to employ the most efficient information management systems;
- Ensure that defense activities of the Department that may support national intelligence efforts are transparent to the DCI so that he can build the National Foreign Intelligence Program with the full knowledge of the potential contribution of these activities to support his requirements;
- Oversee execution of defense intelligence resources;
- Consult, and coordinate as required, with other DOD elements to ensure that defense intelligence and NFIP activities are not unintentionally duplicative of other DOD activities;
- Work closely with Congress in the remodeling of defense intelligence.

RELATIONSHIPS

Question. In carrying out your duties, how will you work with the following:

The Secretary of Defense

Answer.

- If confirmed, I would serve as his principal adviser on matters related to intelligence in the conduct of his responsibilities under Title 10 and Title 50 U.S.C. to provide authority, direction, and control over intelligence capabilities of the DOD, including those DOD agencies and elements considered part of the national Intelligence Community.
- Exercise, at the direction of the Secretary of Defense, authority, direction, and control over DOD intelligence activities.

The Deputy Secretary of Defense

- If confirmed, I would work with the Deputy Secretary of Defense (as alter ego of the Secretary of Defense) as his principal adviser on matters related to intelligence in the conduct of his responsibilities under Title 10 and Title 50 U.S.C. to provide authority, direction, and control over intelligence capabilities of the DOD, to include those DOD agencies and elements considered part of the national Intelligence Community.
- I would assist the Deputy Secretary of Defense on the discharge of any responsibilities related to intelligence delegated to him by the Secretary of Defense, to include planning, programming, and budgeting responsibilities.

The Under Secretaries of Defense

USD/AT&L

- In recommending policy, plans, programs, requirements, and resource allocations for DOD intelligence and intelligence-related activities, I would consult, and coordinate as required, with USD/AT&L on programs and requirements for intelligence and intelligence-related systems acquired by DOD. Coordination would include any offices to which USD/AT&L may have delegated authority, e.g., the Under Secretary of the Air Force, who is the DOD Executive Agent for Space.

- In addition, I would ensure the timely delivery of intelligence information to USD/AT&L to permit him to adjust, as appropriate, DOD S&T, RDT&E and procurement in response to extant or emerging threats.

USD/Policy

- If confirmed, in recommending policy, plans, programs, requirements, and resource allocations for DOD intelligence and intelligence-related activities, I would consult, and coordinate as required, with USD/P to ensure DOD-related intelligence activity supports the goals, objectives, and policies of the national security strategy of the United States and of the defense strategy and policy of the DOD, the deliberate and contingency plans of the combatant commanders, and the operational activities of those commanders.
- I would ensure timely delivery of intelligence information to USD/P to permit him to propose changes to the policy, strategy, plans, structure, posture, deployment, or employment of U.S. military forces and to anticipate emerging challenges and threats.
- I would support USD/P, as required, in the discharge of his responsibilities as DOD's representative within the interagency process and in his interactions with allied, friendly, and other governments.

USD/Comptroller

- If confirmed, in recommending policy, plans, programs, requirements, and resource allocations for DOD intelligence and intelligence-related activities, I would consult, and coordinate as required, with USD/C on preparation of the DOD program and budget for its intelligence and intelligence-related activities, including preparation of those DOD items contained within the NFIP.
- I would work with USD/C to ensure, on behalf of the DCI and DOD intelligence activities, the prompt and proper distribution of funds by USD/C in support of those activities.

USD/Personnel & Readiness

- If confirmed, in recommending policy, plans, programs, requirements, and resource allocations for DOD intelligence and intelligence-related activities, I would consult, and coordinate as required, on directives, instructions, and policies that would affect DOD personnel engaged in those activities.
- I would ensure timely delivery of intelligence information to USD/P&R to assist him in the discharge of his responsibilities for the well-being of members of the defense establishment, the readiness of U.S. forces, and the capacity of the department's health care system to meet emerging needs.

The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence

- The USD/I will have responsibility for intelligence and intelligence-related activities currently resident in C^3I.
- If confirmed, I would consult with the successor to the ASD/C3I, and coordinate with him where required, concerning information and other C^3 system requirements. ASD/C^3I will continue to have oversight responsibility for DOD-wide C^3 and computer requirements programs and budgets.
- I would provide the successor to the ASD/C^3I intelligence information in a timely fashion that will permit him to adjust defense-wide capabilities to meet emerging challenges and to support the combatant commanders, especially in time of hostilities.

The Service Secretaries and the Service Intelligence Directors

- If confirmed, I would engage the service secretaries and their directors of intelligence and intelligence-related operations in three ways:
    - On behalf of the Secretary of Defense, I would provide guidance to them with respect to policy on manning, equipping, training, and organization within their military departments that contribute either to defense-related intelligence or to the Intelligence Community.
    - On behalf of the Secretary of Defense, and in coordination with the DCI, I would provide guidance and oversight to the military departments related to intelligence activities conducted by elements of the military departments for the Intelligence Community pursuant to existing and future agreements.
    - On behalf of the Secretary of Defense, I would synchronize service intelligence agency and defense programmatic, acquisition, and doctrinal efforts to meet warfighter needs.

The General Counsel of the Department of Defense

• If confirmed, I would seek advice and coordination as appropriate of the General Counsel in the exercise of authorities by the USD/I as directed by the Secretary of Defense.

The Directors of the Defense Intelligence Agencies

• The directors of the defense intelligence agencies—e.g., the Defense Intelligence Agency, the National Security Agency, the National Reconnaissance Office, and the National Imagery and Mapping Agency—operate within the DOD and, as such, under the authority, direction, and control of the Secretary of Defense. The Secretary of Defense is responsible for ensuring these agencies and others are capable not only of performing their defense missions, but also of responding in a timely fashion to the tasking of the DCI as elements of the Intelligence Community.

• At the direction of the Secretary of Defense, who works in coordination with the DCI, the USD/I will provide the authority, direction, and control to the defense intelligence agencies to ensure they are capable of fulfilling both of the above-mentioned missions. In addition, and by direction of the Secretary of Defense, the USD/I will evaluate the performance of these agencies in their support to defense missions.

The Under Secretary of the Air Force

• The Under Secretary of the Air Force (USecAF) has been designated by the Secretary of Defense as the DOD Executive Agent for Space. The USecAF is also the Director of the NRO.

• If confirmed, I will work with the USecAF to ensure that those space and other systems for which he is responsible and which are dedicated to, or may substantially contribute to, intelligence are developed, integrated, and deployed to meet the intelligence needs of the DOD and the Intelligence Community.

The Director of Central Intelligence

• The DCI is responsible to the President for the provision of national intelligence. He has the authority to task those DOD intelligence agencies that are part of the Intelligence Community. The Secretary of Defense is charged with assuring that DOD intelligence agencies support the DCI.

• If confirmed, I would exercise authority, direction, and control of these agencies at the direction of the Secretary of Defense and would coordinate in his behalf with the DCI those policies, plans, programs, requirements and resource decisions relative to these agencies (or other DOD components and activities) to ensure the ability of the DCI to discharge his responsibilities.

• The USD/I will, at the direction of the Secretary of Defense, coordinate with the DCI concerning support from the Intelligence Community required by the DOD and support required by the DCI from the DOD.

• The USD/I will ensure the DCI has insight into and benefits from DOD tactical activities that can contribute to intelligence.

The Deputy Director of Central Intelligence for Community Management

• The staffs of the OUSD/I and DDCI/CM will ensure that the defense intelligence and national intelligence missions are coordinated on a routine basis.

• If confirmed, I will ensure that matters requiring coordination between the DCI and Secretary of Defense, e.g., policy, plans, programs, requirements, and resources, are staffed to resolve differences that might arise between their organizations. Furthermore, in coordination with the DDCI/CM, the USD/I will staff the Secretary of Defense/DCI Executive Committee meetings and oversee the implementation of direction resulting from the Intelligence Community Executive Committee.

Officials in the Department of Homeland Security with intelligence responsibilities

• If confirmed, I will consult, and coordinate as required, with the Department of Homeland Security regarding all DOD intelligence activities and any others assigned to OUSD/I in support of or supported by the Department of Homeland Security.

• I would ensure that the Department of Homeland Security is provided, via means mutually agreed upon within the interagency process, with information relevant to its mission in a timely manner to permit it to successfully discharge its responsibilities.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Under Secretary of Defense for Intelligence?

Answer. If confirmed, I believe I will have three major challenges:

- Continuing to ensure that intelligence information is provided to the senior civilian and uniformed leadership of the Department in a timely manner and in useful formats, that is predictive in character to permit them to take appropriate action to avoid surprises, mitigate surprise when it occurs, and otherwise arrange U.S. military forces to meet evolving challenges;
- Ensuring that intelligence information is provided to combatant forces in a timely manner and in formats useful to them;
- Ensuring that DOD assets are defended from attack by foreign and hostile intelligence services.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I believe the key to addressing these challenges is the organization of the OUSD/I. The Secretary of Defense has given guidance that he expects it to be "output" oriented. That is, the OUSD/I will not seek to direct the processes by which intelligence is collected, analyzed, and disseminated by the Intelligence Community. Instead, it will engage the leadership of the Intelligence Community to convey the needs of senior defense officials, civilian and uniformed, and evaluate the timeliness, relevance, and utility of the resulting product. That evaluation would be used to recommend, as appropriate, changes in policy, plans, programs, requirements, and resource allocations to meet the needs of DOD officials.

Question. What do you anticipate will be the most serious problems in the performance of the functions of the Under Secretary of Defense for Intelligence?

Answer. The most pressing challenge facing the DOD is arranging itself to operate in an environment where surprise is commonplace. Defense intelligence has an important role to play in helping to avert surprise and mitigating its effects when it occurs. Defense intelligence is critical to enabling the Department to adjust its policies, structure, posture, and capabilities and plans to operate in this environment. Those activities need to be attentive to the possibility of surprise and will need to improve its ability to warn of impending surprises.

One area in which increased attention may be needed is in the field of counterintelligence. The end of the Cold War did not reduce appreciably the efforts of hostile espionage services to target DOD activities. DOD counterintelligence efforts need both to protect DOD activities and, in collaboration and coordination with the Intelligence Community and law enforcement, work to deny and disrupt the efforts of foreign services to target the DOD.

In addition, the advent of the homeland defense and security tasks requires that DOD intelligence contribute to those tasks. In so doing, however, great care must be taken to ensure that DOD activities are fully in accord with the law and conducted under the supervision of competent authority.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, the single most important action I will take is to find, immediately, highly capable professionals to assess warning methodologies and lead the OUSD/I CI effort.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues that must be addressed by the Under Secretary of Defense for Intelligence?

Answer. If confirmed, I will establish the following priorities:

- Immediately, to ensure that combatant commanders receive the information they require, in a timely manner and useful format, to successfully conduct current operations. In addition, OUSD/I would review and, as appropriate, revise methodologies for assessing the immediacy and magnitude of threats to U.S. interests and the manner in which warnings are prepared and delivered to senior civilian and uniformed defense officials.
- In the mid-term, to address DOD counterintelligence activities to ensure a balance between the counterintelligence support managed by military departments and the counterintelligence support to force protection that is conducted, per Goldwater-Nichols, under the command of combatant commanders.

- Over the long-term, to work to remodel the DOD intelligence structure and its human and technical capabilities as part of the broader DOD effort to transform itself to meet emerging challenges of coming decades.

ASSISTANT SECRETARY OF DEFENSE FOR COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE

Question. The establishment of your position would appear to have a significant impact on the future organization of ASD/C^3I. Clearly, there is a close association between the "C^3" functions and intelligence.

How would you propose that the "C^3" functions, including information technology management, interoperability, and cybersecurity policy be integrated into the Department's overall organization?

Answer. Under a plan being developed for the Secretary of Defense, it is being proposed that the successor to the ASD/C^3I would remain a direct report to the Secretary of Defense. The successor to the ASD/C^3I would retain responsibility for the C^3 network, to include its interfaces, system applications, and information management on the network. The defense agencies and activities overseen by USD/I will be users of that network and would rely heavily on the successor to ASD/C^3I. As a result, there will be a continuous interchange between OUSD/I as a service user and the prospective C^3 as service provider.

Question. How do you anticipate that the responsibilities of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence would change once an Under Secretary of Defense for Intelligence is appointed?

Answer. Under a plan being developed for the Secretary of Defense, it is being proposed that the successor to the ASD/C^3I would focus on Department-wide information integration, on building the foundation for network-centric operations utilizing information systems and management, and on network oversight among other areas. This is an area of increasing importance to the DOD. Because DOD networks support other departments and agencies, this is an important area to the overall U.S. Government as well.

INFORMATION SUPERIORITY

Question. Many have described the major responsibility of the Assistant Secretary of Defense for Command, Control, Communications and Intelligence as "information superiority."

Which aspects of information superiority will be under the purview of the Under Secretary of Defense for Intelligence and which will remain under the ASD/C^3I?

Answer. Under a plan being developed for the Secretary of Defense, it is being proposed that the successor to the ASD/C^3I would retain responsibility for oversight of information integration and for the C^3 networks on which DOD and other U.S. Government agencies depend (to include ensuring the integrity of the information on the system).

USD/I will have oversight of the employment of those networks for operational purposes by DOD intelligence activities, the data that rides those networks, and the deconfliction of those activities with information operations conducted by DOD entities.

TERRORIST THREAT INTEGRATION CENTER

Question. In his recent State of the Union speech, President Bush announced the establishment of a new Terrorist Threat Integration Center to facilitate the fusion of information about terrorist threats from various intelligence and law enforcement agencies.

What role do you envision for the Department of Defense in this new organization?

Answer. DOD should play an important role in staffing, supporting, and deriving significant benefit from the TTIC. The new center is envisioned as the top of the analytic pyramid, a facility where all terrorist information is pulled together and then distributed, perhaps without source attribution, to those working on the front lines of confronting and defeating terrorism. DOD has offered to assist in any way appropriate to support the TTIC. DOD has examined facilities, communications, data handling systems, and training, to name just a few. As the TTIC system is further developed, DOD will be ready to plug into it in whatever manner is prescribed, while ensuring that DOD activities are fully in accord with the law and conducted under the supervision of competent authority.

Question. In your view, what has changed within defense intelligence agencies since September 11 to enable them to better share information among themselves,

within the larger Intelligence Community, and with appropriate law enforcement agencies?

Answer. The expansion of the National Counterterrorism Center, located at CIA, the FBI's Counterterrorism Division, and the standing up of the Department of Defense Joint Intelligence Task Force to Counterterrorism have demonstrably improved the sharing of information on the terrorism threat. The National Security Agency and National Imagery and Mapping Agency also have made marked improvements to their terrorism collection and reporting efforts. To highlight a significant difference, pre-September 11 information-sharing judgments often highlighted why something couldn't be shared. Today the emphasis is on figuring out how we can share the information. Every day, terrorism-related products of these organizations demonstrate that interagency cooperation and information sharing have improved significantly. The creation of the TTIC is a sign that there is room for further improvement. We should not rest until we are convinced that every stone is being turned over to root out international terrorism and defeat this threat to our peace and security.

Question. In your view, what additional changes, if any, are needed?

Answer. To the degree allowed by law and proper security, intelligence and law enforcement agencies must be able to access each other's databases. The Intelligence Community and law enforcement agencies continue to report not only what they know, but also how they know it. This "source-specific" analysis presentation has a tendency to drive up the classification levels of analytic products, emphasizes the distinctions and differences in how information is obtained, and perpetuates the sense of ownership of certain forms of information. In some cases the attribution is necessary, but in most cases it could be eliminated. The Intelligence Community should push for greater emphasis on reporting what is known about terrorist threats without specifics about how the community came by the knowledge. Greater effort is needed to inform appropriately cleared officials about what is not known.

HOMELAND DEFENSE

Question. Over the past year, with the establishment of the positions of Under Secretary of Defense for Intelligence and Assistant Secretary of Defense for Homeland Defense, the Department of Defense has been fundamentally reorganized to better address the critical homeland defense mission.

In your view, what challenges lie ahead in integrating the intelligence capabilities of the Department of Defense with those of the Department of Homeland Security and other associated Federal, State, and local agencies?

Answer. The challenge facing DOD intelligence, and other intelligence entities, is primarily cultural. Intelligence entities have developed ways and means of doing things that satisfied their own purposes and those of their primary customers. The need to integrate information for homeland defense and security requires adopting new policies and, most importantly, new cultures.

Question. Does the Department of Defense's existing requirements process adequately support the establishment of an intelligence requirement for the homeland defense mission?

Answer. The establishment of both ASD/Homeland Defense and Northern Command will bring homeland defense and security requirements into the programming and resourcing processes within DOD. The defense intelligence needs of ASD/HLD and NorthCom will be addressed through the OUSD/I.

TRANSFORMATION

Question. Secretary Rumsfeld has established transformation of the Armed Forces to meet 21st century threats as one of his highest priorities.

What is the role of intelligence in the overall transformation process?

Answer. Transformation is driven in significant ways by intelligence. The Intelligence Community provides the advance warning needed to design defense capabilities and effects-based results that can overcome future threats, to arrange the structure, posture, and deployment of U.S. forces, and to inform the deliberate and contingency planning efforts of the combatant commanders for the employment of the force.

Question. Specifically for the defense Intelligence Community, what do you believe transformation should mean?

Answer. For defense intelligence, it means developing, in coordination with the Intelligence Community as a whole, the means needed to provide "exquisite" intelligence—to know our adversaries' secrets without their knowing we know them. This is essential to avoiding surprise, especially in this era of widespread proliferation of weapons of mass destruction.

In addition, it means taking advantage of information management techniques and modern communications to provide military users with the information they require, when they require it, and in formats useful to them. It is particularly important to provide critical, near-real-time information to forces engaged in operations.

It also means closing the gap—in concept, time, and cultures—between intelligence and military operations. To do so is to enable a seamless transition from the collection of information to its employment to assessments of the effects of that employment. This seamlessness is key to military success on the modern battlefield.

Question. In your view, what transformation capabilities does our Intelligence Community require?

Answer. Transformation for the Intelligence Community as a whole is taking place now, as agencies increasingly employ existing intelligence capabilities as a single system of multiple parts.

This transformation can and should be accelerated by an infusion of new technology to permit analysts to be more effective, to substitute machines for people in performing certain tedious but critical tasks such as database construction, translations, network analysis, etc., and to develop and deploy new collection capabilities to penetrate adversaries' denial and deception efforts in order to provide "exquisite" intelligence and to survive in increasingly hostile environments.

DEFENSE INTELLIGENCE AGENCIES

Question. The defense intelligence structure has evolved over the years, most recently with the creation of the Defense Human Intelligence Service in 1996 and the establishment of the National Imagery and Mapping Agency (NIMA) in 1997.

In your view, is the current organizational structure of defense intelligence the best structure to support military and national intelligence needs?

Answer. The existing system is engaged in a war and confronting simultaneous crises, and the need, it seems to me, is to do the very best with what we have in hand while taking every opportunity to maximize the current system's performance. If confirmed, I will not hesitate to recommend changes that would expedite achievement of those objectives so long as the changes did no harm to our ability to win the war on terrorism and to counter proliferation.

Question. If not, what changes would you recommend to the current structure?

Answer. If confirmed, my examination of current structure will focus on the future. I am most interested in those intelligence capabilities of the Department and the Nation that must be created and managed to deal with threats that will have to be faced over the next decades. I think it will take considerable study, leadership and a foundation of consensus amongst the next generation of intelligence professionals (Congressional and Executive) to achieve the kind of reform that must be enacted.

HUMAN INTELLIGENCE

Question. The Secretary of Defense has indicated that he would like to have enhanced human intelligence capabilities within the Department of Defense.

What are the goals and overall mission of defense human intelligence?

Answer. The most immediate objective of the Secretary of Defense in seeking enhanced intelligence provided by human beings is to improve the knowledge that enables effective decision making—information useful down to the tactical level in the conduct of a military operation and that will permit U.S. forces to act with speed and decisive force. Technical collection is not always sufficient for these purposes.

Question. In your view, what changes or additional capabilities, if any, are needed in the Department's human intelligence organization?

Answer. DOD needs to associate those defense elements capable of providing "actionable intelligence" more closely with those assets under the DCI's control to provide a seamless transition from collection in support of the U.S. Government and to manage crises, to intelligence preparation of the battle space to advance force operations, and then to the support of operations and post-conflict operations.

NEED FOR INDEPENDENT INTELLIGENCE ANALYSIS

Question. There is an absolute requirement that intelligence analysis be independent and free of political pressure to reach a certain conclusion including a conclusion that fits a particular policy preference.

If confirmed, are you committed to ensuring 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. Yes.

TOTAL INFORMATION AWARENESS (TIA) PROGRAM

Question. The Defense Advance Research Project Agency (DARPA) has developed a "Total Information Awareness" program, to develop and integrate information technologies that would enable the government to sift through multiple databases and sources to detect, classify, and identify potential terrorist activities.

If confirmed, what would be your intentions for fielding an operational capability for such a program if the TIA technology project were to complete a successful development?

Answer. The TIA program is a research program to help develop tools to track terrorists. It is not a collection program. If this DARPA research program were to develop tools that could be usefully provided to other agencies, including some within the DOD, we would be bound by existing statutory and regulatory restrictions, subject to the oversight of Congress placed upon the handling of the data those tools would be designed to sort and better organize.

CONTROL OF INTELLIGENCE AGENCIES WITHIN THE DEPARTMENT OF DEFENSE

Question. Some have suggested that the Director of Central Intelligence should be given sole control over all programming and budget execution of Federal Government intelligence programs, including those within the Department of Defense.

What are your views about whether the Secretary of Defense should retain his current authority for developing and implementing intelligence programs with the defense agencies?

Answer. The National Security Act of 1947 (as amended) and Executive Order 12333 created the existing arrangement between the Secretary of Defense and the Director of Central Intelligence. The Director of Central Intelligence is responsible to the President for national intelligence and, therefore, has specified authorities relative to the assets capable of providing that intelligence. A number of those assets reside within the DOD. They do so not out of convenience but because DOD, down to the tactical level of operations, is a primary consumer of the information provided by those assets. This is underscored by the designation of these agencies as combat support agencies.

The Secretary of Defense is tasked under Title 50 U.S.C. to ensure that these agencies are capable of supporting and are responsive to the tasking of the Director of Central Intelligence.

There is a process for apportioning the resources of these agencies to meet the needs of both the Director of Central Intelligence and the Secretary of Defense. Absent that process, each would find himself compelled to recreate, separately, the same or similar capabilities to meet their responsibilities.

That each will have needs particular to his circumstances is understandable. Provisions exist for each to meet those needs without disrupting the larger relationship. The Intelligence Community Executive Committee is the venue for resolving any issues that may arise.

In my view, the Secretary of Defense should retain his authority. The USD/I is being created to assist the Secretary of Defense in discharging his responsibilities under Title 10 and 50 U.S.C.

ACQUISITION PROGRAMS

Question. Both the National Security Agency and the National Imagery and Mapping Agency have sizeable development and procurement programs underway intending to modernize their abilities to support their customers' intelligence needs.

What role would you play, if confirmed, in overseeing major acquisition programs within the defense Intelligence Community?

Answer. If confirmed, I will be responsible for guidance on DOD intelligence policy, plans, programs, requirements, and resources and for coordination of the same within the DOD and between the DOD and the Director of Central Intelligence.

Technical support to the USD/I would be provided by, among others, DOD's USD/AT&L, ASD/C^3I, and the Under Secretary of the Air Force as well as by the Deputy Director for Community Management and the Central Intelligence Agency's Director of Science and Technology.

DEPARTMENT OF HOMELAND SECURITY

Question. Administration officials have indicated that the Department of Homeland Security, while being a customer of the new Terrorist Threat Integration Center (TTIC), will also have an analysis group with an operational role aimed at obtaining a picture of the threat situation in the United States and addressing vulnerabilities. Additionally, processing intelligence information collected from com-

ponents of the Department of Homeland Security, such as the Coast Guard, INS, and Border Patrol, will be one of the tasks that must be accomplished.

What role, if any, do you anticipate that the Department of Defense will play in the Department of Homeland Security's intelligence collection and assessment function?

Answer. DOD intelligence organizations already have a variety of relationships with various components of the new Department of Homeland Security, including the Coast Guard, Secret Service, Customs, and others. If confirmed, I would anticipate continued support to these activities and, in coordination with the ASD/Homeland Defense, an immediate initiative to work out arrangements for information sharing, as appropriate, with the intelligence organization established within the new department. The defense focus is traditionally toward foreign and overseas threats, but with much of our military based inside the United States and our role in protecting the Nation, there are likely to be many areas of common concern and potentially coordinated action. In any such actions, great care will be taken to ensure that DOD activities are fully in accord with the law and conducted under the supervision of competent authority.

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 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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR SUSAN COLLINS

TERRORIST THREAT INTEGRATION CENTER

1. Senator COLLINS. Dr. Cambone, recently the administration initiated other reorganizations to improve our Nation's ability to detect and respond to possible threats. In particular, the administration announced the establishment of the Terrorist Threat Integration Center, under the authority of the Director of Central Intelligence, as the focal point for intelligence analysis. How will the Pentagon interact with this new center?

Dr. CAMBONE. The DOD will contribute information developed as a result of its authorized activities, e.g., force protection, counterintelligence, preparations to conduct homeland defense missions, tactical operations abroad, and other activities. In return, the DOD will benefit by TTIC's intelligence affecting U.S. military operations, force protection, and homeland defense.

INTELLIGENCE REQUIREMENTS

2. Senator COLLINS. Dr. Cambone, there are increasing demands on the Department of Defense's technical intelligence gathering resources. With the possibility of hostilities against Iraq and continuing concern about North Korea's development of nuclear weapons, these demands will continue to grow. As threats develop, do we have adequate resources to fulfill new intelligence requirements?

Dr. CAMBONE. The DOD is in the early stages of a long-term commitment to balance intelligence resources against security threats. The OUSDI will develop a system by which to capture defense intelligence requirements across agencies and services, evaluate them, prioritize them against available resources, and, as appropriate, rationalize those priorities in light of those of the DCI. It will conduct a thorough review of existing programs; examine long-term threats and other criteria by which

to evaluate DOD needs over the longer term; and then seek adjustments to DOD and NFIP programs and resources as appropriate.

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

TOTAL INFORMATION AWARENESS PROGRAM

3. Senator BILL NELSON. Dr. Cambone, the Total Information Awareness (TIA) program has been controversial for its perceived threats to privacy and lack of independent oversight. What are your specific responsibilities and authorities relative to the research, development, deployment, and management of the TIA program?

Dr. CAMBONE. The TIA program is a research program to help develop tools to track terrorists. It is not a collections program. It is a DARPA research program. If TIA were to develop tools that could be usefully provided to other agencies, including some within the DOD, we would be bound by existing statutory and regulatory restrictions, subject to the oversight of Congress placed upon the handling of the data those tools would be designed to sort and better organize.

INTELLIGENCE SATELLITE PROGRAMS

4. Senator BILL NELSON. Dr. Cambone, intelligence satellites are a critical part of DOD's intelligence and communications network. The future of the DOD satellite program is also tied to the future of the EELV. What are your specific responsibilities and authorities with regard to the intelligence satellite programs and will you exercise budgetary oversight for these programs throughout the budget process?

Dr. CAMBONE. As USDI, I will have responsibility for recommending to the Secretary of Defense priorities for intelligence and intelligence-related satellite programs requirements and resources. As a member of the Defense Acquisition Board, I will continue to ensure program development. Through the program review process in the DOD and in coordinating NFIP proposals with the DCI's staff, I will ensure that throughout the budget process the Secretary's priorities are addressed.

5. Senator BILL NELSON. Dr. Cambone, in your view, are the satellite programs adequately funded in the near- and long-term?

Dr. CAMBONE. Satellite programs currently underway must be managed carefully to ensure they are delivered on time, within cost, and provide desired capabilities. Future challenges will place demands on all of our intelligence and intelligence-related systems including satellite programs. We are investing now in R&D for systems that hold the potential to meet our future needs. As the technology for those programs matures, we will have better estimates of this cost.

6. Senator BILL NELSON. Dr. Cambone, how would you prioritize among the various satellite programs? How would you rank order the intelligence collection, communications, and navigation support satellite programs?

Dr. CAMBONE. All are of high importance. The challenge we face is arranging priorities within each category to ensure that we sustain currently needed capability even as we put aside enough resources to invest in follow-on capabilities. Recommending those priorities to the Secretary of Defense is one of the USDI's most important roles.

POSITION RESPONSIBILITIES

7. Senator BILL NELSON. Dr. Cambone, your position as Under Secretary of Defense for Intelligence appears to have some overlap with existing offices. How will your new position's responsibilities differ from those of the existing Assistant Secretary of Defense for C^3I?

Dr. CAMBONE. The USDI will have responsibility for intelligence and intelligence-related activities currently resident in ASD/C^3I. I will consult with the ASD/C^3, and coordinate with him where required, concerning information and other C^3 system requirements. ASD/C^3 will continue to have oversight of DOD-wide C^3 and computer requirements programs and budgets and will focus on Department-wide information integration, on building the foundation for network-centric operations, and on network oversight, among other areas. I will provide the ASD/C^3 intelligence information in a timely fashion that will permit him to adjust defense-wide capabilities to meet emerging challenges and to support the combatant commanders, especially in time of hostilities. The ASD/C^3 retains responsibility for the C^3 network, to include its interfaces, system applications, and information management on the network.

The defense agencies and activities overseen by USDI will be users of that network and will rely heavily on the ASD/C^3. As a result, there will be a continuous interchange between OUSDI as a service user and the ASD/C^3 as a service provider.

OVERSIGHT

8. Senator BILL NELSON. Dr. Cambone, who will be responsible for OSD oversight of intelligence-related space programs such as the space-based radar?

Dr. CAMBONE. The USDI will be the focal point for oversight of all intelligence and intelligence-related activities of the Department of Defense.

SPACE-BASED RADAR PROGRAM

9. Senator BILL NELSON. Dr. Cambone, the space-based radar program is an important part of any future space architecture. How do you plan to 'rationalize' the new space-based radar program with the Future Imagery Architecture (FIA) program?

Dr. CAMBONE. The Transformational Space and Airborne Project, a joint effort between the DOD and the Intelligence Community, is the first step toward providing the answer to this question. At the center of that project is the issue of how best to employ as a single enterprise existing, planned, and projected space and airborne systems to satisfy the needs of those who depend on the knowledge they generate to achieve the Nation's security goals. The project also is examining how far technology limits can be pushed in meeting those needs, and at what cost. This project will help us determine which current systems should migrate to a new future structure and which ought we to develop to meet future needs. The USDI and the DDCI/CM are responsible for overseeing this review and reporting its results and proposals to the Secretary of Defense and the DCI.

[The nomination reference of Dr. Stephen A. Cambone follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 4, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Stephen A. Cambone, of Virginia, to be Under Secretary of Defense for Intelligence. (New Position)

[The biographical sketch of Dr. Stephen A. Cambone, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DR. STEPHEN A. CAMBONE

Stephen A. Cambone was appointed by the Secretary of Defense as Director, Program Analysis and Evaluation, on July 1, 2002. On July 19, 2001, he was confirmed by the U.S. Senate as the Principal Deputy Under Secretary of Defense for Policy. He held that position until July 1, 2002. Prior to that, he served as the Special Assistant to the Secretary and Deputy Secretary of Defense from January 2001 to July 2001.

Dr. Cambone was the Staff Director for the Commission to Assess United States National Security Space Management and Organization from July 2000 to January 2001. He was the Director of Research at the Institute for National Strategic Studies, National Defense University (INNS/NDU) from August 1998 to July 2000. Before that he was the Staff Director for the Commission to Assess the Ballistic Missile Threat to the United States from January 1998 to July 1998; a Senior Fellow in Political-Military Studies at the Center for Strategic and International Studies (CSIS) from 1993 to 1998; the Director for Strategic Defense Policy in the Office of the Secretary of Defense from 1990 to 1993; the Deputy Director, Strategic Analysis, SRS Technologies (Washington Operations) from 1986 to 1990; and a Staff Member in the Office of the Director, Los Alamos National Laboratory from 1982 to 1986.

Dr. Cambone graduated from Catholic University in 1973 with a B.A. degree in Political Science, from the Claremont Graduate School in 1977 with an M.A. degree in Political Science, and from the Claremont Graduate School in 1982 with a Ph.D. in Political Science. His numerous awards include the Secretary of Defense Award for Outstanding Service in 1993 and the Employee of the Year Award with SRS Technologies (Washington Operations) in 1988.

[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 Dr. Steven A. Cambone in connection with his nomination follows:]

February 7, 2003.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Under Secretary of Defense, Intelligence. It supplements Standard Form 278, "Executive Personnel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

I do not believe that any of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities if I am confirmed. However, any potential conflict of interest issues will be resolved as indicated in the ethics agreement attached to my SF 278. There are no additional potential conflicts of interest to report in Part C of the Committee's Biographical and Financial Information Questionnaire (or Questionnaire). Additionally, I have no other interests or liabilities in any amount with any firm or organization that is listed as a "Department of Defense Prime Contractor Receiving Awards over $25,000."

During my term of office, neither I, nor my spouse, will invest in any organizations identified as Department of Defense contractors or any other entity that would create a conflict of interest with my governmental duties.

If confirmed, I am committed to serve in this position at the pleasure of the President throughout his term of office.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation other than that which was reported in Part D of my Questionnaire. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated. To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I am not, to the best of my knowledge, a member of certain organizations/professional societies, as has been previously provided to the committee. None should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the committee.

Sincerely yours,

STEPHEN A. CAMBONE.

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 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.)
Stephen Anthony Cambone.

2. **Position to which nominated:**
Under Secretary of Defense for Intelligence.

3. **Date of nomination:**
February 4, 2003.

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:**
Bronx, New York; June 22, 1952.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Margaret Taaffe Cambone.

7. **Names and ages of children:**
Maria Cambone; 12 years.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Our Lady of Lourdes High School; 9/1966–6/1970; H.S. Diploma; 6/1970.
Catholic University; 9/1970–5/1973; B.A., Political Science; 5/1973.
Claremont Graduate School; 1974–1977; M.A., Political Science; 1977.
Claremont Graduate School; 1977–1981; Ph.D., Political Science; 1982.

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.
Director, Strategic Defense Policy; Office of the Secretary of Defense/ISP, DOD; Room 2D459, Pentagon, Washington, DC; 4/1990–4/1993.
Self-employed; Los Alamos Lab/SAIC/National Institute for Public Policy; 1809 Barbee Street, McLean, VA; 5/1993–10/1997.
Senior Fellow, Political-Military Studies; Center for Strategic and International Studies; 1800 K Street, NW, Washington, DC; 6/1993–7/1998.
Staff Director; IPA, Ballistic Missile Threat Commission; HQ CIA, Langley, VA; 11/1997–7/1998.
Director of Research; Institute for National Strategic Studies; National Defense University; Marshall Hall, Fort McNair, Washington, DC; 8/1998–11/2000.
Staff Director, Commission to Assess United States National Security Space Management and Organization (detailed from National Defense University); 2100 K Street, NW, Suite 300, Washington, DC; 7/2000–1/2001.
Distinguished Research Professor; Institute for National Strategic Studies; National Defense University; Marshall Hall, Fort McNair, Washington, DC; 12/2000–7/2001.

Staff Assistant, Presidential Transition Office (detailed from National Defense University); 1800 G Street, NW, Washington, DC; 1/13/2001–1/21/2001.

Special Assistant to the Secretary of Defense (detailed from National Defense University); 1000 Defense Pentagon, Washington, DC; 1/22/2001–7/2001.

Principal Deputy Under Secretary of Defense Policy; 2000 Defense Pentagon, Washington, DC; 7/2001–6/2002.

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.

Nominated—to serve on the Commission to Assess United States National Security, Space Management and Organization.

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.

Detailed to the Bush/Cheney Transition Team from National Defense University.

(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.

Dole Campaign, 1996, $1,000.

I may have contributed to other local campaigns:

Colleen Sheehan, Congress, PA, c. 1996.

John Eastman, Congress, CA, c. 1998.

William B. Allen, U.S. Senate, CA, c. 1996.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Secretary of the Navy, Distinguished Public Service, 2003.

Secretary of Defense Award for Outstanding Service, 1993.

Employee of the Year, SRS Technologies (Washington Operations), 1988.

Ph.D. awarded with High Honors, Claremont Graduate School, 1982.

Best Master's Degree Thesis, Government Department, Claremont Graduate School, 1977.

Earhart Fellow, 1976–1977.

Blue Key, Honorary Award, 1973.

Pi Sigma Alpha, +9, c. 1974–1980.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

"Threats and Risks Prompting a Commitment to Ballistic Missile Defense (BMD)," National Missile Defence and the Future of Nuclear Policy, Occasional Paper, Institute for Security Studies—Western European Union, September, 2000.

With Ivo Daalder, Stephen J. Hadley and Christopher Makins, "European Views of National Missile Defense," Policy Paper, The Atlantic Council, September, 2000.

"An Inherent Lesson in Arms Control," The Washington Quarterly, Vol. 23, No.2 (Spring 2000).

"After the Assessment: Responding to the Findings of the Rumsfeld Commission." Director's Colloquium, Los Alamos National Laboratory, February 9, 1999.

A New Structure for National Security Policy Planning, (Washington, DC: CSIS Press), 1998.

"Demarcation Issues Between Strategic and Theater Systems: A Response [to an Administration View]," Robert L. Pfalzgraff, Jr., ed., Security Strategy and Missile Defense (Cambridge, MA; Institute for Foreign Policy Analysis), 1996.

With Colin Grey, "The Role of Nuclear Forces in U.S. National Security Strategy: Implications of the B–2 Bomber," Comparative Strategy, Vol. 15, No.1 (Fall 1996).

With Patrick J. Garrity, "The Future of U.S. Nuclear Policy," Survival, Vol. 36, No.4 (Winter 1994–5).

With Don M. Snider and Daniel Goure, "Defense in the Late 1990s: Avoiding the Trainwreck" CSIS Report, 1995.

"Readiness Standards for the Future," prepared for the Institute for National Security Studies, National Defense University, Washington, DC, 1995.

"An Approach to Defense S&T and Providing Technological Superiority for U.S. Military Forces," CNSS, Los Alamos National Laboratory, 1995.

"The Coming of Age of Air and Space Power," with Dan Goure, CSIS Report, September 1997.

"NATO Enlargement: The Debate in the U.S. Senate," CSIS Report, September 1997.

"NATO Enlargement: Implications for the Military Dimension of Ukraine's Security," The Harriman Review, Vol. 10, No.3, Winter 1997.

"Will the Senate Endorse NATO's Enlargement," RUSI Journal, Vol, 142, No.6, December, 1997.

"NATO's New Members: Ready for Accession," unsigned Strategic Comments for the International Institute for Strategic Studies, Vol. 3, No. 10, December, 1997.

"European Unified Political-Military Planning and Control: The Creation, Organization and Control of a European Force," Gert de Nooy, ed., The Role of European Ground and Air Forces after the Cold War (The Hague: Netherlands Institute of International Relations/Clingendael), 1997.

"ABM Treaty Compliance: U.S. Air Force Single Site NMD Concept," for National Security Research Inc., with Linton Brooks, Signey Graybeal, Keith Payne, William Graham, Patricia McFate, Willis Stanley, June 1996.

"NATO Expansion: A Strategic Perspective," U.S. Defense Intelligence Agency, 1996.

Preface to "Medium Extended Air Defense System and the Euro-Atlantic Defense Relationship," CSIS Report, March 1996.

"Organizing for Security in Europe: What Missions, What Forces, Who Leads, Who Pays?" Graduate Program in International Studies, Working Paper 95.5, Old Dominion University, 1996.

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"The United States and Theater Missile Defense in North-east Asia," Survival, Vol. 39, No.3, Autumn, 1997.

"Weapons Proliferation: Australia, the U.S. and the Strategic Equilibrium of the Asia-Pacific" in Roger Bell, Tim McDonald and Alan Tidwell, editors, Negotiating the Pacific Century (Sydney: Allen & Unwin), 1996.

"The Political Setting," Dick A. Leurdijk, ed., A UN Rapid Deployment Brigade: Strengthening the Capacity for Quick Response (The Hague: Netherlands Institute of International Relations/Clingendael), 1995.

"NATO and Peacekeeping: Lessons Learned," U.S. Defense Intelligence Agency, 1995.

"Principles of Operational Concepts for Peacemaking," Ernest Gilman, DetlefE. Herold, eds., Peacekeeping Challenges to Euro-Atlantic Security (Rome: NATO Defense College), 1994.

"Kodak Moments, Inescapable Momentum and the World Wide Web: Has the Infocomm Revolution Transformed Diplomacy?" Center for Information Strategy and Policy, Science Applications International Corporation, McLean, VA, 1996.

Testimony:

— "Iran's Ballistic Missile and WMD Programs," Testimony before the Subcommittee on International Security, Proliferation and Federal Services, Committee on Government Affairs, United States Senate, 106th Congress, September 21, 2000.

— "Elements of a Decision to Deploy National Missile Defense," Testimony before the Armed Services Committee, House of Representatives, 106th Congress, June 28, 2000.

— "Elements of a Modern, Nonproliferation Policy," Testimony before the Senate Foreign Relations Committee, March 21, 2000.

— "Issues Surrounding the 50th Anniversary Summit of NATO," Testimony before the Senate Foreign Relations Committee, Subcommittee on European Affairs, April 21, 1999.

— "Qualifications of Poland, Hungary and the Czech Republic for NATO Membership," Testimony prepared for the Senate Committee on Foreign Relations, 105th Congress, October 22, 1997.

— "Prepared Statement on the Costs of NATO Enlargement," Appendix 4, The Debate on NATO Enlargement, Hearings before the Committee on Foreign Relations, United States Senate, 105th Congress, 1st Session, Committee Print S. Hrg. 105–285.

— "The ABM Treaty and Theater Missile Defense," Testimony before the Military Research and Development Committee of the Committee on National Security, House of Representatives, 104th Congress, March 21, 1996.

— "Space Programs and Issues," Testimony before the Subcommittee on Strategic Forces of the Senate Armed Services Committee, 104th Congress, May 2, 1995.

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.

I have not delivered formal speeches. I have, however, participated in numerous panel discussions, colloquies, etc. Those presentations frequently were developed into articles. Examples include:

— "After the Assessment: Responding to the Findings of the Rumsfeld Commission." Director's Colloquium, Los Alamos National Laboratory, February 9, 1999.

— "Demarcation Issues Between Strategic and Theater Systems: A Response [to an Administration View]," Robert L. Pfalzgraff, Jr., ed., Security Strategy and Missile Defense (Cambridge, MA; Institute for Foreign Policy Analysis), 1996.

— "Organizing for Security in Europe: What Missions, What Forces, Who Leads, Who Pays?" Graduate Program in International Studies, Working Paper 95.5, Old Dominion University, 1996.

— "Role of the United States in the Future of Europe," Ann-Sofie Dahl, ed., Security in Our Time: Four Essays on the Future of Europe, (Stockholm, National Defense Research Establishment), 1995.

— "Time to Define a New U.S.–CIS Relationship," Europe Orientale et Centrale: Les Options de L 'Europe Occidentale (Brussels: Centre d'Etudes de Defense, Institut Royal Superieur de Defense), 1995.

— "The Political Setting," Dick A. Leurdijk, ed., A U.N. Rapid Deployment Brigade: Strengthening the Capacity for Quick Response (The Hague: Netherlands Institute of International Relations/Clingendael), 1995.

— "Principles of Operational Concepts for Peacemaking," Ernest Gilman, Detlef E. Herold, eds., Peacekeeping Challenges to Euro-Atlantic Security (Rome: NATO Defense College), 1994.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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 A. CAMBONE.

This 7th day of February, 2003.

[The nomination of Dr. Stephen A. Cambone was reported to the Senate by Chairman Warner on March 6, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 7, 2003.]

[Prepared questions submitted to John Paul Woodley, Jr., by Senator Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than a decade has passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms.

Do you support full implementation of these defense reforms?

Answer. Yes, I support full implementation of these reforms. The objectives of the Goldwater-Nichols Act most directly relevant to the mission of the Assistant Secretary of the Army (Civil Works) are as important today as when the act was passed. They provide for more efficient and effective use of defense resources and they improve the management and administration of the Department of Defense (including the Department of the Army).

Question. What is your view of the extent to which these defense reforms have been implemented?

Answer. It is my understanding that the Army has fully implemented the Goldwater-Nichols reforms.

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. The important goals of Congress in enacting these defense reforms, as reflected in Section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; and enhancing the effectiveness of military operations and improving the management and administration of the Department of Defense.

Question. The goals of Congress in enacting these defense reforms, as reflected in Section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. Yes, I agree with the goals of Goldwater-Nichols.

DUTIES

Question. What is your understanding of the duties and functions of the Assistant Secretary of the Army for Civil Works?

Answer. The duties and functions of the Assistant Secretary of the Army for Civil Works are specified in Section 3016 of Title 10 of the United States Code and Department of the Army General Orders No. 3, dated July 9, 2002. Section 3016 of Title 10 states that the Assistant Secretary of the Army (Civil Works) "shall have as his principal duty the overall supervision of the functions of the Department of the Army relating to programs for conservation and development of the national water resources, including flood control, navigation, shore protection, and related purposes." General Order No. 3 further specifies that this includes:

- developing, defending, and directing the execution of the Army Civil Works policy, legislative, and financial programs and budget;
- developing policy and guidance for and administering the Department of the Army regulatory program to protect, restore, and maintain the waters of the United States in the interest of the environment, navigation, and national defense;
- developing policy guidance and conducting oversight for the U.S. Army Corps of Engineers programs in support of other Federal and non-Federal entities, except those activities that are exclusively in support of the United States military forces;
- in coordination with the Deputy Chief of Staff, G–3, developing policy for and directing the foreign activities of the U.S. Army Corps of Engineers, ex-

cept those foreign activities that are exclusively in support of United States military forces overseas; and

• formulating and overseeing the program and budget of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. My service as Deputy Attorney General of Virginia for Government Operations and as Virginia's Secretary of Natural Resources give me a background in public policy and public administration, especially policy and administration pertaining to the environment and natural resources. This experience has been broadened by Federal service in the Office of the Secretary of Defense, dealing with policy and oversight for the Defense Department's environmental and natural resource conservation programs. My more than 20 years' service as an active and Reserve Army judge advocate provide some insight into the Army as an institution and the role of the Assistant Secretary for Civil Works in that institution.

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 the Army for Civil Works?

Answer. Yes, I intend to take several actions to enhance my expertise as Assistant Secretary of the Army (Civil Works). If confirmed, I will travel to Corps of Engineers divisions to see first-hand many of the infrastructure development and environmental restoration projects. My goal is to gain a fuller understanding of the issues that surround the planning, design, construction, operation and maintenance of these projects. I intend to reach out to Members of Congress, the other Federal agencies, State and local interests, study and project sponsors, and other stakeholders to gain a deeper appreciation of their perspectives in areas of mutual concern.

I also will work closely with the Chief of Engineers and the Director of Civil Works to ensure that I am fully informed and prepared to address the important issues I would oversee if confirmed as Assistant Secretary of the Army (Civil Works). I look forward to the challenge and experience this position affords.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Army would prescribe for you?

Answer. I expect to be asked to carry out the duties and functions of the Assistant Secretary of the Army (Civil Works) as articulated in General Orders Number 3, dated July 9, 2002.

RELATIONSHIPS

Question. Please describe how you envision your working relationship, if confirmed, with the following:

The Secretary of the Army

Answer.

• I will work closely with the Secretary of the Army in furthering the goals and priorities of the President. Consistent with the General Orders, I expect the Secretary to rely on me to oversee the Civil Works program of the Army Corps of Engineers and the programs of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery.

Under Secretary of Defense for Logistics and Materiel Readiness

• I will work through the Secretary of the Army to form a close and constructive relationship with the Deputy Under Secretary of Defense (Logistics, Materiel Readiness) in areas of mutual interest.

The Under Secretary of the Army

• I look forward to working with the Under Secretary of the Army to learn his perspectives and capitalize on his experience as Acting Assistant Secretary of the Army (Civil Works), in order to ensure a seamless transition in oversight of the Army Civil Works program and the Army national cemetery program.

Deputy Under Secretary of Defense for Installations and Environment

• Having worked for the Deputy Under Secretary of Defense for Installations and Environment, I look forward to continuing our constructive relationship, working through the Secretary of the Army, in areas of mutual interest.

The Assistant Secretary of Defense for Homeland Defense

• I will work through the Secretary of the Army to form a close and constructive relationship with the Assistant Secretary of Defense for Homeland Defense to ensure that the full array of assets of the Army Corps of Engineers is available to support the national defense, including the engineering

and technical management and emergency response and recovery capabilities associated with the Army Civil Works program.

The Assistant Secretary of the Army for Installations and Environment

- I will work to form a close and constructive relationship with the Assistant Secretary of the Army (Installations and Environment) in areas of mutual interest.

The Chief of Staff of the Army and the Army Staff

- If confirmed, I will establish and maintain a close, professional relationship with the Chief of Staff as he performs his duties as the senior military leader of the Army.

The Chief of Engineers

- I believe the relationship between the Assistant Secretary of the Army (Civil Works) and the Chief of Engineers best serves the interests of the Nation when it is based on mutual respect, trust, and cooperation. Both positions have enormous responsibilities and demand great attention to very complex issues. I believe the current Chief of Engineers, LTG Robert Flowers, and I will have such a relationship. Our ability to be responsive to the President's priorities and to the policy directives of Congress depends greatly on the success of this relationship.

State Governors

- The Army and its Corps of Engineers must remain committed to working cooperatively with Governors and local authorities for the benefit of local citizens and for sustainable development and protection of the Nation's natural resources. These cooperative efforts must be undertaken in the context of Civil Works authorities and legal responsibilities. These responsibilities often require a balancing of diverse interests. The proper reconciliation of these interests demands open communication among all parties. I am committed to establishing and maintaining a full and open dialogue with the Governors on all issues of mutual interest.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Assistant Secretary of the Army for Civil Works?

Answer. Historically the Nation's rich and abundant water and related land resources provided the foundation for our successful development and rapid achievement of preeminence within the international community. Since the beginning of our Nation, the Army Corps of Engineers has been a great asset, providing engineering support to the military, developing our Nation's water resources, and restoring and protecting our environment. The Corps has improved the quality of our life by making America more prosperous, safe, and secure. That said, the Corps must be flexible and evolve if it is to continue to make important contributions to the Nation and respond to today's problems. There are many pressing needs in this country for water resources development and environmental restoration. Perhaps the three greatest Civil Works challenges we face are the need to maintain the Corps' existing infrastructure, the need to repair our damaged environment, and the need to ensure the physical security of the Corps' infrastructure around the country.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. We must all work together to define the appropriate role for the Corps of Engineers in addressing these problems. The challenges the Corps faces are complex, and there are many difficult decisions to make. It is of paramount importance that we bring all interests to the table and that all have a voice in the development of solutions to our Nation's problems. If confirmed, I will engage in an open and cooperative dialogue with Congress, other Federal agencies, States, tribes, and local governments on the many important challenges that the Army Corps of Engineers faces. With regard to infrastructure security, if confirmed I will work with the Corps to ensure the protection of its infrastructure against natural and manmade disasters, including acts of terrorism.

Question. What do you consider to be the most serious problems in the performance of the functions of the Assistant Secretary of the Army for Civil Works?

Answer. I would not identify any specific structural problems with the performance of the function of the Assistant Secretary of the Army for Civil Works. The many difficult decisions on complex issues of both local and national importance are bound to be controversial at times, and require an open mind and a willingness to entertain input from and, if possible, to reconcile differing points of view.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. I have not yet developed a specific plan. One of my first priorities will be to meet with the Chief of Engineers and with officials in the administration and Congress to seek their input and to develop a plan for how the Army can best fulfill the Civil Works mission in furtherance of the national interest.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Assistant Secretary of the Army for Civil Works?

Answer. As Assistant Secretary of the Army for Civil Works, I would work to ensure effective management and administration of the Army Civil Works program and the Army's national cemetery program. I would seek ways to more efficiently use the Nation's resources in the development and execution of these programs to ensure that the taxpayers' dollars are wisely spent.

CIVILIAN OVERSIGHT OF THE ARMY CORPS OF ENGINEERS

Question. On March 30, 2000, then Secretary of the Army Caldera announced a series of reforms intended to strengthen civilian oversight and control over the Army Corps of Engineers Civil Works program. The Secretary's memorandum stated:

> "The [Assistant Secretary] shall have full authority to establish the final position of the Department of the Army on any policy, programmatic, legislative, budgetary, or other organizational matter involving or affecting the civil works functions and their implementation, unless directed otherwise by me."

What is your view of this memorandum? What steps have been taken to implement it and what concern, if any, do you have about its full implementation?

Answer. It is my understanding that the directives in that memorandum were never implemented. I also understand that the current Chief of Engineers and a prior Assistant Secretary jointly signed a memorandum laying out the philosophy that would guide their efforts as they carried out their respective responsibilities. I have no reason to believe that philosophy should change. The challenges and complex issues that arise in the Civil Works program demand a close, professional relationship between the Assistant Secretary and the Chief of Engineers, based on mutual respect, trust, cooperation and full communication. I am committed, if confirmed, to establishing and maintaining such a relationship with the Chief, in order to respond effectively to the President's priorities and the policy directives of Congress.

Question. What is your view of the relative authority of the Chief of Engineers, the Assistant Secretary of the Army for Civil Works, the Secretary of the Army, the Army Chief of Staff, and the Secretary of Defense with regard to the civil works function of the Army Corps of Engineers?

Answer. My view of the relative authority of the Chief of Engineers, the Assistant Secretary of the Army for Civil Works, the Secretary of the Army, the Army Chief of Staff, and the Secretary of Defense with regard to the civil works function of the Army Corps of Engineers follows:

Secretary of Defense. As head of the Department of Defense, the Secretary of Defense has full authority, direction, and control over all its elements. He exercises this power over the Corps of Engineers through the Secretary of the Army, whose responsibility for, and authority to conduct, all affairs of the Army is subject to the authority, direction, and control of the Secretary of Defense. If confirmed, I will cooperate fully with the Secretary of Defense and the President in fulfilling the administration's national defense priorities and efficiently administering the Corps of Engineers in accordance with the policies established by the Office of the Secretary of Defense.

The Secretary of the Army. As head of the Department of the Army, the Secretary of the Army is responsible for, and has the authority necessary to conduct, all affairs of the Department of the Army. He may assign such of his functions, powers, and duties as he considers appropriate to the Under Secretary of the Army, as well as the Assistant Secretaries of the Army, and require officers of the Army to report to these officials on any matter.

The Chief of Staff of the Army. The Chief of Staff of the Army performs his duties under the authority, direction, and control of the Secretary of the Army and is directly responsible to the Secretary. The Chief of Staff also performs the duties prescribed for him by law as a member of the Joint Chiefs of Staff.

The Assistant Secretary of the Army for Civil Works. The Assistant Secretary of the Army for Civil Works is principally responsible for the overall supervision of the Army's Civil Works program, including programs for conservation and development of the national water resources, flood control, navigation, and shore protection. The complex issues that arise in this area demand a close, professional relationship between the Assistant Secretary and the Chief of Engineers, based on mutual respect, trust, cooperation, and full and open communication. I am committed to establishing and maintaining such a relationship with the Chief, in order to respond effectively to the President's priorities and the policy directives of Congress.

The Chief of Engineers. As a member of the Army Staff, the Chief of Engineers reports to the Chief of Staff, through the Vice Chief of Staff, with respect to military matters. The Chief of Engineers reports to the Assistant Secretary of the Army (Civil Works) on civil works functions of the Army, including those relating to the conservation and development of water resources and the support for others program. The Chief of Engineers also reports to the Assistant Secretary of the Army (Civil Works) with respect to most other matters for which the Chief may be responsible. In the area of installation activities, the Chief reports to the Assistant Secretary of the Army (Installations & Environment), who has principal responsibility for all Department of the Army matters related to installations and the environment.

Question. In your view, does the Corps need to make fundamental changes in the way it operates? If so, what changes would you recommend?

Answer. While I believe the Corps of Engineers is a fundamentally sound organization, I nevertheless would look for ways for it to become more adept at working with its Federal and non-Federal partners in solving very real problems for our citizens. The Corps has strong technical abilities and has proven time and time again that it can solve difficult problems. I would seek ways for the Corps to become more innovative and creative in serving the President, not only in domestic Civil Works and emergency response, but also in the Nation's vital national security interests.

RELATIONS WITH CONGRESS

Question. The position of Assistant Secretary of the Army for Civil Works often involves issues of great significance to States and localities and their elected officials in Congress.

If confirmed, how would you view your role in addressing such matters with Congress?

Answer. If confirmed, I would view my role in addressing difficult, politically charged issues as one of facilitating full and open communication among all interested parties, be they others within the executive branch, Members of Congress, or the public. I intend to appropriately involve all interested parties and make decisions that take into account all relevant information.

Question. What procedures would you follow regarding consultation with Congress prior to issuing any secretarial decisions or announcements regarding reforms that may effect the execution of the civil works and environmental functions of the Army Corps of Engineers?

Answer. While I have not yet developed a specific plan, I recognize the importance of consultation with Congress prior to implementing any reforms that may affect the execution of the civil works and environmental functions of the Army Corps of Engineers.

Question. What is your view of the role of the civilian and military leadership of the Army Corps of Engineers in developing goals for Corps programs and presenting these goals to the legislative branch?

Answer. If I am confirmed, it is my intent to provide the civilian leadership needed to enable the Corps to be an even more valuable asset to the Nation. I would expect the Chief of Engineers and the Director of Civil Works to bring to me their recommendations in this regard. Representing the administration, I will work with Congress to set the proper direction for the Corps.

SCRUTINY OF ARMY CORPS OF ENGINEER PROJECTS

Question. In November 2000, the Army Inspector General found that three Army Corps of Engineers officials had manipulated data in a cost-benefit analysis in order to justify a $1 billion project.

What steps have been taken since 2000 to ensure that projects are appropriately analyzed and justified?

Answer. First, let me say that the expenditure of Federal funds should not occur unless a proposed project demonstrates a solution to a public need, is in the Federal interest, has a willing and capable non-Federal cost-sharing sponsor, will produce

benefits that outweigh the project's costs, and is in compliance with all environmental laws and policies, economic principles, and engineering criteria. I understand that these are the principles under which all Civil Works projects are analyzed. I understand further that, in furtherance of these principles, a new Project Planning and Review team has been established in the Office of the Assistant Secretary of the Army for Civil Works with the mission of providing an Army review of, and oversight and quality assurance for, Corps of Engineers decision documents that recommend Federal action.

Question. If confirmed, what initiatives would you take to further enhance civilian oversight of the execution of projects by the Army Corps of Engineers?

Answer. If I am confirmed, I will work closely with the senior leaders of the Corps of Engineers to ensure that the Project Planning and Review team in my office continues to work as an integral part of a vertical team including the Corps headquarters, divisions, and districts to further strengthen the project planning and analysis process. In this way, we can improve performance and increase efficiency while still ensuring that we satisfy our oversight responsibilities under the Army General Orders.

Question. What is your view of the degree of independence that should be provided to the economists charged with assessing the economic viability of Corps projects and the role of the senior civilian and military leadership of the Corps in reviewing the work of those economists?

Answer. While I am not yet familiar with the details of the technical and policy review process followed by the Corps of Engineers in managing feasibility studies, the process needs to ensure that the many professionals who are involved in those studies are afforded an appropriate level of independence.

Corps of Engineers professionals at all levels need to follow established regulations, procedures, and policy in providing unbiased and professional analyses in determining whether a project is, or is not, economically justified. Like any other organized system of analysis, the integrity of this process is critically dependent on all Corps of Engineers professionals doing their jobs in analyzing, assessing, and providing the documentation upon which the merits of a proposed Civil Works project may be weighed.

The role of the senior civilian and military leadership is to ensure the integrity of the system to provide an independent policy, legal, and technical assessment of each proposed project, and then to rely on that documentation as the basis for their recommendations to policy decisionmakers to accept, reject, or modify a proposed action.

NATIONAL ACADEMY OF SCIENCES STUDY

Question. In July 2002, the National Academy of Sciences recommended independent reviews of large-scale civil works projects proposed by the Army Corps of Engineers.

What is your view of this recommendation?

Answer. Although I am not yet familiar with the details of the National Academy study, I believe such a review would have value, provided it does not needlessly increase the cost of projects or delay decisions. An independent review program should complement existing technical, policy, and public reviews. Moreover, an independent review needs to occur when it is most effective, that is, as an integral part of the planning process, not after studies have been completed.

Question. What action has been taken, if any, in response to the recommendations of the National Academy of Sciences?

Answer. I understand that the President's budget for the Civil Works program for fiscal year 2004 provides funding specifically to establish an independent peer review. The Corps planning process must address diverse and often contradictory interests on water resources management, restoration, and development. The independent review program will facilitate the resolution of such concerns in a timely and effective manner and, in the long run, will expedite project delivery.

NAVIGATION

Question. The Army Corps of Engineers has built and maintains an intra coastal and inland network of commercial navigation channels, and locks and dams for navigation, which comprise an integral parts of the Nation's critical infrastructure. The Corps also maintain 300 commercial harbors, through which pass 2 billion tons of cargo a year, and more than 600 smaller harbors. Significant amounts of heavy equipment and supplies bound for potential overseas military operations move by ship through ports maintained by the Civil Works program.

What do you view as the greatest challenges facing the Army with respect to the execution of its navigation mission?

Answer. I expect one of the greatest challenges with the execution of the navigation mission to be the maintenance and modernization of aging infrastructure. An equally significant challenge to the navigation mission is the management of hundreds of millions of cubic yards of dredged material removed from our Nation's marine transportation harbors and waterways.

Question. Are there aspects of this mission which you believe should be transferred from the Department of the Army?

Answer. This is a challenging question and one that I will be prepared to answer after I have had the benefit of comprehensive discussions with Members of Congress, Civil Works stakeholders, and other Army and Corps senior leaders. I believe that analysis of this concept should take place only in accordance with Sec. 109 of H. J. Res. 2, as and when that provision takes effect.

Question. In your view, how can the Corps best respond to environmental concerns in carrying out its navigation mission?

Answer. If I am confirmed, I will work closely with others in Government, the environmental community, and private industry to seek the proper balance between supporting the Nation's economic growth through a competitive port and waterway system and fulfilling our responsibilities for environmental stewardship. I look upon the navigation mission as an opportunity to highlight the Army's and the Corps commitment to the environment, including the use of dredged material for beneficial uses, such as habitat and marsh restoration.

ENVIRONMENTAL MISSION

Question. The Corps is responsible for environmental restoration projects at Department of Defense Formerly Used Defense Sites and also at Department of Energy Formerly Utilized Sites Remedial Action Program. Under the DOE program, the Army Corps of Engineers cleans up former Manhattan Project and Atomic Energy Commission sites, making use of expertise gained in cleaning up former military sites, and civilian hazardous waste sites under the Environmental Protection Agency "Superfund" program.

What do you view as the greatest challenges facing the Army with respect to the execution of its environmental restoration mission?

Answer. The Department of Defense Formerly Used Defense Sites (FUDS) program is carried out by the Army Corps of Engineers as the Executive Agent for the entire Defense Department. This program would not be within the purview of my responsibilities if I am confirmed as the Assistant Secretary of the Army (Civil Works). However, based on experience in my current position, I would say that the challenge in the FUDS program is to demonstrate greater progress in the cleanup of these sites.

The Formerly Utilized Sites Remedial Action Program (FUSRAP) would be under my oversight, if I am confirmed as Assistant Secretary of the Army (Civil Works). As I understand it, Congress directed several years ago that FUSRAP become part of the Civil Works program of the Army Corps of Engineers as a means to expedite the accomplishment of the clean-up of these sites. Like many other programs, I would see the current challenge as achieving that goal within the limited funding available, given today's economic and national security environment.

The Corps implements environmental restoration and protection projects as part of its Civil Works mission, the most well known of which is restoration of the Everglades. In fact, the Corps has become a leader in the restoration and protection of our Nation's environment. I think the greatest challenges facing the Army with respect to its Civil Works environmental restoration mission are working with Federal, Tribal, and local governments to plan and implement projects using watershed or ecosystem perspectives, ensuring that water resources projects are formulated using sound science, and implementing post-construction monitoring where appropriate to facilitate adaptive management, and ensure projects are producing the benefits that were intended.

Question. Are there aspects of this mission which you believe should be transferred from the Department of the Army?

Answer. This is a challenging question and one that I will be prepared to answer after I have had the benefit of comprehensive discussions with Members of Congress, Civil Works stakeholders, and other Army and Corps senior leaders. I believe that analysis of this concept should take place only in accordance with Sec. 109 of H.J. Res. 2, as and when that provision takes effect.

Question. What is your vision for this aspect of the Corps' mission?

Answer. I understand that the Corps of Engineers environmental restoration and protection mission has continued to grow, and I anticipate that these projects will remain popular all across the country. People want clean water and air, and a healthy environment to live in, and Corps environmental projects have made significant contributions to our Nation's environmental health.

Question. If confirmed, how would you propose to address the Corps' environmental funding requirements?

Answer. If I am confirmed, I will work closely with the Corps of Engineers, officials within the administration, and Congress in reviewing funding requirements not only for the critical environmental activities of the Corps, but also for other, equally-important Civil Works program areas, such as commercial navigation and flood and storm damage reduction. We need to find the proper balance among these purposes. Given the funding constraints associated with current economic conditions and national defense priorities, it is important that the Army carefully consider these matters in order to provide the Nation with an effective, efficient, and well-balanced Civil Works program.

MISSION OF THE ARMY CORPS OF ENGINEERS

Question. If confirmed, how would you preserve the integrity of the Corps's environmental and civil works mission?

Answer. At this time I have no specific proposals. However, I do understand that, through its Civil Works program, the Army Corps of Engineers has a unique responsibility to balance environment and development in the public interest. If I am confirmed, I will preserve the integrity of civil works missions to protect and restore the environment and to promote national economic development by making the environment an integral part of all civil works activities.

Question. What are your views about the potential performance of regulatory functions presently performed by the Army Corps of Engineers by other governmental or nonmilitary entities?

Answer. This is a challenging question and one that I will be prepared to answer after I have had the benefit of comprehensive discussions with Members of Congress, Civil Works stakeholders, and other Army and Corps senior leaders. I believe that analysis of this concept should take place only in accordance with Sec. 109 of H.J. Res. 2, as and when that provision takes effect.

DEPARTMENT OF HOMELAND SECURITY AND PROTECTION OF HOMELAND INFRASTRUCTURE

Question. The establishment of the Department of Homeland Security is one of the U.S. Government's largest ever cabinet-level reorganizations. Despite this reorganization, the Department of Defense will continue to play a critical role in homeland defense.

What coordination do you expect to take place between the office of the Assistant Secretary of the Army for Civil Works and the newly established Department of Homeland Security?

Answer. The Army Corps of Engineers has long-standing relationships with several agencies that are being incorporated into the Department of Homeland Security (DHS). Under the Federal Response Plan, the Corps fulfills a critical role as the lead Federal agency for Public Works and Engineering in executing assigned disaster response and recovery missions in support of FEMA. I fully expect this role and strong relationship to continue as FEMA becomes part of the DHS structure. Additionally, the Corps has a clear relationship with the U.S. Coast Guard that requires close collaboration on port and navigable waterway operations and security, which I also expect to continue. I can also envision relationships and coordination with the Transportation and Border Security elements of DHS for the same reason. Finally, the Corps needs to maintain close relationships and coordination with DHS in addressing requirements for the security of the Nation's water infrastructure, for which the Corps has significant high priority infrastructure requirements and interests of its own.

Question. Since the attacks on the World Trade Center and the Pentagon, what processes and new programs have been implemented, or would you propose if confirmed, to address heightened security and resource protection issues in civil works projects?

Answer. While I am not intimately familiar with the details of Corps activities following September 11, I understand that the Corps completed security reviews and has begun design and implementation of security improvements for several hundred Civil Works projects in its inventory of locks, dams, hydropower projects and other facilities to determine vulnerability to terrorist threat and potential consequences

of such an attack. Critical infrastructure assets operated and maintained by the Corps are vital national components of the transportation, water, and power infrastructure sectors. If I am confirmed, I will work with the Chief of Engineers to continue to improve security of this essential infrastructure in support of the global war on terrorism and the Nation's economic vitality.

WETLANDS PERMITS

Question. Section 404 of the Clean Water Act requires landowners or developers to obtain U.S. Army Corps of Engineers permits to carry out activities involving disposal of dredged or fill material into navigable waters of the United States, including wetlands. For more than a decade, the stated goal of the Federal Government has been "no net loss of wetlands." A review by the National Academy of Sciences of June 26, 2001, concluded that the Army Corps of Engineers program for mitigation of wetlands losses has fallen short of the stated goal of no net loss of wetlands. Subsequently, the administration prepared its National Wetlands Mitigation Plan of December 24, 2002.

Do you support the goal of "no net loss of wetlands"?

Answer. Yes. The goal of "no overall net loss of wetlands" was established by President George Bush in the early 1990s and was recently reaffirmed by President George W. Bush in December 2002 with the release of the National Wetlands Mitigation Action Plan.

Question. Do you believe that we are currently meeting that goal?

Answer. This is one question I intend to explore if I am confirmed. I understand there are differences of opinion on whether or not the Corps is meeting the goal. I also understand that there are monitoring and record-keeping issues that should be addressed in this connection.

Question. What is your view of the recommendations of the National Academy of Sciences report?

Answer. I have looked at that report, and it raises a number of points that merit consideration. I am sure the report's recommendations are being reviewed by the Corps of Engineers. If confirmed, I will meet with the Corps to seek their input and to develop a plan for addressing the report recommendations.

Question. What specific steps do you believe that the Army Corps of Engineers should take to move us closer to the goal of "no net loss of wetlands"?

Answer. At this time I do not have specific steps in mind. However, if I am confirmed, I plan to meet with the Corps regarding the Regulatory Program generally and this important goal in particular, and explore options for improved performance, including documentation of performance toward achieving this goal.

Question. What is your view of recently proposed changes and revised guidance for wetlands program of the Army Corps of Engineers?

Answer. I have not had the opportunity to study the revised guidance in any detail, but I have been informed that the guidance is expected to help Corps regulators and the regulated public to accomplish successful, self-sustaining compensatory mitigation projects.

STATE WATER QUALITY STANDARDS

Question. In the past, the Army Corps of Engineers has not always been required to meet State water quality standards in constructing and operating its water resources projects.

Do you believe that the Army Corps of engineers should be required to meet State water quality standards in constructing and operating Corps projects?

Answer. As a general matter, yes, I do.

Speaking in general terms, under Section 401 of the Clean Water Act, the Army Corps of Engineers is required to obtain water quality certifications from States for discharges of pollutants, such as dredged or fill material, that are part of Corps projects.

Subsection 404(r) of the Clean Water Act waives the requirement to obtain the State water quality certification if the necessary information on the effects of the proposed discharge of dredged or fill material is included in an Environmental Impact Statement on the proposed project submitted to Congress before the discharge takes place and prior to either authorization of the project or appropriation of construction funds. Nevertheless, it is the policy of the Corps to seek State water quality certification rather than utilizing the subsection 404(r) exemption provision in most circumstances. I understand that the Corps does not invoke Subsection 404(r) to circumvent State section 401 water quality certification requirements, out of respect for and deference to State water quality policy determinations, and I approve of this policy.

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, when asked, to give your personal views, even if those 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 Assistant Secretary 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.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR MARK PRYOR

WORKING RELATIONSHIPS

1. Senator PRYOR. Mr. Woodley, thank you for supporting your country by agreeing to take on the difficult duties of Assistant Secretary of the Army for Civil Works. I want you to know that I plan to support your nomination.

You mention in your written testimony that you plan to travel to Corps divisions across the country to examine projects first-hand. We would welcome your visit to Arkansas and I hope that you can put us on your travel schedule soon. Let me know when you plan to be in Arkansas.

You forthrightly acknowledge the daunting job of balancing the competing interests at work on many Corps projects. I applaud your commitment to create working relationships within the Army and with State Governors.

You mention that you plan to work closely with other stakeholders. I would like to know what steps you plan on taking in creating useful dialogues with environmental groups such as, for example, the National Resources Defense Council, and private industry, such as power utilities.

Mr. WOODLEY. If confirmed, I would work to facilitate full and open communication among all interested parties, be they others within the executive branch, Members of Congress, or public stakeholders, including environmental groups, power utilities, and other interested parties. I intend to appropriately involve all interested parties and make decisions that take into account all relevant information.

[The nomination reference of John Paul Woodley, Jr., follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 22, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

John Paul Woodley, Jr., of Virginia, to be an Assistant Secretary of the Army, vice Michael Parker.

[The biographical sketch of John Paul Woodley, Jr., which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JOHN PAUL WOODLEY, JR.

On October 2, 2001, Deputy Under Secretary of Defense (Installations and Environment) Raymond F. DuBois, Jr., announced the appointment of John Paul Woodley, Jr. as Assistant Deputy Under Secretary of Defense (Environment).

Mr. Woodley is the principal assistant and advisor to Deputy Under Secretary DuBois for all environmental, safety, and occupational health policies and programs in DOD. Those programs include cleanup at active and closing bases, compliance with environmental laws, conservation of natural and cultural resources, pollution prevention, environmental technology, fire protection, safety and explosive safety, and pest management and disease control for defense activities worldwide. He will also advise DuBois on international military agreements and programs pertaining to environmental security.

Prior to his appointment, Mr. Woodley served as Secretary of Natural Resources in the Cabinet of Virginia Governor Jim Gilmore from January 1998 until October 2001. As Secretary of Natural Resources, Mr. Woodley supervised eight Virginia agencies responsible for environmental regulation, permitting and enforcement, natural and historic conservation, and outdoor recreation, including fisheries and wildlife management.

Prior to his appointment as Secretary of Natural Resources, Mr. Woodley served as Deputy Attorney General of Virginia for Government Operations beginning in 1994. The Government Operations Division of the Attorney General's Office represents all State agencies assigned to the Secretaries of Administration, Finance, Transportation, Commerce and Trade, and Natural Resources, in addition to the Virginia Alcoholic Beverage Control Board, the Workers' Compensation Commission, the Virginia Lottery and the Virginia Retirement System.

Mr. Woodley attended Washington & Lee University in Lexington, Virginia, on an Army R.O.T.C. scholarship. He received a bachelor of arts degree from Washington & Lee in 1974, and was elected to Phi Beta Kappa. Mr. Woodley also attended the Law School at Washington & Lee, where he received his juris doctor degree cum laude in 1977.

Immediately after law school, Mr. Woodley was law clerk to the late U.S. District Judge D. Dortch Warriner of the U.S. District Court in Richmond from 1977 until 1979.

Mr. Woodley served on active duty with the U.S. Army Judge Advocate General's Corps from 1979 until 1985, serving in Germany and at the Pentagon. Mr. Woodley left active military service in 1985 and returned to Richmond, where he was practiced law until 1994. Mr. Woodley holds the rank of Lieutenant Colonel in the Army Reserve, and has been awarded the Army Achievement Medal, the Army Commendation Medal (1st Oak Leaf Cluster), and the Meritorious Service Medal (2nd Oak Leaf Cluster).

Mr. Woodley, 48, is a native of Shreveport, Louisiana. Mr. Woodley and his wife, Priscilla, have three children, Elizabeth (15), Cornelia (13), and John Paul III (10).

[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 John Paul Woodley, Jr., in connection with his nomination follows:]

January 23, 2003.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Assistant Secretary of the Army, Civil Works. It supplements Standard Form 278, "Executive Personnel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

I do not believe that any of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities if I am confirmed. However, any potential conflict of interest issues will be resolved as indicated in the ethics agreement attached to my SF 278. There are no additional potential conflicts of interest to report in Part C of the Commit-

tee's Biographical and Financial Information Questionnaire (or Questionnaire). Additionally, I have no other interests or liabilities in any amount with any firm or organization that is listed as a "Department of Defense Prime Contractor Receiving Awards over $25,000."

During my term of office, neither I, nor my spouse, will invest in any organizations identified as Department of Defense contractors or any other entity that would create a conflict of interest with my governmental duties.

If confirmed, I am committed to serve in this position at the pleasure of the President throughout his term of office.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation other than that which was reported in Part D of my Questionnaire. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated. To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I am a member of certain organizations/professional societies, which have been previously provided to the committee. None should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the committee.

Sincerely yours,

JOHN PAUL WOODLEY, JR.

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 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.)
John Paul Woodley, Jr.

2. **Position to which nominated:**
Assistant Secretary of the Army (Civil Works).

3. **Date of nomination:**
January 22, 2003.

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 28, 1953; Shreveport, Louisiana.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Priscilla Woodley.

7. **Names and ages of children:**
Elizabeth, 16; Cornelia, 14; John Paul, 11.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

B.A., Washington & Lee, 1974; J.D., Washington & Lee, 1977.

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.

1977–79, Law Clerk, USDC, Richmond, VA;
1979–1985, U.S. Army;
1985–1990, Private law practice;
1990–1994, Assistant Commonwealth's Attorney for Henrico County, Virginia;
1994–1998, Deputy Attorney General of Virginia for Government Operations;
1998–2001, Secretary of Natural Resources for the Commonwealth of Virginia;
2001-present, Assistant Deputy Under Secretary of Defense for Environment;
1985-present, Army Reserves, Judge Advocate General Corps, Lieutenant Colonel.

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.

See 9 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.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Virginia State Bar.

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.

Richmond City Republican Committee, Member.
Henrico County Republican Committee, Member.
Third District Republican Committee, Chairman.
Republican National Lawyer's Association, Board Member.
Virginia Republican Lawyer's Association, Chairman.
Candidate for City Council of Lexington, Virginia.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

See (a) above.

(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.

30 October 1997	Gilmore for Governor	$100
12 November 1997	Friends of Jerry Kilgore	$100
12 December 1997	Republican Black Caucus	$100
12 September 1998	Campaign for Honest Change	$100
19 October 1998	Bliley for Congress	$100
27 May 1999	Hord for Delegate	$100
23 March 2000	Henrico Republican Committee	$110
07 July 2000	Republican National Lawyers Assn.	$500
16 March 2001	Republican National Lawyers Assn.	$100

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Meritorious Service Medal (2 oak leaf clusters);
Army Commendation Medal (1 oak leaf cluster);
Army Achievement Medal.

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 which you have copies of and are on topics relevant to the position for which you have been nominated.

I have made speeches to numerous groups and conferences. I have records of only a few of these, which I will provide.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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 PAUL WOODLEY, JR.

This 28th day of January, 2003.

[The nomination of John Paul Woodley, Jr., was reported to the Senate by Chairman Warner on March 27, 2003, with the recommendation that the nomination be confirmed. The nomination was referred to the Committee on Environment and Public Works, which conducted a hearing on the nomination on April 1, 2003, and reported to the Senate by Chairman Inhofe on April 9, 2003, with the recommendation that the nomination be confirmed. The President signed a recess appointment of Mr. Woodley on August 22, 2003.]

[Prepared questions submitted to Ambassador Linton F. Brooks by Senator Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I have over four decades of experience in national security, much of it associated with nuclear weapons. I was deployed on four nuclear-equipped ships, serving as Weapons, Executive, and Commanding Officer. In Washington I had assignments as Special Assistant to the Assistant to the Secretary of Defense for Atomic Energy, responsible for all Navy nuclear programs and for international nuclear weapons cooperation, as Director of the Navy's Strategic and Theater Nuclear Warfare Division, and as Director of Defense Programs on the staff of the National Security Council. In the latter assignment I was the White House official responsible, among other things, for all Department of Energy nuclear programs and for U.S. nuclear testing policy during the final third of the Reagan administration. Finally, I have served in the National Nuclear Security Administration for 16 months, the last 7 as Acting Administrator.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Under Secretary for Nuclear Security, Department of Energy and Administrator, NNSA?

Answer. I believe there are no specific steps that I need to take at this time to prepare myself for the duties of Under Secretary for Nuclear Security/Administrator, NNSA. The experience I have gained during the 7 months in which I have been acting in this position, combined with four decades of national security background, has given me the requisite background and knowledge. Because of the broad scope of NNSA's responsibilities, I naturally expect to continue to learn and develop if I am confirmed.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Under Secretary for Nuclear Security, Department of Energy and Administrator, NNSA?

Answer. I believe the most important challenges I face will include:

- Maintaining a safe, secure, and reliable nuclear stockpile without underground nuclear testing.
- Managing the reorganization announced in December 2002 in a way that gains the promised benefits of increased effectiveness while ensuring fair and equitable treatment of people.
- Implementing the President and the Secretary's agenda on improving the protection of highly-enriched uranium and plutonium worldwide in order to prevent this material from falling into the wrong hands.
- Ensuring that we continue the underlying science to support the stockpile of the future, adapting the current stockpile if needed.
- Maintaining adequate security for NNSA's facilities, assets, and personnel, over the long-term in the face of what may be a permanent transformation of the threat. Maintaining adequate security over the long-term in the face of what may be a permanent, and continuous transformation of the threat. Ultimately we must move beyond guns, gates, and guards to a greater use of technology and a systems architecture for security.
- Replacing the experienced people who will be coming to the end of their Federal service over the next few years and sustaining a challenging and rewarding environment to recruit and retain the uniquely talented people that are so essential to our mission success.
- Continuing to modernize an aging infrastructure.
- Focusing on the future. My experience with Washington jobs is that it is very easy to be consumed by the urgency of the in-basket and very difficult to think about the future.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. I intend to work closely with my NNSA colleagues and Congress on each of these issues. I believe successful implementation of the restructuring of NNSA is key to many of these issues, as is continued strong budgetary support from Congress.

Question. Please explain the importance you place on continuing to ensure a unique organizational identity for the NNSA and what steps you would take to establish such an identity if confirmed?

Answer. I am a strong supporter of maintaining a unique organizational identity for NNSA as a separately organized entity within the Department of Energy. Such an organizational identity is not an end in itself but a means to ensure effective implementation of NNSA's national security responsibilities to maintain the safety, security and reliability of the nuclear stockpile.

Thanks to the good work of my predecessor and the strong support of the Secretary of Energy, I do not believe I will need to take additional steps to establish such an identity. Instead I believe that, if confirmed, I should focus my energies on ensuring that NNSA delivers the benefits to the country for which it was created.

OVERALL MANAGEMENT

Question. In your view, when will the Department of Energy be able to say that the NNSA has been completely established and implemented as envisioned by Congress when the NNSA was created in the National Defense Authorization Act for Fiscal Year 2000?

Answer. I believe that considerable progress has already been made. If we are able to implement the restructuring announced in December 2002 in a fashion that eliminates bureaucracy and improves oversight, if we are able to use new models of oversight to improve contractor performance, and if we are able to continue the fiscal discipline in planning, programming, and budgeting established by my predecessor, then I believe that by the end of 2004 NNSA will be completely established and implemented as envisioned by Congress when the NNSA was created.

Question. In addition to NNSA's current reorganization efforts, what else needs to be done to meet the vision for the NNSA as set forth in the Fiscal Year 2000 National Defense Authorization Act?

Answer. My predecessor established NNSA as a separately organized entity, therefore my focus should be on making that entity effective and efficient in order to meet the intent of Congress. I believe the NNSA management resulting from the organizational decisions announced in December will be effective. The elimination of a layer of management and the creation of a service center should improve both

efficiency and effectiveness. If confirmed, my primary management focus will be to ensure that this reorganization succeeds. I do not currently have additional initiatives to propose.

Question. On December 20, 2002, NNSA announced a plan to restructure its management, including a 20 percent reduction in Federal personnel in 5 years.

How do you believe the NNSA management should be restructured to be more effective?

Answer. I believe the most important elements of the restructuring of December 2002 are the elimination of a management layer and of overlapping responsibilities and the clarification of lines of authority. I do not presently see the need for further major changes beyond those already announced.

Question. How will the announced personnel reductions help meet this goal?

Answer. I view personnel reductions as the result of the elimination of duplication and of a shift to a more effective mode of contractor oversight. Announcing them now forces NNSA managers to prioritize and streamline work and helps ensure that the benefits of our restructuring are actually achieved.

Question. NNSA, in large measure, was created in response to security lapses at the Los Alamos National Laboratory. Unfortunately, we have seen that security lapses have continued to occur. Section 3212(b)(10) of the Fiscal Year 2000 National Defense Authorization Act provides that "the Administrator has authority over, and is responsible for, all programs and activities of the administration, including administration of contracts, including the management and operations of the nuclear weapons production facilities and the national security laboratories."

If confirmed, what would be your plan to make sure that security lapses do not continue at the NNSA facilities?

If confirmed, what policies would you institute to improve the manner in which managers of NNSA facilities deal with security matters?

Answer. I believe these two questions are so integrally related that they must be answered together. In my view, there is no single answer to improving security. Sound polices, constant management attention, vigorous programs of self-assessment and external review, a strong security culture, and a habit of sharing lessons learned across the complex are all required.

If confirmed, I would expect to place particular emphasis on the role of senior management. In my opinion, previous approaches to NNSA oversight confused the issue of accountability and responsibility. The new organization I announced on December 20, 2002, and which, if confirmed, I am determined to implement, places responsibility for security management squarely on the shoulders of the Federal line managers at each site. With clear responsibility and accountability should come stronger and more effective Federal oversight. At the same time, I believe that the contractors—especially the top managers—who operate NNSA facilities must likewise be held accountable. I have attempted to do so while Acting Administrator and, if confirmed, will continue to do so.

WEAPONS PROGRAMS

Question. If confirmed, what specific steps would you take to retain critical nuclear weapons expertise, particularly design capabilities, in the NNSA workforce?

Answer. Design expertise resides in the three NNSA national laboratories, Los Alamos, Lawrence Livermore, and Sandia. I believe retaining experienced individuals at these laboratories is a function of providing them with a stable environment and with technically challenging work. Thus, if confirmed, I will work to resolve the uncertainties caused by current management problems at Los Alamos and to ensure that the NNSA budget continues to support a strong science component.

Question. If confirmed, what specific steps would you take to ensure that new weapons designers are appropriately trained?

Answer. I believe new weapons designers are best trained by working on actual complex nuclear design issues. Ongoing efforts to extend the life of the current stockpile and science based stockpile stewardship provide some opportunity, but in addition I believe it is important to have a robust advanced concepts program. Such a program is, of course, valuable for other reasons as well; it helps provide options for future adaptation of the stockpile to meet changing conditions and capabilities to assess foreign nuclear weapons activities. If confirmed, I will work to ensure a sustained advanced concept program is an integral part of our overall weapons efforts.

Question. Do you support retaining the capability to re-manufacture every component expected to be found in the stockpile? Please explain what you believe are the most pressing re-manufacturing needs.

Answer. Yes, I support retaining such a capability. With only a few exceptions, each major nuclear weapon component will ultimately need to be replaced given an extended lifetime for current stockpiled weapons. To evaluate the most pressing production needs, the NNSA conducted a Production Readiness Assessment of the manufacturing sites within the Nuclear Weapons Complex, in 2000, 2001, and 2002. Collectively, these assessments addressed (1) the ability of the production complex to implement current schedules, (2) an estimate of the production capacity of the complex, and (3) an evaluation of our ability to rebuild, within 36 months, any item currently used in the enduring stockpile.

Of the current non-operational production capabilities the most significant areas of concern are primary and secondary nuclear component production. NNSA has programs in place to correct for these shortfalls. I expect LANL will deliver a certifiable W88 pit this year and a certified W88 pit by fiscal year 2007. At the Y–12 plant in Tennessee, we have recently resumed wet chemistry operations and expect to have enriched uranium processes operational next year. If confirmed, I will support the continuation of these efforts.

Question. What role do you foresee nuclear weapons playing in U.S. defense and foreign policy strategies in the coming decade and beyond?

Answer. In January 2002, the President submitted the Nuclear Posture Review to Congress. In that review, he noted that nuclear weapons will continue to be essential for assuring allies and friends of U.S. security commitments, dissuading arms competition, and deterring hostile leaders by holding at risk those installations that such leaders value and that cannot be held at risk by conventional means. At the same time, the President noted that fundamental changes in international security have taken place in recent years that require us to think of nuclear weapons as part of a "New Triad" of nuclear and non-nuclear strike capabilities, defensive forces, and a responsive defense R&D and industrial base of which the nuclear weapons enterprise is a key element. I believe this analysis of the role of nuclear weapons in defense and foreign policy will remain valid for the foreseeable future.

Question. What role will the Administrator of the NNSA play in determining U.S. defense and foreign policy and the role of nuclear weapons?

Answer. My predecessor played a significant role in the conduct of the Nuclear Posture Review. If confirmed, I would expect to play a similar role in any future reviews as well as in ongoing implementation of the Nuclear Posture Review. I would expect my major contribution would be in ensuring that the technical capabilities of the nuclear weapons complex were adequately considered in any policy deliberations.

STOCKPILE STEWARDSHIP PROGRAM

Question. When do you believe the science-based Stockpile Stewardship Program will be in a position to continuously certify our enduring nuclear weapons stockpile as safe, secure, and reliable, without the need for underground nuclear testing?

Answer. In my view, it is not possible to predict when the Stockpile Stewardship Program will be in a position to continuously certify the Stockpile with such high confidence that we can guarantee that nuclear testing will never be required. I do not believe that Stockpile Stewardship and nuclear testing are alternatives. The goal of Stockpile Stewardship is to ensure a safe, secure, reliable, and effective nuclear deterrent. It is our hope to be able to do this without testing, and I foresee no immediate need for testing. But the complex conditions of a nuclear explosion and the inherent uncertainties associated with the aging of nuclear weapons make it impossible to preclude the possibility that we will someday need to test. In my view, a test to confirm or correct a problem identified by the Stockpile Stewardship Program is not a failure of Stockpile Stewardship, but a confirmation of the wisdom of the program.

Question. What is your view of the Department of Energy (DOE) Stockpile Stewardship Program and the likelihood that it will allow the U.S. to maintain its nuclear deterrent in the near- and long-term? Please identify any vulnerabilities that you see in the Stockpile Stewardship Program that should be addressed either by DOE or by Congress, and how they should be addressed.

Answer. I have great confidence in the Stockpile Stewardship Program and do not see any vulnerabilities requiring action at this time. Because this program is so important, I will, if confirmed, continue to monitor it closely and will promptly advise Congress if problems are identified.

Question. Do you believe that the DOE Stockpile Stewardship Program is fully integrated with Department of Defense requirements? If not, please explain those steps you would propose, if confirmed, to ensure that the plans and programs of the NNSA are fully integrated and linked with the requirements established by DOD.

Answer. Yes, I believe the program is appropriately integrated with the Department of Defense.

Question. When do you anticipate there will be a 2003 annual Stockpile memorandum?

Answer. The NNSA and the Department of Defense have been working to revise the Stockpile structure to comply with the guidance from the Nuclear Posture Review. These efforts are nearing conclusion and I expect the next Nuclear Weapons Stockpile Memorandum to be submitted to the President in May 2003.

NUCLEAR POSTURE REVIEW

Question. The Nuclear Posture Review announced the administration's plan to reduce the number of operationally deployed strategic nuclear warheads to between 1,700 and 2,200 by the year 2012.

With the large number of refurbishment and other life extension program activities planned over the next decade, is there enough facility capacity and personnel in the NNSA workforce to also take on a large increase in dismantlement during the same decade?

Answer. The current nuclear weapons industrial complex is limited in the number of weapons that can be processed at the Pantex Plant, with the work split among units undergoing surveillance, refurbishment, or dismantlement. Planned renovations of existing facilities at Pantex will expand capacity sufficient to meet the anticipated Nuclear Posture workload. During the period fiscal year 2008 through fiscal year 2010—when three new refurbishments (W80, W76, B61) are underway—there would be only a small reserve capacity available to fix unanticipated problems in the stockpile, respond to new warhead production requirements, or handle a potentially increased dismantlement workload. That reserve capacity would increase after fiscal year 2014. Under current planning assumptions, NNSA would not define a firm schedule for dismantlements; rather it would "load level" the Pantex operation by scheduling dismantlements in a way that does not interfere with ongoing refurbishments or new production.

Question. Does the Nuclear Posture Review have an effect on dismantlement rates?

Answer. Some warheads are likely to be retired and dismantled as a result of the Nuclear Posture Review, but that determination has not yet been made beyond reaffirming the earlier decision to retire the W62 warhead by 2009.

Question. What should be the policy for setting a priority between these potentially competing activities?

Answer. Under current planning assumptions, NNSA would not define a firm schedule for dismantlements; rather it would "load level" the Pantex operation by scheduling dismantlements in a way that does not interfere with ongoing refurbishments or new production. I believe this is a sound approach.

Question. What weapons systems, if any, will be dismantled as a result of the Nuclear Posture Review?

Answer. The President announced in November 2001 that the United States would reduce its operationally deployed strategic nuclear warheads to between 1,700 and 2,200 over the next 10 years. Some of the warheads removed from operational status will become part of the responsive force while I expect others will be retired and dismantled. Specific decisions have not yet been made beyond reaffirming the earlier decision to retire the W62 warhead by 2009.

FACILITIES AND INFRASTRUCTURE

Question. Upon its creation, NNSA inherited a dilapidated infrastructure throughout the aging nuclear weapons complex. At the request of the Department of Energy, Congress created the Facilities and Infrastructure Recapitalization Program (FIRP) in the National Defense Authorization Act for Fiscal Year 2002.

Although FIRP appears to be making good progress in revitalizing our infrastructure through elimination of maintenance backlogs, what would be your plan, if confirmed, to make sure the current and future maintenance needs, under the Readiness in Technical Base and Facilities Program, are met to ensure FIRP goes out of business after 10 years, as originally planned?

What specific standards should be applied to ensure that the Readiness in Technical Base and Facilities Program meets current and future maintenance needs across the nuclear weapons complex so that no additional scope is added to the FIRP?

Answer. I believe that there are two primary tools to ensure that NNSA does not revert to the infrastructure problems of the past. The first is the strengthened Planning, Programming, Budgeting, and Evaluation program put in place by my prede-

cessor. This program is producing a meaningful Future Years National Security Program that gives appropriate visibility to funding across the range of our programs to assure that we rebuild, revitalize, and sustain our nuclear weapons program infrastructure.

The second tool is the establishment and implementation of a disciplined and integrated corporate infrastructure management program. This includes industry-based maintenance procedures and meaningful performance metrics for both the Readiness in Technical Base and Facilities and the Facilities Infrastructure Recapitalization Programs. A proven approach to knowing if investments in maintenance are having the desired effect is to measure the deferred maintenance backlog over time. NNSA has established goals for reducing the deferred maintenance backlog to within industry standards by fiscal year 2009. Similarly, industry practices provide for an annual investment in current year maintenance to assure that the deferred maintenance backlog is not increased. Collectively, these two efforts work to recover and sustain the infrastructure.

If confirmed, I will support the continued development and use of these metrics in the both the Readiness in Technical Base and Facilities and the Facilities Infrastructure Recapitalization Programs. Ultimately, prevention of a recurrence of the problems of the past requires a commitment to maintenance on the part of NNSA leadership, both Federal and contractor. If confirmed, I would ensure the implementation of a disciplined and integrated corporate infrastructure management program for the NNSA. I am committed to ensuring that NNSA facilities and infrastructure have prudent maintenance and adequate funding.

Question. What steps will you take to ensure that only the necessary construction projects are undertaken and how will you ensure that in 10 years a new FIRP is not needed?

Answer. The NNSA's PPBE process, our formal process for construction project approval and evaluation and an integrated corporate infrastructure management program together would be the means by which we would assure effective management of our infrastructure. If confirmed, I would continue to assure focus and commitment to these efforts.

Question. How will you ensure that old unneeded facilities are torn down, or transferred so that they will not need long-term maintenance?

Answer. Currently NNSA intends to reduce the size of its nuclear complex through consolidation within existing sites and through the continued disposition of Cold-War legacy facilities via the Department's Environmental Management Program. Beyond this, our future efforts would include planning and execution for decommissioning, decontamination and disposition of excess facilities to reduce the nuclear weapons complex footprint and annual costs. If confirmed, I would continue this focus and I would work to assure that new construction projects are offset by an equal or greater reduction of square footage in our program.

TEST READINESS

Question. If the President decides that underground nuclear testing is necessary, what are the long lead items which result in the scheduling of such testing 2 to 3 years in the future?

Answer. I believe that the most probable reason for conducting a nuclear test is to confirm a significant problem with a weapon critical to the Nation's deterrent posture or to verify that a significant identified stockpile problem has been rectified. In this case, the pacing item will be the time to design the appropriate test and necessary instrumentation. Based on history, such design would probably take about 18 months (since we are speaking of a hypothetical problem, it is not possible to be definitive). Thus I support reducing the test readiness at the Nevada Test site from the current 24–36 months to 18 months.

Question. In your view, what is the criteria by which the President should determine testing if necessary?

Answer. I believe that the President should authorize a nuclear test when such a test is the only means to confirm a significant problem with a weapon critical to the Nation's deterrent posture or to verify that an identified stockpile problem has been rectified. If confirmed, I will not hesitate to recommend such testing if required, although I do not foresee a need for testing at this time.

Question. In your view, what is the optimal test readiness posture which NNSA should be aiming to meet?

Answer. I believe that readiness to test within 18 months of a decision to do so is appropriate for the foreseeable future. If confirmed, I will ensure that NNSA budget requests support such a readiness posture.

Question. What would your role be, if confirmed, in determining optimal test readiness?

Answer. If confirmed, I will regard determining optimal test readiness to be part of my responsibilities, subject to direction from the President or the Secretary of Energy and to the availability of necessary appropriations by Congress.

PIT PRODUCTION CAPABILITY AND MODERN PIT FACILITY

Question. The Under Secretary of Defense for Policy stated in testimony before the Senate Armed Services Committee on February 14, 2002, "I believe that of the countries that have nuclear weapons we are the only one that does not have the capability to manufacture new nuclear weapons now."

Please describe the progress being made at the Los Alamos National Laboratory to manufacture certifiable W88 pits by the end of fiscal year 2003.

Answer. The progress is good and I expect the milestone to be achieved on time. Los Alamos National Laboratory has met all critical path milestones required to manufacture a certifiable pit in fiscal year 2003. In calendar year 2002, Los Alamos manufactured five development W88 pits on or ahead of schedule.

Question. Please describe the progress being made on the conceptual design work and environmental impact statement for a Modern Pit Facility.

Answer. Progress on a Modern Pit Facility is good. Following approval of mission need by Secretary Abraham in May 2002 and notification of Congress in September 2002, NNSA initiated conceptual design in October 2002. NNSA plans to complete all conceptual design work required for a critical decision on system requirements and alternatives in fiscal year 2006. A decision on proceeding with a Modern Pit Facility and, if we are to proceed, a decision on site selection should occur by March 2004, following the review required by the National Environmental Policy Act. If confirmed, I will work to ensure that these milestones are met.

Question. Has the Department of Defense made a final determination as to the annual number of pits by weapon type that are required?

Answer. No.

SECURE TRANSPORTATION ASSETS

Question. NNSA is responsible for transporting nuclear weapons and special nuclear materials, including special nuclear materials being transported between Environmental Management (EM) sites.

If confirmed, what would be your plan to make sure the growing demand for secure transportation assets, both within Defense Programs (DP) and EM sites, is met?

Answer. The Deputy Administrator for Defense Programs and the Assistant Secretary for Environmental Management are working together to integrate defense and environmental management requirements. I would encourage this process to continue. Ultimately, I believe we will need to increase the number of secure transportation assets, especially Federal agents. If confirmed, I will support existing plans for such an increase.

Question. In your view should EM pay for the cost of shipping such material, including capital investment needed to meet their cleanup schedules?

Answer. NNSA provides transportation of nuclear materials as a service to the entire Department, funding such transportation from within the NNSA budget. At present, I see no need to change this process, but will continue to review the issue if confirmed.

Question. In your view should NNSA pay for costs of shipping to other DOE programs?

Answer. NNSA provides transportation of nuclear materials as a service to the entire Department, funding such transportation from within the NNSA budget. At present, I see no need to change this process, but will continue to review the issue if confirmed.

SECURITY VERSUS SCIENCE

Question. Despite recent counterintelligence and security failures at the Department of Energy's nuclear weapons labs, many have opposed implementing enhanced security and counterintelligence measures for fear that doing so would endanger the viability of the science and research programs carried out at these labs.

Can you describe the relative importance you place on maintaining the scientific capabilities of the weapons labs and a vigilant security and counterintelligence posture?

Answer. In my view, both are essential to the effective execution of our national security mission. Without great science, effective security would be meaningless.

Without effective security and counterintelligence, the classified science so critical to national security could not be protected.

Question. Do you believe these goals are at cross-purposes?

Answer. Not at all. The two goals should be complementary; we cannot achieve success in great science if such success is at the expensive of national security, and vice versa. However, we must work hard to better integrate the two.

Question. If confirmed, what would your plans be for implementing a revised polygraph program?

Answer. The Secretary of Energy is legally required to promulgate a rule implementing a revised polygraph program, taking into account the results of the October 8, 2002 National Research Council Report "The Polygraph and Lie Detection." I am participating in the development of that revised policy. Pending completion of our work, it is not possible to comment on specific plans for implementing a revised program.

MANAGEMENT OF THE NNSA

Question. What do you understand the role of the Administrator of the NNSA to be relative to the Secretary of Energy and the Deputy Secretary of Energy?

Answer. As the head of a separately organized administration within the Department of Energy, the Administrator of the NNSA reports directly to the Secretary. Simply put, I work for the Secretary and Deputy Secretary.

Question. If confirmed, will you take direction from the Secretary of Energy and the Deputy Secretary of Energy with regard to:

The organization of the National Nuclear Security Administration; the management of the National Nuclear Security Administration; policy development and guidance; budget formulation, guidance, and execution, and other financial matters; resource requirements determination and allocation; program management and direction; safeguards and security; emergency management; integrated safety management; environment, safety, and health operations; administration of contracts, including the management and operations of the nuclear weapons production facilities and the national security laboratories; intelligence; counterintelligence; personnel; and legal and legislative matters?

Answer. Each of these areas is a formal responsibility of the Administrator as set forth in Section 2402 of the NNSA Act. I would therefore neither seek nor expect direction from either the Secretary or the Deputy Secretary in these areas on a routine basis (direction to modify the NNSA organization is prohibited by Section 2409 of the NNSA Act). In the 7 months I have been Acting Administrator, neither the Secretary nor the Deputy Secretary have sought to involve themselves in the internal functioning of NNSA. If, in the future, I received direction in these areas, I would, of course, accept it.

Question. What is your view of the authority of the Secretary of Energy and the Deputy Secretary of Energy to meet with, receive briefings and information from, and provide direction to, officers and employees of the NNSA, including the Directors of the National Laboratories?

Answer. As I understand the NNSA Act, in providing direction to officers and employees of NNSA, the Secretary or Deputy Secretary are to act through the Administrator. The Secretary and Deputy Secretary can gather information in any way they chose, including by the use of staff.

Question. Do you believe that the expertise of Department of Energy personnel serving outside the NNSA can be helpful to you if you are confirmed as Administrator?

Answer. Yes.

Question. What is your understanding of your authority to draw on that expertise?

Answer. I understand that I have essentially unlimited authority, except for dual-hatting.

Question. To what extent would you expect to do so?

Answer. If confirmed, I would expect to draw on wider expertise as required. My experience suggests that detailing specific individuals to NNSA has been the most productive way to draw on such expertise. In addition, my predecessor made a number of formal arrangements that I would continue. For example, he arranged to use the DOE Office of Independent Oversight and Performance Assurance to conduct reviews of NNSA environment, safety, health, security, cyber security, and emergency management activities, rather than attempt to create a comparable NNSA review function. As another example, DOE's Office of Environment, Safety and Health conducts investigations under the Price-Anderson Act on my behalf.

Question. Would it be helpful to you, if confirmed, to be able to draw upon the expertise of Department of Energy personnel outside the NNSA through details, dual-hatting, or other available personnel authorities?

Answer. Yes, with the exception of dual-hatting, which I believe to be inconsistent with the concept of a separately organized NNSA.

Question. In your view, should the Department of Energy have a single counterintelligence czar, who serves as both the head of the Department-wide Office of Counterintelligence and the Chief of Defense Nuclear Counterintelligence?

Answer. The National Counter Intelligence Executive was tasked by Congress to conduct a study of this issue. The National Counterintelligence Executive report was completed in January 2003 and recommended the two programs be consolidated with a single manager reporting to the Secretary of Energy. I am still reviewing these conclusions and have not yet formed a final opinion.

Question. What is your view of the extent to which the National Nuclear Security Administration is bound by the existing rules, regulations, directives, and guidance of the Department of Energy?

Answer. In general, the National Nuclear Security Administration is bound by the existing rules, regulations, directives, and guidance of the Department of Energy. The Administrator is authorized to issue administration-specific policies, which may modify DOE directives, unless disapproved by the Secretary of Energy. I believe that the appropriate model is for the Secretary to set Department policy while the Administrator interprets policy for implementation within the NNSA. If confirmed, I would expect to develop a separate set of implementation guides for many Departmental orders.

DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS

Question. The majority of the programs within the Office of Defense Nuclear Nonproliferation deal with securing, accounting for, and disposing of former Soviet Union WMD and their related expertise.

What is your view of expanding these programs beyond the states of the former Soviet Union to address the emerging threats posed by the proliferation of WMD arsenals and expertise?

Answer. I am in favor of expanding programs for securing, accounting for, and disposing of weapons-useable nuclear material (taking such actions with respect to other weapons of mass destruction is not, in my view, an appropriate responsibility for the National Nuclear Security Administration). At the same time, the United States has concentrated on Russia because that is where the greatest amount of at-risk material is. Further, the countries typically identified for potential assistance (India, Pakistan, and China, for example) have thus far shown no interest in U.S. assistance. Because the material protection control and accounting efforts of the United States Government are inherently cooperative, this may make it difficult to expand to other countries.

Question. In your view, are any improvements needed in the Defense Nuclear Nonproliferation Programs? If so, what improvements would you recommend?

Answer. I have not identified any specific improvements required in the Defense Nuclear Nonproliferation Program. These programs appear generally effective and well-managed. My biggest concern is the continued slow pace of commitments to specific programs by our international partners under the G8 Global Partnership.

NUCLEAR EXPLOSIONS MONITORING

Question. In your view, are the capabilities of the United States for monitoring nuclear explosions sufficient to detect any nuclear explosions?

Answer. No. Remote detection of nuclear explosions under all possible evasive and low yield scenarios is not technically possible.

Question. What additional steps do you believe could be taken by the NNSA which could enhance our nuclear explosions monitoring capabilities?

Answer. The NNSA research and engineering program on nuclear explosion monitoring is dedicated to maintaining U.S. detection capability on satellite-based systems and the analysis of data from ground-based geophysical systems. Historically NNSA supports the science and technology foundations to sustain existing and future monitoring of nuclear testing. I do not currently believe that there are additional steps that NNSA should be taking in this area.

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, 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 Under Secretary for Nuclear Security, Department of Energy and Administrator, NNSA?

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 comply with statutory reporting requirements, including the annual weapons program report?

Answer. Yes.

[Question for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR SUSAN COLLINS

NNSA COORDINATION WITH THE DEPARTMENT OF HOMELAND SECURITY

1. Senator COLLINS. Ambassador Brooks, the Administrator of the National Nuclear Security Administration (NNSA) is charged with promoting international nuclear safety and nonproliferation. It is critical that the NNSA work closely with the new Department of Homeland Security in protecting our Nation from either attacks on American nuclear facilities, or from a smuggled weapon. Do you have any suggestions on how to facilitate coordination between the NNSA and the new Department?

Ambassador BROOKS. I believe we are off to a good start. The DOE and Department of Homeland Security (DHS) Memorandum of Agreement concluded on 28 February 2003 establishes the framework to ensure that the capabilities of DOE's national laboratories and sites, including the production plants, are made available to DHS for its missions on an efficient basis. DOE is committed to supporting DHS counterterrorism and homeland security initiatives, and related initiatives of our other partners in the Department of Defense and the intelligence and law enforcement communities that are responding to this new threat.

In addition to these formal steps, we have taken informal steps as well. I have met personally with the three Under Secretaries of DHS with whom we will be interfacing. I have also detailed several experienced individuals to assist the new Department in coordinating its efforts with DOE.

QUESTION SUBMITTED BY SENATOR JOHN ENSIGN

NNSA COORDINATION WITH THE DEPARTMENT OF HOMELAND SECURITY

2. Senator ENSIGN. Ambassador Brooks, as you are aware the President recently signed into law the Omnibus Appropriations Act for Fiscal Year 2003. That Act provided $35 million for a National Center for Combating Terrorism at the Nevada Test Site Facility. By the end of this year, the Nevada Test Site will have received more than $100 million in funding for emergency response training and instructed nearly 10,000 emergency responders.

Having endured the horrific attacks of September 11, our Nation now finds itself committed to a global war on terror. To this end it is imperative that we utilize every available resource to ensure our first responders are appropriately trained and prepared to deal with whatever crisis confronts us. The National Center for Combating Terrorism is the one facility in the country where all facets of emergency responder training and research can be brought together. With this knowledge, will you personally support and willingly work with Secretary Ridge of the Department of Homeland Security to ensure the National Center for Combating Terrorism fulfills its goal of being the Nation's premiere training site of emergency responders?

Ambassador BROOKS. The Nevada Test Site has unique capabilities to provide a wide range of training, research, and field testing of newly developed sensor technology for use by the Department of Homeland Security and its customers. I expect it to be well-utilized by the new Department of Homeland Security. In addition,

Congress has funded the National Center for Combating Terrorism to provide research and training for emergency responders. I will work with Secretary Ridge to ensure that the funds are well-used and the center works effectively to support the national interest.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

GENERAL ACCOUNTING OFFICE—REPORTED CONCERNS

3. Senator CHAMBLISS. Ambassador Brooks, a February 26, 2002 General Accounting Office (GAO) assessment expressed concern regarding the NNSA's lack of a long-term strategic approach, fragmented budgeting process, confused line of authority, and workforce quality. Please address what you have done as Deputy Administrator for Defense Nuclear Nonproliferation to address these concerns and fill longstanding vacancies within this key directorate with qualified individuals.

Ambassador BROOKS. Since assuming the position of Deputy Administrator for Defense Nuclear Nonproliferation on October 20, 2001, I have instituted a number of reforms in NNSA in direct response to the congressional concerns above, and in support of the President's Management Reform Agenda. Specifically, I worked with the former Administrator to develop and implement an integrated Planning, Programming, Budgeting, and Evaluation (PPBE) process which achieves the integration we have been seeking between headquarters, our national laboratories, and our international partners. From an organization and management standpoint, in December, I formally approved the comprehensive NNSA organization concept contained in the February 2002, "Report to Congress on the Organization and Operations of the National Nuclear Security Administration." This reorganization clarifies headquarters and field roles and responsibilities, and identifies clear lines of authority, and implements new business practices in NNSA. With respect to concerns on our workforce quality, it is my opinion that NNSA, and the Defense Nuclear Nonproliferation Program in particular, has a very high quality and diversified workforce. We have staffed most of the longstanding vacancies. In addition, I am continuing to federalize the Defense Nuclear Nonproliferation workforce with a combination of seasoned contractor employees with experience in the nonproliferation arena, and younger talent at lower levels using the Defense Nuclear Nonproliferation sponsored Nonproliferation Graduate Intern Program.

We are also in the process of recruiting several senior level positions specifically targeting diverse candidates.

In summary, I have taken substantial steps to address the concerns highlighted in the GAO report. Defense Nuclear Nonproliferation has instituted an aggressive hiring initiative and that will continue. We have been successful in hiring many new qualified employees dedicated to Federal service and to the goals of the nonproliferation program. I believe we will continue to be successful as we staff new vacancies provided by Congress in our budget.

NONPROLIFERATION COORDINATION

4. Senator CHAMBLISS. Ambassador Brooks, in a post-September 11, 2001 evaluation, the GAO called for greater coordination among U.S. nonproliferation programs. Please provide specific examples of initiatives you have undertaken and programs you have championed during your tenure as head of Defense Nuclear Nonproliferation to improve nonproliferation coordination and implementation among key agencies such as the Department of State, Central Intelligence, etc.

Ambassador BROOKS. The NNSA primarily coordinates its nonproliferation activities through the NSC's interagency coordination committees. Meetings are held frequently to address interagency nonproliferation issues and activities and include agencies such as the Departments of Defense and State as well as the Intelligence Community. Specifically in the area of warhead security, I undertook jointly with the NSC, Department of State, Department of Defense, as well as certain other agencies, to establish an interagency working group in order to ensure effective and close coordination amongst U.S. agencies involved in USG efforts to improve the security of Russian nuclear warheads that are in need of improved security. This working group has already met on numerous occasions and has proven to be highly beneficial.

In addition to the NSC's interagency coordination committees and warhead working group, I have significantly enhanced our coordination and interaction with the Intelligence Community to ensure maximum leverage of our collective understanding and expertise to more effective address and mitigate the worldwide threat of

WMD proliferation. This interagency ranges from close joint reviews of proposed IPP projects to gaining a better understanding of potential nuclear smuggling routes to support our border security mission.

Another important initiative that I have strongly supported involves detailing on a full-time basis an NNSA nonproliferation expert to the Department of State's Bureau of Eurasion Affairs to further enhance our close working relationship with the Department of State in the threat reduction area. This relationship has specifically contributed to State Department's and the NNSA's collective ability to quickly and efficiently address threat reduction issues, including processes involving the approval of country clearances for NNSA travelers heading to Russia to perform threat reduction work.

Finally, I would like to highlight one initiative in the area of R&D nonproliferation, known as the Counterproliferation Program Review Committee (CPRC). The purpose of the CPRC is to ensure effective coordination among the Department of Defense, Department of Energy, and the Intelligence Community on nonproliferation research and development and counterproliferation activities. This committee has long been an effective means by which the departments coordinate their activities and has recently developed joint R&D roadmaps.

TRACKING AND SAFEGUARD OF HAZARDOUS MATERIALS

5. Senator CHAMBLISS. Ambassador Brooks, please provide an assessment of capabilities within the NNSA for international tracking of so-called dirty bomb and foreign research reactor material and the prioritization on accurate tracking and safeguarding of these materials.

Ambassador BROOKS. The Material Protection, Control and Accounting Program (MPC&A) is dedicated to safeguarding nuclear and radiological materials, both at a storage site and in transit. The MPC&A's Radiological Dispersal Device Program seeks to develop a coordinated and proactive strategy to locate, recover, and secure orphan sources throughout the former Soviet states. Currently, the task of keeping track of radiological materials is the responsibility of each individual country. Funding remains an obstacle for some countries, and other countries do not consider safeguarding materials a high priority. One of the motivations for holding the International Conference on Security of Radioactive Sources in Vienna this month was to encourage many other countries to recognize the urgency of this threat. Through the NNSA, the U.S. can provide critical support in the form of technical and financial assistance to enable countries of interest to properly account for nuclear and radiological material.

In addition to these strategies that focus primarily on the sources at a storage site, the Second Line of Defense Program provides integrated, sustainable systems to detect nuclear and radiological smuggling and thereby significantly minimize the risk of nuclear proliferation and terrorism.

MONITORING OF NUCLEAR MATERIALS

6. Senator CHAMBLISS. Ambassador Brooks, please provide specific actions taken by the NNSA since September 11, 2001 to enhance monitoring and tracking of sensitive nuclear materials.

Ambassador BROOKS. We are currently taking a comprehensive look at our needs for data collection and management on foreign fissile material holdings. The Deputy Secretary has directed me and the Director of Intelligence to survey all foreign fissile material database holdings and we have begun that effort. We are now seeking information from sources outside the Department. We will be analyzing those responses to see if there is a need for the additional data collection at NNSA.

NNSA currently uses the International Nuclear Analysis (INA) database which is a U.S. Government sponsored project that maintains the nuclear industry's information and tracks nuclear materials. INA tracks and monitors nuclear weapons useable inventories of 100,000 tons of spent fuel and 1,000 tons of plutonium at nearly 200 sites in 33 countries. Current INA services include: nuclear material tracking; nuclear program modeling; topical reports on nonproliferation issues; and rapid responses to ad hoc requests from the nonproliferation community.

INTERNATIONAL NUCLEAR ANALYSIS PROGRAM

7. Senator CHAMBLISS. Ambassador Brooks, please provide the status of funding for the International Nuclear Analysis (INA) program, which monitors nuclear weapons-usable and radiological-dispersion device-usable materials internationally.

Ambassador BROOKS. The International Nuclear Analysis (INA) database is a commercial product of the Nuclear Assurance Corporation (NAC). This product, along with NAC's Fuel Track publication, is a compilation from open commercial sources of international nuclear reactor fresh fuel shipments and calculations of spent fuel outputs. The MPC&A program uses INA to assimilate data on amounts of secured or vulnerable special nuclear material from a variety of sources, both sensitive and nonsensitive. NNSA will continue to fund the program in fiscal years 2003 and 2004. In fiscal year 2005, the Department of Energy's Office of Security will assume management responsibility for the INA program, contingent on approval of out-year funding.

QUESTIONS SUBMITTED BY SENATOR LINDSEY O. GRAHAM

F-CANYON AND H-CANYON SITES

8. Senator GRAHAM. Ambassador Brooks, F-Canyon at Savannah River Site (SRS) was originally built in the early 1950s in part to recover plutonium-239 to support the nuclear weapons stockpile. Section 3137 of the NDAA for Fiscal Year 2001 prohibited the decommissioning of F-Canyon until both the Secretary of Energy and the Defense Nuclear Facilities Safety Board (DFNSB) certified that all materials present at F-Canyon were safely stabilized and all future fissile materials disposition can be met by H-Canyon or other facilities. DOE is ready to certify the fiscal year 2001 requirements, but DFNSB is not prepared to certify at this time. Do any of the programs within NNSA plan to use F-Canyon now or in the future?

Ambassador BROOKS. So long as the H-Canyon is operational, there are no NNSA organizations that require the use of the F-Canyon now or in the future.

9. Senator GRAHAM. Ambassador Brooks, are there any reasons now or in the future for which NNSA would need to utilize F-Canyon to meet NNSA's mission?

Ambassador BROOKS. NNSA has no reasons now or in the future to utilize F-Canyon. The complex-wide analysis documented in the Savannah River Site Canyons Nuclear Material Identification Study, dated February 2001, concluded that all materials in the complex potentially requiring canyon processing for disposition can be processed through the H-Canyon.

10. Senator GRAHAM. Ambassador Brooks, are there any materials held by NNSA which need to be disposed of and processed through F-Canyon?

Ambassador BROOKS. There are no materials held by NNSA which need to be disposed of and processed through the F-Canyon. However, there may be some potential materials that require H-Canyon capabilities. The weapons complex is currently in the process of identifying those materials.

11. Senator GRAHAM. Ambassador Brooks, does NNSA see any reason why F-Canyon should not be decommissioned?

Ambassador BROOKS. As long as H-Canyon is operational, NNSA sees no reason why F-Canyon should not be decommissioned.

12. Senator GRAHAM. Ambassador Brooks, what future utilization does NNSA have for H-Canyon?

Ambassador BROOKS. If the Office of Environmental Management keeps H-Canyon operational, the Office of Fissile Materials Disposition will use H-Canyon for the disposition of approximately 16 metric tons of off-specification surplus highly-enriched uranium (REV) that is part of an interagency agreement between DOE and the Tennessee Valley Authority. The use of H-Canyon for this purpose would extend until approximately the end of calendar year 2007 under current schedules. Up to 3 metric tons of additional off spec HEU was recommended for H-Canyon processing in a 2001 DOE study that analyzed options for disposition of unallocated off-spec HEU. Processing that additional material would require H-Canyon to remain operational through approximately 2010. If H-Canyon were not available, the Department would have to consider other alternatives for disposing the materials.

13. Senator GRAHAM. Ambassador Brooks, does NNSA plan to recommend decommission of the H-Canyon? If so, in what year?

Ambassador BROOKS. H-Canyon is owned and operated by the Office of Environmental Management. As a result, it would be improper for the NNSA to recommend decommissioning an asset belonging to another part of the Department of Energy.

PIT FACILITIES

14. Senator GRAHAM. Ambassador Brooks, since we closed the Rocky Flats site in 1989 the United States has no capability to manufacture primaries. Los Alamos has a limited capacity to manufacture pits, but not enough to meet the Nation's future needs. Why is the construction schedule for the Modem Pit Facility so long? Do we not need pit production capacity sooner?

Ambassador BROOKS. Designing a modern nuclear facility with appropriate capacity and to comply with all the attendant environmental, safety, and health laws requires detailed and time intensive planning and engineering work.

NNSA is working very hard to ensure that this major nuclear facility will meet our plutonium pit production requirements for the next 50 years. We plan to begin construction of this facility in 2011 with initial production operations beginning in 2018 and full scale production by 2020.

Based on currently available data on the aging of pits, the MPF will be available when needed to support the stockpile. In the unlikely event that we discover a significant problem with a pit type in the stockpile, there is a potential to increase the small interim pit manufacturing capability at Los Alamos.

15. Senator GRAHAM. Ambassador Brooks, what sites are being considered for the construction of a Modern Pit Facility? Has a preferred site been identified?

Ambassador BROOKS. NNSA is now examining five candidate sites—the Pantex plant in Amarillo, Texas, Carlsbad, New Mexico, the Nevada Test Site, Savannah River, and Los Alamos—as possible locations for the MPF. A draft Environmental Impact Statement (EIS) will be issued later this spring. Following a series of public meetings, a final EIS and associated Record of Decision (ROD) will be issued by April 2004. The final EIS will identify a preferred site.

The NNSA will prepare site specific environmental documentation if the ROD supports a decision to construct and operate a MPF. The fiscal year 2004 budget request will allow conceptual design and other planning activities, NEPA work, and technology development activities to proceed on a schedule that will support a CD–1 decision in fiscal year 2006.

16. Senator GRAHAM. Ambassador Brooks, it is my understanding that as we reduce the variety of nuclear warhead types in the United States arsenal the greater the need for a Modern Pit Facility. Is that the case, and if so, could you explain why?

Ambassador BROOKS. As the size and diversity of the stockpile declines, the safety, security, and reliability of the stockpile will become more vulnerable to problems in a single component such as a particular pit type. Should a problem arise in the stockpile that involves the pit, it will be critical for the United States to correct that problem as quickly as possible. The Modern Pit Facility is being designed to have a capacity to manufacture at least 125 pits per year and the capability to manufacture all pit types in the stockpile.

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

DEVELOPMENT OF NUCLEAR WEAPONS

17. Senator BILL NELSON. Ambassador Brooks, the Nuclear Posture Review indicates that this administration may seek to develop new nuclear weapons. Last year the House tried to remove the legal prohibition on developing small nuclear weapons, so called mini-nukes. The Senate prevailed and the current law prohibiting such action remained unchanged. Has DOD developed a requirement for any new nuclear weapon?

Ambassador BROOKS. There are no current requirements for new nuclear weapons.

18. Senator BILL NELSON. Ambassador Brooks, is NNSA planning to do any work on any new nuclear weapons in fiscal year 2004?

Ambassador BROOKS. There are no current plans for new nuclear weapons, nor are we developing or fielding any new nuclear warheads. We are, however, fulfilling our responsibility to maintain and strengthen our capabilities to design, develop, produce, and certify new warheads if we are asked to do so in the future.

19. Senator BILL NELSON. Ambassador Brooks, has DOE been asked to look at the possibility of developing small nuclear weapons, the mini-nukes?

Ambassador BROOKS. No.

NUCLEAR TESTING TIMELINES

20. Senator BILL NELSON. Ambassador Brooks, the fiscal year 2004 NNSA budget request includes money to move NNSA from the current approved time to be ready to conduct a nuclear test in 24–36 months to 18 months. Why is this action being taken and how much will it cost to achieve and maintain this level of readiness?

Ambassador BROOKS. It is only prudent to continue to hedge for the possibility that we may in the future uncover a safety or reliability problem in a warhead critical to the U.S. deterrent that could not be fixed without nuclear testing. Were that to be the case, we might require a test sooner than would be provided by our current 24–36 month test readiness posture. As a result of the NPR, we have begun a transition to an 18-month test readiness posture that will enhance the responsiveness of stockpile stewardship efforts and thereby strengthen national security. We chose 18 months as a test readiness figure because that is typically how long it will take to diagnose and correct an as yet unidentified problem.

In years prior to fiscal year 2003 request approximately $9 million was identified in the RTBF/Program Readiness as unique for underground test readiness activities at the Test Site. An additional $6 million is required to maintain the 24–36 month test readiness posture bringing the total to $15 million, an additional $10 million is needed to progress towards an 18 month test readiness posture. We anticipate that an annual total of $25 million is required to sustain an 18 month test readiness posture.

21. Senator BILL NELSON. Ambassador Brooks, has there been a formal approval by the Nuclear Weapons Council of this level of readiness?

Ambassador BROOKS. The transition to an 18 month test readiness posture has been discussed with the Department of Defense, is consistent with the Nuclear Posture Review, and has the concurrence of the Nuclear Weapons Council.

NUCLEAR WEAPONS STOCKPILE

22. Senator BILL NELSON. Ambassador Brooks, the nuclear weapons stockpile is reviewed annually to confirm its safety and reliability. In the most recent review the conclusion was again reached that the stockpile is reliable and there is no need to test. Is there any requirement to conduct a nuclear test at this time?

Ambassador BROOKS. At the present time the NNSA Stockpile Stewardship Program continues to deliver the science and technology needed by the Directors of the three weapons labs to continue to certify to the Secretaries of Energy and Defense that the stockpile remains safe, secure, and reliable and that there is no need to conduct a nuclear test at this time.

23. Senator BILL NELSON. Ambassador Brooks, under what circumstances would you recommend to the President that a resumption of underground nuclear testing was needed?

Ambassador BROOKS. I would recommend a resumption of underground nuclear testing to the President if the laboratory directors advised me that a high level of confidence in the safety or reliability of a nuclear weapons type, critical to our nuclear deterrent could no longer be certified without conducting a nuclear test.

STOCKPILE STEWARDSHIP PROGRAM

24. Senator BILL NELSON. Ambassador Brooks, Stockpile Stewardship is the program that the NNSA runs to maintain the nuclear weapons stockpile without underground testing. The bulk of this program would be needed even with nuclear testing, so in my opinion it is misleading to assume that the sole purpose of the program is to replace testing, and if the U.S. returned to testing the program would not be needed. Is the Stockpile Stewardship Program providing the necessary tools to provide needed confidence in the stockpile?

Ambassador BROOKS. Yes. I agree with your statement that the bulk of the Stewardship Program would be continued in the unlikely event that the United States had to return to testing. Even when, prior to 1992, the United States was conducting underground tests the complex performed a wide variety of physics and engineering experiments to have confidence in the safety, security, and reliability of the stockpile.

25. Senator BILL NELSON. Ambassador Brooks, are there any shortcomings of the Stockpile Stewardship Program that you have identified at this point?

Ambassador BROOKS. No. Having served as the Acting Administrator of the NNSA for the last 9 months, I have been deeply impressed with the scientific rigor being applied by the weapons complex to ensure that the nuclear weapons stockpile remains safe, secure, and reliable. I will continue to closely monitor the work by the complex to ensure that the best scientific and engineering tools are brought to bear on the challenges of maintaining and the increasingly older nuclear weapons stockpile.

[The nomination reference of Ambassador Linton F. Brooks follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 4, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Linton F. Brooks, of Virginia, to be Under Secretary for Nuclear Security, Department of Energy, vice Gen. John A. Gordon, USAF, resigned.

[The biographical sketch of Ambassador Linton F. Brooks, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF AMBASSADOR LINTON F. BROOKS

Ambassador Linton F. Brooks was named the Acting Administrator of the National Nuclear Security Administration (NNSA) by President George W. Bush on July 9, 2002. The NNSA carries out the national security responsibilities of the Department of Energy. Prior to this, Ambassador Brooks directed the NNSA's nonproliferation programs involving nuclear, chemical, and biological weapons of mass destruction. The nonproliferation office promotes international nuclear safety and supports programs that ensure the security of nuclear weapons materials in Russia and other countries. The nonproliferation office also supports research and development of detection systems for biological and chemical agents.

Prior to joining the Department of Energy, Ambassador Brooks served as Vice President and Assistant to the President for Policy Analysis at the Center for Naval Analyses (CNA), a federally-funded research and development center located in Alexandria, Virginia from 1994 to 2001. As such, he was responsible for broad policy analyses of issues of national importance. Ambassador Brooks came to CNA following an extensive career in government service. During the Bush administration, he served as Assistant Director for Strategic and Nuclear Affairs at the United States Arms Control and Disarmament Agency, and in the State Department as Head of the United Stales Delegation on Nuclear and Space Talks and Chief Strategic Arms Reductions (START) Negotiator. In this latter capacity, he was responsible for final preparation of the START I Treaty, which was signed by Presidents Bush and Gorbachev in Moscow on July 31, 1991. In December 1992, he performed a similar function during the final preparation of the January 3, 1993, START II Treaty. Thereafter, he served as a consultant on START II ratification to the Clinton administration.

Before becoming Head of the United States Delegation to the Nuclear and Space Talks in April 1991, Ambassador Brooks served for 2 years as Deputy Head of the Delegation, holding the rank of ambassador. He joined the delegation after spending over 3 years as Director of Arms Control on the staff of the National Security Council, where he was responsible, among other things, for all aspects of United States strategic aims reductions policy and nuclear testing policy during the final third of the Reagan administration.

Ambassador Brooks' National Security Council service culminated a 30-year military career. Prior to his retirement as a Navy captain, Ambassador Brooks served at sea in destroyers, ballistic-missile submarines, and attack submarines, commanded the nuclear-powered attack submarine U.S.S. *Whale* (SSN 638), and served in a variety of Washington assignments relating to nuclear policy, military strategy, and arms control.

Ambassador Brooks holds a BS in physics from Duke University, where he was elected to Phi Beta Kappa, and an MA in government and politics from the Univer-

sity of Maryland. He is a Distinguished Graduate of the U.S. Navy War College and has published a number of prize-winning articles on naval and nuclear strategy.

The son of a career Army officer, Ambassador Brooks was born in Boston, Massachusetts, on August 15, 1938. He now resides in Vienna, Virginia with his wife, the former Barbara Julius of Lancaster, Pennsylvania. The couple has two grown daughters, Julie and Kathryn.

[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 Ambassador Linton F. Brooks in connection with his nomination follows:]

February 25, 2003.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Under Secretary of Energy for Nuclear Security and Administrator, National Nuclear Security Administration. It supplements Standard Form 278, "Executive Personnel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Energy (DOE) contractor.

During my term of office, neither I nor any member of my immediate family will invest in any organization identified as a DOE or Department of Defense contractor or any other entity that would create a conflict of interest with my government duties.

I do not have any present employment arrangements with any entity other than DOE and have no formal or informal understandings concerning any further employment with any entity. If confirmed, I am committed to serve in this position at the pleasure of the President throughout his term of office.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I am a member of certain organizations and professional societies, which have been separately provided to the committee. None of these should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

LINTON F. BROOKS,
Acting Administrator.

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 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.)
Linton Forrestall Brooks; Nickname: Lint; Middle name misspelled on birth certificate as "Forestall".

2. **Position to which nominated:**
Under Secretary of Energy for Nuclear Security and Administrator, National Nuclear Security Administration.

3. **Date of nomination:**
February 4, 2003.

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, 1938; Boston, Massachusetts.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Barbara Sue Julius on October 24, 1964.

7. **Names and ages of children:**
Julie K. Brooks (34); Kathryn L. Brooks (30).

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Columbia High School, Columbia SC; 1954–55; Diploma.
Duke University, Durham, NC; 1955–59; BS; June 1959.
University of Maryland, College Park, MD; 1969–72; MS; August 1972.
U.S. Navy War College, Newport, RI; 1978–79; Certificate.

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.
Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy, Washington DC; October 2001.
Vice President, Center for Naval Analyses, Alexandria, VA; April 1993–October 2001.
Consultant, U.S. Arms Control and Disarmament Agency, Washington, DC; January 1993–September 1995 (part time).

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. Navy officer; June 1959–May 1989.
U.S. State Department; June 1989–August 1992.
U.S. Arms Control and Disarmament Agency; August 1992–January 1993.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corpora-

tion, 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.

United States Naval Institute (professional).

U.S. Naval Submarine League (professional).

Chase Hill Civic Association (civic).

No offices held.

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.

State Department Distinguished Honor Award (2)

U.S. Arms Control and Disarmament Agency Distinguished Honor Award

Military decorations: Defense Distinguished Service Medal, Defense Superior Service Medal, Legion of Merit (3), Navy Commendation Medal

Arleigh Burke Prize for professional writing

Richard G. Colbert Prize for professional writing

Phi Beta Kappa

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Book (co-editor with Arnold Kanter): U.S. Intervention Policy for the Post-Cold War World: New Challenges and New Responses, (An American Assembly Book), New York, W. W. Norton & Co., 1994.

Book Chapter: "Conflict Termination Through Maritime Leverage" in Stephen J. Cimbala and Keith Dunn (eds) Conflict Termination and Military Strategy; Westview Press, 1987; "Diplomatic Solutions to the 'Problem' of Nonstrategic Nuclear Weapons," (forthcoming).

Monograph—Peacetime Influence Through Forward Naval Presence, CNA Occasional Paper, Center for Naval Analyses, Alexandria, Virginia, October 1993.

Articles in International Security—"Naval Power and National Security; The Case for the Maritime Strategy" (Fall 1986); "Nuclear SLCMs Add to Deterrence and Security," (Winter 1988/1989).

Articles in Naval War College Review—"Pricing Ourselves Out of the Market: The Attack Submarine Program" (September–October 1979); "An Examination of the Professional Concerns of Naval Officers as Reflected in Their Professional Journal" (January–February 1980).

Articles in Submarine Review—"Strategic Planning in the Submarine Force" (January 1985); "Forward Submarine Operations and Strategic Stability" (April 1993); "Comments on Defensive Anti-Air Warfare for SSNs" (July 1994); "Waiting for START III" (October 1998).

Articles in the Proceedings of the United States Naval Institute—"Tactical Nuclear Weapons: Forgotten Facet of Naval Warfare" (January 1980); "It's Time to Start Speaking Up" (January 1985); "'New' As in Nuclear Land Attack Tomahawk" (April 1985); "Escalation and Naval Strategy" (August 1985); "The Nuclear Maritime Strategy" (April 1987); "Nuclear weapons at Sea" (August 1988) (with Franklin C. Miller); "Dropping the Baton" (June 1989); "Why Doesn't the Navy Make More Use of the Retired Community" (January 1994); "The New Nuclear Threat" (May 1994).

Comment and Discussion in the Proceedings of the United States Naval Institute—October 1983 (Operations in a nuclear environment); November 1984 (Anti-SSBN operations); December 1984 (Nuclear escalation); August 1985 (Tomahawk missiles).

Article in Undersea Warfare (official Navy publication); "Arms Control and Submarines," (Spring 2001).

Articles published in my official capacity and representing U.S. Government positions; "The Strategic Arms Reduction Treaty: Reducing the Risk of War," NATO Re-

view, Volume 39, Number 5 (October 1991); "START: An End and a Beginning," Disarmament, Volume XV, Number 2 (1992).

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.

Copies of all speeches have been provided to the committee.

17. **Commitment to Testify before Senate Committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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.

LINTON F. BROOKS.

This 23rd day of February, 2003.

[The nomination of Ambassador Linton F. Brooks was reported to the Senate by Chairman Warner on March 6, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 1, 2001.]

NOMINATION OF LTG JOHN P. ABIZAID, USA, FOR APPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, UNITED STATES CENTRAL COMMAND

WEDNESDAY, JUNE 25, 2003

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

The committee met, pursuant to notice, at 9:38 a.m., room SH–216, Hart Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, Inhofe, Roberts, Allard, Sessions, Cornyn, Levin, Reed, Bill Nelson, and E. Benjamin Nelson.

Committee staff members present: Judith A. Ansley, staff director; and Gabriella Eisen, nominations clerk.

Majority staff members present: Charles W. Alsup, professional staff member; Ambrose R. Hock, professional staff member; Thomas L. MacKenzie, professional staff member; Paula J. Philbin, professional staff member; Lynn F. Rusten, professional staff member; Scott W. Stucky, general counsel; and Richard F. Walsh, counsel.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Daniel J. Cox, Jr., professional staff member; and Maren R. Leed, professional staff member.

Staff assistants present: Andrew W. Florell and Sara R. Mareno.

Committee members' assistants present: James Beauchamp, assistant to Senator Roberts; Jayson Roehl, assistant to Senator Allard; Arch Galloway II, assistant to Senator Sessions; Clyde A. Taylor IV, assistant to Senator Chambliss; Russell J. Thomasson, assistant to Senator Cornyn; Barry Gene (B.G.) Wright, assistant to Senator Byrd; Elizabeth King, assistant to Senator Reed; Eric Pierce, assistant to Senator Ben Nelson; and Andrew Shapiro, assistant to Senator Clinton.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. Good morning, everyone. The committee meets today to seek testimony concerning the nomination by the President of the United States of Lieutenant General John P. Abizaid, United States Army, for appointment to the grade of General and to be Commander, United States Central Command (CENTCOM). We are privileged to have before the committee this morning a nominee who played such a pivotal role in the vital mis-

sion of Operation Iraqi Freedom by the coalition forces. As Deputy Commander, Combined Forces Command, forward-located in Qatar, General Abizaid was General Frank's principal deputy in the planning and execution of Operation Iraqi Freedom.

I compliment you, General, your staff, and most especially the soldiers, sailors, airmen, and marines, together with the coalition partners, who achieved the remarkable 17-day advance to Baghdad which eventually led to the overthrow of the ruthless, tragic Saddam Hussein regime.

However, the continuing loss of life and limb is very much on the minds of all here in America, especially Congress. The danger to the United States and the coalition forces, as we all know so well, continues. The most challenging phases of this military operation may well be now and in the days and months and perhaps years to come as we attempt to bring peace, security, and democracy to the people of Iraq.

All of us, the American people, Congress, and especially the families of those of the military currently serving in Iraq and in Afghanistan, are concerned about security situations in both of these areas of your command.

We also would like to welcome your wife here this morning. I wonder if you might be gracious enough to introduce her.

STATEMENT OF LTG JOHN P. ABIZAID, USA, FOR APPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, UNITED STATES CENTRAL COMMAND

General ABIZAID. Thank you, Mr. Chairman. I would like to introduce my wife, Kathy Abizaid. We went to high school together, managed to get married after I graduated from West Point, and we have been married for 30 years.

She is the sole reason that I have three great kids that are serving their country, and she has been a marvelous partner to be with in these 30 years of service to the Nation. She is the smart one of the family, sir.

Chairman WARNER. Your humility shows through, General; a touch of that, as always, is a very valuable asset.

I have had the privilege of being associated with military families for a very long time. There is an old saying, a good military wife makes a good military soldier. Now, today, with our modern forces, the converse is often true. We have many women serving with great distinction in military positions.

So we send our thanks to you, Kathleen, and your family for giving support. I had the opportunity to visit with you this morning, and your grandfather served in World War I in the trenches, as did my father. Both of them were doctors. General Abizaid has a superb record of military service, one of the most impressive compilations of joint duty that this committee has had before it in some time. The joint service operations I think reached an all-time high water mark in the course of the Iraqi operations.

His prior assignments as Director of the Joint Staff, Director for Strategic, Plans, and Policies, J–5, of the Joint Staff, and a participant in joint operations in Kosovo and Bosnia, and in northern Iraq following Operation Desert Storm, qualify this nominee, in my judgment, for the challenges of command.

More importantly, General Abizaid brings a unique perspective. He is truly an expert on and a student of the region to which CENTCOM has most of its responsibilities. He is currently serving his fifth tour of duty in the Middle East. He is fluent in Arabic, has studied the Middle East, and has a very proud family heritage closely tied to the cultures of this region.

General Abizaid also brings a special family perspective to this position and responsibility. He is the son of a man who served this Nation as a Navy petty officer in World War II, and his children are involved in military responsibilities in various stations around the globe.

General Abizaid will bring the intellect of a Middle East expert, the wisdom of a compassionate leader, and the passion and understanding of a parent to this challenging position. The soldiers, sailors, airmen, and marines under your command, together with those in the coalition forces, are fortunate indeed that the President has selected you for this position, and that you are willing to serve, together with your family.

In this hearing today we will review the qualifications of this superb soldier. The committee will also seek your perspective on recent events in the region and the challenges that lie ahead.

Together with Senator Levin and Senator Roberts, we met with General Abizaid in Qatar in February. I think all of us were very impressed with his candor and breadth of knowledge. As I visited with him yesterday, I was reminded of how remarkably experienced he is for this particular position.

I was also reminded, however, of the many issues that come before Congress today, and indeed, the American public, who are desirous to have a clear understanding of such issues as the following:

What was the level of planning for our military with regard to securing and stabilizing Iraq following major combat operations? Was the level of resistance during the major conflict, and particularly post-conflict, adequately evaluated? Were preparations in place for those two levels of resistance?

In the course of the campaign you relied on the military intelligence that you had. How accurate, in your judgment, was it? What do we look at for the future in terms of intelligence, the ability to get from the Iraqi people vital information to try and complete the operations and turn over this Nation to the people of Iraq?

Troop levels are a constant question. Did we have enough to accomplish the mission? What does the future hold? How long do you anticipate the United States will need to keep significant military forces in Iraq?

I also want to pause for a moment. We were fortunate to have coalition forces operating with us. Since Senator Roberts and I met yesterday with a group of British Members of Parliament, we expressed to them our profound sorrow over the tragic losses of the British forces recently. Could you please give us an update on that, and also the operation by which we interdicted people moving from Iraq into Syria?

During our meeting in February, with the four Senators visiting you at your headquarters, I asked you the same question I have

asked every single member of this administration that has appeared before this committee or in other fora here in the Senate—are we going to find weapons of mass destruction after the troops move forward and the major conflict has subsided, and the spotlight of the world press can come in and take pictures and evaluate the existence or nonexistence of weapons of mass destruction? At that time, you gave me a reply, and perhaps in the course of your testimony today you can address that reply and what you did subsequent to our meeting to confirm the credibility of your reply.

General Abizaid, we thank you for your service to the Nation. Thank you for your willingness to lend your considerable talent to this most difficult of challenges. We look forward to your testimony.

But I do hope that you have had an opportunity this morning to look into today's paper, in which I thought there was a very direct reference to the concern throughout many circles about the ability of the military to grapple with these challenges that are being presented today, and the risks that each of them were experiencing; and indeed, in some instances, loss of life and limb.

This article recites, "The teams were established and trained to provide emergency humanitarian aid to deal with refugees who perform basic infrastructure repair, not to rebuild town governments, set up courts, disperse salaries, sort out agricultural problems, and take on many of the other chores we have been forced to perform in postwar Iraq.

"We have been given a job that we haven't been prepared for, we haven't been trained for, we weren't really ready for," said a senior civil affairs officer in central Iraq. "A lot of the stuff we are doing, we are making it up as we go along."

Now, we all respect the perspective and viewpoints of others, particularly public servants who are trying to do their best. But it is clear that in the course of our training, from boot camp to advanced training, military missions are quite clear. Soldiers and other military men are trained to seize an objective and utilize firepower; and under the protection of that firepower—often under the protection of heavy armor, and with little doubt as to when and how they are to use their weapons to protect themselves and gain the objective.

Now they are stranded with 360-degree exposure, often in ones and twos on the streets of Iraq. They are suffering the consequences. They are dealing with civilians, and it is quite a high level of concern here in this committee and in Congress as to whether or not the planning of this was adequate.

Did we foresee the measure of instability that we are now encountering? Are we prepared today? If not, what are we going to do to fill the gap?

You are taking over this command and following a very distinguished record of achievement by General Franks. He will be appearing before this committee in open and closed sessions shortly after the Fourth of July recess period. We will have the opportunity to talk with him.

I am quite interested in how you are going to take on your responsibilities. Do you have a change of direction, with no disrespect to what General Franks did? But you have a mission that is some-

what different than when you were his principal deputy and planning for the combat phases.

Senator Levin, do you have a few remarks at this time that you would like to make? Would you like to address the General or the committee?

Senator LEVIN. Thank you, Mr. Chairman. Let me join you in extending a warm welcome to General Abizaid and his family.

General, you have been nominated to be the commander of the most challenging of all the areas of responsibility of our combatant commands. I usually don't distinguish between those commands, but in this case I think it is obvious that yours is extraordinarily challenging.

You have in your area of responsibility Afghanistan and Iraq, where U.S. and coalition forces have recently fought major conflicts. In the case of Iraq, they are still involved in conflicts. They are dangerous places for forces conducting stability operations. Moreover, the Central Command area of responsibility includes Iran, which continues to pose a potential threat to regional peace and security, as well as a number of nations whose territory has proven hospitable to terrorist organizations.

In sum, after you are confirmed you will have one dangerous, difficult region under your command. I do not know of anyone who is better qualified to take over this responsibility than you are. As a matter of fact, it is hard even to imagine a better qualified nominee than you. You bring to this challenging new assignment a wealth of background, experience, and talents. It makes you particularly well-suited to a job that requires the mix of warfighter, strategist, and diplomat.

The questions which Senator Warner has asked, and the rest of us will ask, are critically important and very difficult. We are glad that you are going to be there to address the issues that are raised by these questions.

We congratulate you on this appointment. We thank you for your extended service to this Nation. We thank your family for their commitment to your service and to our Nation.

You might have exaggerated just slightly when you said that your wife was the sole reason for your three children; but other than that, I have no doubt that your comments about her are totally accurate.

Marrying a high school sweetheart is always a wonderful love story. I'm sure the two of you have enjoyed those years together, and hopefully that enjoyment will continue when you undertake your new responsibilities. You already have undertaken this responsibility, so your wife knows what you are in for and what she is in for. Nonetheless, it is an additional responsibility that will now rest on your shoulders.

I know this committee and the entire Nation are grateful for that service and that willingness to continue to serve this wonderful country of ours.

Chairman WARNER. Thank you very much, Senator Levin.

Senator Levin, I think we should state, for the benefit of those members of the committee who were not with us yesterday morning, that 10 members of the committee had breakfast with Sec-

retary Rumsfeld. We covered a wide range of issues, some of which we will discuss here today.

I notice in today's press that Secretary Rumsfeld states that he gave an energetic endorsement of pre-war intelligence in Iraq, and that virtually everyone agreed that Baghdad had weapons of mass destruction. The article has further details. I mention that because that is a subject that this committee will be considering in the context of the appearance of all the witnesses, and you and I have extended to Secretary Rumsfeld repeated invitations to come forward to the committee. I am hopeful that that can be achieved just after the Fourth of July recess.

When we go through the standard questions, it is very important we have a record that reflects your replies. You gave answers to a series of questions propounded by the committee. They will be made part of the record. The standard questions we ask in open session are as follows.

Have you adhered to applicable laws and regulations governing conflicts of interest?

General ABIZAID. Yes, sir.

Chairman WARNER. Have you assumed any duties or undertaken any actions which appeared to presume the outcome of the confirmation process?

General ABIZAID. No, sir.

Chairman WARNER. Will you assure your staff complies with deadlines regarding communications, including questions for the record and hearings?

General ABIZAID. Yes, sir.

Chairman WARNER. Will you cooperate in providing witnesses and briefers in response to congressional inquiries?

General ABIZAID. Yes, sir, I will.

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

General ABIZAID. Yes, they will.

Chairman WARNER. Have you any opening remarks? We will let you proceed with those momentarily.

I want to make one other comment. I mentioned that four of us were visiting with you in February. Senator Levin and I and some colleagues hope to be joining you in the not too distant future in your AOR.

The subject of congressional delegations is very important. Congress is a coequal body of our Government. We have very important oversight responsibilities. Throughout history, committees of the armed services, the House and Senate particularly, have initiated many programs on behalf of the men and women of the United States military.

I say "initiated." They were actually thought through and designed in Congress. We have a very special trust and responsibility for the welfare of all those in uniform and their families. Part of that requires that we periodically visit them when they are serving in the far-flung outposts of the world.

Yesterday Secretary Rumsfeld confirmed the importance of Members of Congress being able to go into the field and perform their continuing oversight responsibilities.

Our trip has been well-planned, and we expressed appreciation to General Franks and yourself. We anticipate it will be very successful. I bring that up only in the context that I am hopeful other Members of Congress—particularly this committee and other committees of the Senate with very special oversight responsibilities on matters of national security—can avail themselves of the opportunity to visit your AOR at this particular point in time in history and work with you such that they can bring back a better and broader understanding of the challenges facing the men and women in the Armed Forces.

Thank you very much. I would be happy to receive your opening comments at this time.

General ABIZAID. Thank you, Mr. Chairman. Let me start by saying we certainly do welcome you into the area of operations, and we agree with you 100 percent that it is important for you to see the great work our young men and women are doing out there.

Mr. Chairman and Senator Levin, distinguished members of the committee, I consider it an honor to be nominated to serve as Commander of CENTCOM, and I appreciate the confidence of the Secretary of Defense and the President in making this nomination. I appreciate your consideration of that nomination, as well.

Thank you for your support, and for the wonderful support, I might add, that you have given to the men and women that have served so well and so faithfully in the CENTCOM area of operations in war, and now in stability operations in places like Iraq, Afghanistan, and the Horn of Africa. I would consider it the greatest privilege to serve as their commander, and I can think of no honor greater than to serve as the leader of American service people.

Before I open for questions, sir, I would just like to add my condolences to yours and the rest of the men and women in Central Command to the families of the six British servicemen that were killed yesterday in Iraq; and, I might add, to all of the servicemen and women that have given their lives there. They are doing wonderful work. We appreciate their sacrifice.

I am open to your questions, sir.

Chairman WARNER. Thank you. We will go to a 6-minute round. I am glad that you mentioned that. I'm sure that you would have covered that.

Let us go back to our conversation that took place in February with regard to weapons of mass destruction, when I did ask you what you anticipated. Perhaps at this time you can just review what you stated, and the fact that you went back to corroborate your own opinions with the experts within your command.

General ABIZAID. Yes, sir. During your visit, you asked me very directly, in no uncertain terms, whether I believed we would find weapons of mass destruction, either in the course of the campaign or afterwards. I believe that I told you that we would, and I thought we would do it rather early in the campaign. I believe I also said that I expected that the enemy would use weapons of mass destruction against our troops.

Fortunately, they did not use weapons of mass destruction against our troops.

Chairman WARNER. We certainly all share in that good fortune, by the grace of God.

General ABIZAID. I believe that—as we get on with the mission of continuing to look for weapons of mass destruction and piece together the evidence that is available within the country, not only by looking through documents but also by talking to various people that have come forward to give us information, or people that we have detained that we are asking for information—that we will piece together the story that tells us what happened to the weapons of mass destruction somewhere between 1998 and 2003.

I am confident we will show that there was deception, and I am also confident that at some point it will lead us to actual weapons of mass destruction.

Chairman WARNER. I share in those views, General. I continue to believe that the intelligence was accurate, that the weapons are somewhere concealed, or remnants of the destruction, and that eventually this will be unfolded. Perhaps the one thing we can agree on is that we anticipated an earlier discovery than has occurred thus far. But I know that the intelligence operations of other governments in the coalition forces and so forth shared with us the expectations that you have expressed with regard to these weapons of mass destruction.

Let us turn to your military intelligence. As a consequence, recently, there has been, in the views of some—not this Senator, but the views of some—concern. I think on behalf of the others—with whom I disagree—it is somewhat legitimate, as to the validity of that type of intelligence, an example being the thought that we would soon find weapons of mass destruction. That is just one example. What do you think about the quality of the intelligence you had and that the operations, as they progressed, relied on, and was that reliance accurate?

The intelligence regarding the future of Iraq, how accurate do you feel it was?

General ABIZAID. Senator, I believe that my overall assessment of how intelligence served us throughout the campaign would be that that intelligence was the most accurate that I have ever seen on the tactical level, probably the best I have ever seen on the operational level, and perplexingly incomplete on the strategic level with regard to weapons of mass destruction.

Let me talk about the tactical level of the quality of intelligence. Never before have we had such a complete picture of enemy tactical dispositions and intentions. I think largely the speed of the campaign was incredibly enabled by the complete picture we had of the enemy on the battlefield.

From an operational point of view, as we did the planning, as General Franks postulated what would happen—all of which was, of course, enabled by intelligence professionals throughout the community—we came up with a remarkably clear picture of what the enemy would do operationally. We expected to fight the main battle between the line of Karbalah, Kut, and Baghdad. We expected it to be fought against the four Republican Guard divisions, and we largely expected their exact positions on the battlefield. We were prepared in our overall strategic plan to take advantage of that.

Certain things about our strategic intelligence were quite good. For example, the top 55 leaders, where were they, what were they doing, what were they thinking, et cetera. Today we stand at 32 of those top 55, or 52, people in our custody. That is a real tribute to our strategic intelligence, as well as the skill of our special operators who have gone forward and detained many of them. But it is perplexing to me, Senator, that we have not found weapons of mass destruction when the evidence was so pervasive that it would exist. After your visit, I called in my intelligence staff, because you were so adamant—not only you, but also Senator Levin—about understanding the questions with regard to the weapons of mass destruction.

Now, I put my intelligence professionals around the table—and this was before General Franks had arrived in the theater, or perhaps he was out traveling around. I asked, is there anybody around this table who believes we will not find weapons of mass destruction in Iraq? To a man and to a woman, they all said we would find them.

So the confidence of the intelligence professionals, and my confidence in them, was high, and actually, it remains high. It is interesting, as we conducted the campaign, that as we overran positions early in the campaign we found an incredible amount of defensively oriented chemical equipment. I surmise from that that they were certainly intending somewhere in the campaign to use weapons of mass destruction. As a matter of fact, we had a lot of intelligence that said there was a red line that existed along the line Kut to Al Amarah and Karbalah, that once we crossed that line and closed in on Baghdad, we could expect weapons of mass destruction.

In 1991, I had served in northern Iraq. I had seen up in the Kurdish areas the fact that the Iraqis had used chemicals against their own people. We certainly knew from studying the campaigns with the Iranians during the 8-year war that they had used chemical weapons. A lot of the intelligence traffic indicated on a tactical level, as well as a strategic level, that they would use it against us.

Chairman WARNER. Let me move on to the question that I raised in reading the daily press about the training of our people to take on the very risky business that they are undertaking today and tomorrow and in the indefinite future.

What can you tell us about that? Were we adequately prepared to deal with this insurgency among particularly the Baathist party, which has somehow come together, whether by communications or just old maxims and instructions, and is now in all probability at the root cause of the daily loss of life and limb and the insurgency we are seeing? How best can we prevent that, and stop it?

Also, to what extent does the mystery of Saddam Hussein still filter down to give incentives to certain elements, particularly the Baathists, who promote this insurgency?

General ABIZAID. Sir, to the broader question as to whether or not we are prepared for environments such as that we are now facing in Iraq, the answer is yes. We have been serving in places like Kosovo and Bosnia for a long time. The tradition of the United States Army in particular goes back many years to constabulary duty all around the world.

We have a tradition and we have a sense of training that allows us to deal with these difficult types of conditions. The troops would prefer to be involved in direct combat, as all of us would, because it is cleaner and it is much more easy to deal with. But I think all of us understand that in this part of the world in particular, that it is going to be dangerous duty, that there are people that don't want us to be there, and that they will oppose us being there.

I would characterize the opposition that we face in Iraq as essentially being of three types. The first is the residual Baathist activity that we see in the Baathist stronghold in a triangle described by Baghdad, Ar Ramadi, and Tikrit. That is a very tough area. We believe that there are a number of Baathist cells that continue to operate there.

Their level of organization doesn't seem to be high to me. There is nothing that will defeat us militarily that will come out of that triangle. The way best to deal with the Baathist resurgence and the Baathist activity there is to take the battle to them, to be offensive, dismantle the cells, kill those who would try to kill us, and be very aggressive.

The second level of activity we see in Iraq is that of what I think is best described as radical anti-American Islamist; although I use the term "Islamist" advisedly, because they are very un-Islamic in the way they go about doing their terrorist activities.

We recently had a major strike against a camp of foreign fighters in the western desert that was quite successful that indicated that there were foreign fighters from places throughout the Middle East. I do not believe that these Jihadists are allied with the Baathists, but it is clear that they will move towards the ungoverned spaces. Iraq to a certain extent in certain areas is certainly without government, and people are moving into those areas to take advantage of American forces being there, to attack us. Again, the way we need to deal with them is to be offensive, to find them, and to attack them, and also to ensure that we pay attention to what is moving along the Syrian, Jordanian, and Saudi borders, in particular.

The third level that we find, which is always difficult to deal with because we are not policemen, has to do with the criminal element, with the complete collapse of security in Iraq. With the dissolution of the Saddam Hussein government, there is no doubt that there is an increase in criminal activity. Some of the criminals are very well-armed, and when we come up against them, it appears as if you are dealing with organized military types, but that is not the case.

So again, dealing with the criminal element becomes a tougher problem for us. That is one that won't be solved by all the soldiers in the United States Army, and that will be solved by building police capacity within Iraq, and time and training and effort to reform Iraqi police institutions.

Chairman WARNER. I anticipate the Senate will confirm you very promptly. Once you take office, are you going to change the tactics or the rules of engagement to try and give a greater degree of protection to our soldiers?

General ABIZAID. Sir, the best protection that we can give our soldiers is an offensive spirit in a tough place. That is what they

need to have. They need to go out and seek the enemy. They need to bring the fight to the enemy. They need to defeat the enemy.

We will be able to do that as long as we don't hunker down in base camps and try to avoid contact. We need to seek contact. We need to be aggressive. That is what we are doing in Iraq. We have rules of engagement in doing that.

It is mischaracterized, unfortunately, in the press that we are sitting around being attacked. In at least half of the actions that take place there, we are the folks that initiate the contact. So we will do everything we can to protect our soldiers and maintain an offensive spirit and take the fight to the enemy. Over time, we will bring the situation under control.

Chairman WARNER. Senator Levin.

Senator LEVIN. General, I want to refer to the same article that Chairman Warner made reference to as to whether or not our forces there are prepared and trained to carry out the tasks that they now have. I think, to summarize them, without much doubt they are really nation-building tasks. Would you, first of all, agree that they are adequately prepared for these nation-building tasks?

Second, would you address the issue as to who is really in charge? What is the relationship between you and Ambassador Bremer on the civilian side?

General ABIZAID. Yes, sir. First of all, there is no strictly military solution to the problem of bringing stability to Iraq. It requires a national effort. It requires bringing together not only all of the resources of the national community, and of the interagency community, but it also requires bringing together a lot of the resources of the international community.

The military tasks of bringing security and stability are tasks for which we are very adequately prepared. There are requirements for building police forces that are not exactly within what I would describe as a job description for the Armed Forces of the United States. Yet, we do that. The marines have done a wonderful job in southern Iraq in building police capacity.

We sometimes forget that we have 8,000 police on duty in Baghdad, for example. I think overall in the entire country we probably have somewhere around 30,000 or 40,000 police back on duty, and they have been brought back on duty through the good offices of soldiers and marines.

That having been said, are we prepared to rebuild governmental institutions? No, we are not. We need to turn to Ambassador Bremer to write a constitution and to cause political activity to take place that is acceptable to the Iraqi people, that will allow institutions to move forward in a manner that will give hope for the future of Iraq. That is not a military task, and that is not something we are trained for. We look to Ambassador Bremer on the civilian side to do that. Ambassador Bremer reports directly to the President through the Secretary of Defense as the Coalition Provisional Authority. He brings together the civil side of the house in ensuring that all the resources that the United States Government and the coalition can be brought together are brought together to help Iraq move forward and rebuild institutions, et cetera.

He is served by the commander of Combined Joint Task Force 7 commanded by Lieutenant General Rick Sanchez as his military

arm; I won't say his military commander, because Ambassador Bremer is not in the military chain of command. But clearly, Ambassador Bremer sets broad priorities for General Sanchez. General Sanchez works for General Franks in the direct military chain of command, and of course, then through the Secretary of Defense.

So I think that the arrangements with Ambassador Bremer being there, with the Coalition Provisional Authority being given a lot of authority—especially fiscal authority—to build institutions in Iraq, will, over time, make a huge difference.

I would like to remind you that we only crossed the line of departure 98 days ago. I think that the progress that we have made is actually amazing. If I were just to relate to you very quickly my impressions of Baghdad, I have been to Baghdad every week since the end of the war——

Senator LEVIN. If I could interrupt you because of a shortage of time. Please forgive me for doing that.

General ABIZAID. Certainly.

Senator LEVIN. General Sanchez, he reports to General Franks, correct?

General ABIZAID. Yes, sir.

Senator LEVIN. But what is the relationship between Sanchez and Bremer?

General ABIZAID. The relationship between Sanchez and Bremer is that General Sanchez coordinates directly with Ambassador Bremer for his broad priorities within Iraq.

Senator LEVIN. So Franks reports, then, to the Secretary of Defense, and Bremer reports to the Secretary of Defense?

General ABIZAID. Yes, sir.

Senator LEVIN. Which means that in terms of the chain of command, they come together in terms of a unified chain at the Secretary of Defense?

General ABIZAID. That is correct.

Senator LEVIN. We have about 145,000 troops now in Iraq, is that correct?

General ABIZAID. That is correct, sir.

Senator LEVIN. Do you expect that number will remain about the same, or could it change up or down, somewhat?

General ABIZAID. Sir, the number can go up and the number can go down. First and foremost, it depends upon the enemy situation. I think right now we have sufficient number of troops to deal with the tasks at hand that we are faced with militarily.

Senator LEVIN. Do you expect that number or approximately that number would be needed for the foreseeable future?

General ABIZAID. I think that the number can come down once we finish with our current offensive operations, which we will reevaluate on or about the 30th of June.

The other factors that influence it, Senator, are the number of police that are functioning and reliable within Iraq; the number of coalition forces that will come into Iraq that are international forces; and finally, the degree of progress that we have on the Iraqi national army.

Senator LEVIN. If it does come down somewhat for whatever reason, do you estimate that at least for the foreseeable future, that we still will require a significant number of troops in Iraq?

General ABIZAID. For the foreseeable future, we will require a large number of troops for Iraq.

Senator LEVIN. On the weapons of mass destruction (WMD) question, I think you are right that just about everybody that I know of expected that we would find WMD. Many still do. It is still very possible that we will find WMD. That confidence level was based on the intelligence that we received. Would you agree with that?

General ABIZAID. Yes, sir.

Senator LEVIN. When you indicated that your forces found defensive WMD as you overran positions, did they find any offensive WMD, such as artillery shells or any Scud missiles?

General ABIZAID. No.

Senator LEVIN. That is what you indicate is the perplexing incompleteness, is that correct?

General ABIZAID. I thought as we crossed what we termed "the red line" that we would overrun artillery units that had chemical warheads.

Senator LEVIN. Finally, in terms of the relationship between the military forces and Ambassador Bremer, has there been any change since Ambassador Bremer arrived in that relationship from what it was when General Garner was there?

General ABIZAID. I think the number one change is that we colocated the headquarters of General Sanchez with that of Ambassador Bremer. I think it was a very good decision to make, to bring the two of them together so they could coordinate very closely on day-to-day operations. That is the biggest change I would note.

Senator LEVIN. General Sanchez still reports to you.

General ABIZAID. He reports to General Franks, yes.

Senator LEVIN. Excuse me.

General ABIZAID. Yes, sir.

Senator LEVIN. He will be reporting to you, hopefully, in the next couple of days.

General ABIZAID. Hopefully, yes, sir.

Chairman WARNER. Thank you.

Senator Roberts.

Senator ROBERTS. General, thank you for visiting with me on Monday. As has already been indicated by the chairman, we truly appreciate your candor and the information you provided us concerning the challenges that CENTCOM faces.

When we were in your AOR just prior to kickoff of the military operations—we just had a very frank visit with you. In terms of forthrightness, candor, and frankness, I think you gave us the best briefing that we received.

It may have already been mentioned, Mr. Chairman, but it certainly bears repeating that this is very much a family affair for this nominee. His daughter, only 24, is now in Qatar working on important issues as a DOD civilian. His son-in-law just came back from Afghanistan. His son, P.F.C. Abizaid, just came back from Korea. This is a remarkable family with remarkable dedication to service to our country.

Let me just follow up, if I might. We had a discussion that the chairman has already gone into, as well as Senator Levin.

You mentioned the foreign intervention and the criminal element, the ongoing challenges in regard to the cities, the Shi'as, and the de-Baathizah—I think that was your word; I am not sure there is a word, but we just coined a new one—and all the problems and challenges that entails.

I wanted you to touch a little bit on Saddam Hussein. There were some comments made immediately after the major war effort was declared over that it didn't make much difference—I know you didn't say this—whether he was alive or dead, that the regime has changed.

I think it makes a great deal of difference. Would you reflect on that for me in regard to the fear factor and the tribal influence; that after 30 years of degradation and absolute barbaric rule, that perhaps we underestimated the fear factor. Also, the factor in the Baathist loyalists and the Saddam Hussein Fedayeen that if there is hope he is alive, that there would be some sliver of hope they may be restored to their position of power.

Would you amplify on those issues a little bit?

General ABIZAID. Yes, sir. I agree with you, Senator, that it is very important to confirm or deny whether Saddam Hussein is alive or dead. It is important because the fear factor is high. It is important because he was a brutal dictator who killed hundreds of thousands of his own people. It is important for the Iraqi people to come to closure with this nightmare that he imposed upon them.

I believe that the Baathist party 30-year reign of terror will not come to an end easily until we can show them that not only can we get 32 of the 52, but we can get 52 of the 52. So we need to continue to answer the question of whether he is alive or dead.

I would say, Senator, that it is an open question as to whether he is alive or dead. Certainly the capture of the number four man on the list, Abid Hamid, is a very important step. I don't know that we could necessarily believe what he is telling us, but I do know that when you start finding people like him you are on the right trail.

It is also important to note that it is not just us looking for Saddam. There are literally hundreds and thousands of Iraqis that are looking for him, as well, because they have a score to settle with him. There is not a family in Iraq that hasn't suffered in some way.

That having been said, he does have a very strong tribal loyalty up in the Tikrit area, and that tribal loyalty will not be easily broken.

Senator ROBERTS. Could you amplify a little bit on Desert Scorpion, in which you mentioned the need to engage the foreign interventionists in regards to the young Jihadists that are coming from all over the Middle East?

I think that, following your line of thinking, instead of attacking the consulate and embassy or hospital or something of this nature, if in fact they wanted to take part against the great Satan, all they had to do is come to Iraq and there are 145,000 Americans there that become targets.

You also indicated to me that through Desert Scorpion not only did we engage, but we set them back considerably. This was a very different kind of situation than they had originally thought. So are

we making progress in regard to that kind of a situation. To set them back, in other words.

General ABIZAID. Senator, I believe that in the broader global war on terrorism, especially in the CENTCOM area of operations, that we have made a lot of progress. We have set the terrorists back in Afghanistan, we have set the terrorists back in Iraq, we have set the terrorists back in other places. Every terrorist that we find and kill in the Middle East is one less that will find his way to the United States to kill us here, so we need to bring the war to them. Desert Scorpion was a perfect example of how we could do that.

Senator ROBERTS. It is my understanding that we will be getting some international help in dividing up sectors of Iraq along the lines of Kosovo, if that is an allegorical example. I don't know if it is or not, but with Poland and Britain.

Are there any other of the allies in regard to your information that may be providing some assistance?

General ABIZAID. Sir, we will be receiving about 30,000 coalition troops between now and September. I know the department is working on bringing more coalition forces in. We have a British division that will be in the south that will include Italian, Dutch, and other contingents.

The Polish division will go into the South Central portion. That will include some Ukrainian and some other contingents. I know the department is talking with other nations, as we will, about bringing in coalition forces. I would prefer to take that one for the record, Senator, and give you a complete list, rather than try to do it from memory.

[The information referred to follows:]

As of July 15, 2003, 20 countries have military personnel deployed in Iraq as follows:

[Deleted] Poland.

Australia [Deleted] United Kingdom.

Seventeen additional countries are planning to deploy military personnel to Iraq as follows:

[Deleted].

Military to military discussions are initiated and ongoing with 10 other countries as follows:

[Deleted].

Senator ROBERTS. I will use the expression that it is very true in this particular case that this general is the right man for the right job at the right time.

Chairman WARNER. Thank you, Senator Roberts. I think you will find strong concurrence in that observation among the members of the committee.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman. Welcome, General Abizaid. I have had the privilege of knowing John Abizaid for 30 years. We were lieutenants together in the 504th Parachute Infantry. Back then, it was certain he would be General, and it is certainly obvious today.

Chairman WARNER. How certain was it that you would become a Senator?

Senator REED. That was uncertain.

General ABIZAID. We were certain of that.

Senator REED. I will second the comments of all my colleagues: there is no one better prepared for this important and critical assignment than John Abizaid. It is a function of his intellect, his experience, and his character. All those virtues will be tested mightily in the days ahead.

I also second his recognition of his wife, Kathleen, and his family. They have been an integral part of everything he has done. I don't think it was humility, Mr. Chairman. It was just sheer honesty that he gave credit to Kathy for all the good things that happened in his life. He is an honest person.

John, General, I am delighted that you are here and that you will take on this responsibility.

One of the facts I think that we are facing today in Iraq is an insurgency which is already causing us casualties, and which is directed against infrastructure. It is unclear yet whether it is well-organized or if it is simply spontaneous, but it is an insurgency.

Can you give us your estimate of whether the situation will get worse before it gets better, or are we, in the days ahead, in for some very difficult times before it is resolved?

General ABIZAID. I think, Senator, we are certainly in for some difficult days ahead periodically. It would not be safe to say that the situation is going to continue to get worse. As a matter of fact, I believe the thing that a lot of people underestimate is the degree to which Iraqis want military activity to end, as well.

There is a lot of support for the coalition presence, and there will be more support for the coalition presence as we build governmental institutions that are good for the future of Iraq.

I think over time as we move forward on the economic, diplomatic, and political fronts, that we will have less military activity directed against us. But we should not kid ourselves about the fact that we can be the subject of terrorist attacks in Iraq, because we know people are coming our way. We shouldn't kid ourselves about the ability of Baathist groups to come forward and strike Americans or British or other soldiers in a way that causes a lot of casualties.

That having been said, I just would like to say that there are a lot of people in the Middle East that believe that our weakness is our inability to stay the course. They believe that two casualties today, two casualties tomorrow, four the next day, will eventually drive us out. It is a belief they hold firmly. We need to be just as firm that we can't be driven out.

Senator REED. I concur with your assessment that there is probably a thought that if we suffer casualties, we will be driven out. But one important way to maintain the public support that is necessary is to be absolutely candid and forthright about the course that we will bear, in terms of personnel, in terms of time, and in terms of resources.

About the costs, that is something about which the American people will react unfavorably to if they feel they have not been given all the facts. I feel confident you will do that.

Let me raise the issue of troop levels. I know we had a chance to chat about this in the office. I concur that, in this situation, in-

telligence is absolutely critical. Adding more troops without good intelligence is probably not effective.

But it seems that there are areas in the country that are essential—because we can't cover them—refuges for organization or for recovery of these groups. In addition to that, it appears also that they are targeting pipelines and other facilities which might require active patrolling.

In the context of the evolving situation, do we need more forces there?

General ABIZAID. Sir, my estimate is that we do not at the present time. I also want to assure the committee that should we think we need more, we will ask for more. The protection of the infrastructure is a problem that we have to look at very carefully. Right now we have a lot of Iraqis helping us in the protection of that infrastructure. I think we will find that over time there will be sufficient Iraqi interest in protecting their future, and that they will do that.

If, on the other hand, attacks against the infrastructure continue to score a lot of damage, then we will have to relook at the way we use our forces. To me, there are sufficient forces to do what we have to do, but we can't get locked into this notion of a certain number of soldiers per square kilometer. The way that you conduct military operations most effectively is to free up your forces for offensive action and move to where the problem is. That is what we intend to do.

But we won't hesitate to ask for more if we need them, sir.

Senator REED. Let me raise an issue, again, with this intelligence situation. I was very surprised that it appears there were no weapons of mass destruction deployed with Iraqi forces. That is a fact, though, isn't it; that is not an argumentative matter? You found no deployed weapons, is that correct?

General ABIZAID. That is correct, we found no deployed weapons. Frankly, I thought we would have.

Senator REED. Frankly, your experience in these matters is much greater than anyone's on this panel. But I would have assumed that there would be telltale signs of a chemical weapon, chemical artillery rounds; that in a situation where you had penetrated their signals so completely, even random comments about special weapons—all those things. The configuration—I recall seeing something yesterday that Secretary Powell at the U.N. was briefing about a facility which he declared contained chemical weapons.

Did you have that kind of intel? Were you targeting sites that you thought, before you crossed the LD, had chemical weapons?

General ABIZAID. Yes, sir. We had about 1,000 sites that we thought in one way or another were related to chemical weapons or biological weapons or the nuclear program. But we issued orders as we crossed the line that I described before, Kut-Al Amarah-Karbala, to increase our targeting against artillery, because we had indications from intelligence that they were getting ready to distribute chemical weapons to forward Republican Guard artillery units.

That is what we thought, so we really targeted those artillery units in particular very hard. So the answer to the question is, I am again perplexed as to what happened. I can't offer a reasonable

explanation with regard to what has happened, but I believe that when the Iraqi surveillance group conducts their work, that through the documents we look at, through the interviews we conduct, and through the people that are going to come forward, that we will piece the picture together. But I think it will take some time.

Senator REED. If I can make one additional comment—it doesn't require a response by the General—there are many, and I was included in that category, that felt that there might be weapons of mass destruction in Iraq, but that was only one part of assessing the threat which would require a military option. The other was the intention of the regime to use them and deploy them.

I think certainly right now we have to reevaluate whether our intelligence was effectively gauging the intention and capability or will of that regime to use weapons of mass destruction, which is the critical question, I suspect, in the calculation to deploy the military option. Thank you, Mr. Chairman.

Chairman WARNER. Thank you, Senator, an important line of questions.

I think this very hearing is doing precisely what the Senator desires, and it is the responsibility of this committee to probe these areas with the witnesses that come before us.

If my colleagues would indulge the prerogative of the chair—you say that you are at a loss. That is a very candid response. I have often, in my consultations with senior officers, heard that the fact that this campaign was orchestrated by the Secretary of Defense, together with General Franks and yourself; was launched without the pattern followed in 1991, namely, of some 30-day air campaign lay-down, and Saddam Hussein was probably anticipating some parallelism between the two campaigns—the fact that from launch time to 17 days you overcame Baghdad, he and his structure of command and control probably was totally caught off guard. To the extent that he was contemplating the use of these weapons of mass destruction, and, as our colleagues said, forward deployment of the units, that timetable I think was drastically thrown off by the bold initiatives of the coalition forces.

Could that possibly be an answer?

General ABIZAID. It is possible, Senator. But I think—I said I was at a loss. My wife thinks I am at a loss an awful lot.

Chairman WARNER. That is all right. It is human nature.

General ABIZAID. I believe that if we had interrupted the movement of chemical weapons from the depots to the guns, that we would have found them in the depots. But we have looked in the depots and they are not there.

So the question is, at what point did the government of Iraq make some decision to move its weapons and hide its weapons somewhere, or destroy them? Before the war we picked up movement at the depots that we thought meant that they were certainly moving things forward for use in military operations. It may very well have been that they had received the order quite to the contrary, to get rid of them.

But I don't know, and I think we won't know for a while.

Chairman WARNER. Thank you.

General ABIZAID. But we will know.

Chairman WARNER. Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman.

I want to associate my remarks, General Abizaid, with the others congratulating you on your fine service. I think there are few people better qualified for CENTCOM than you. Looking over your background, it is just extraordinary. You have a master's from Harvard in Middle Eastern studies. You have been in combat, and you have led troops in the field; a good combination of Athens and Sparta, maybe.

It is a challenge, I know, but some of your experience is extraordinary. I would like to ask you about that, and how it might apply to what we can expect to see as we seek to have this country of Iraq reestablish itself as a legitimate nation.

One thing first I would like to ask about. To me, I always felt that one of the major justifications for confronting Saddam Hussein was the fact that we really never ended the 1991 Gulf War. We were flying aircraft from Turkey and Saudi Arabia, the no-fly zones; we were patrolling the Persian Gulf, enforcing an embargo; we had troops in Kuwait that guaranteed they did not move in again.

I am not sure that the American people or some of us in Congress have thought a minute about just how much we were expending each year in terms of personnel, manpower, and aircraft to keep Saddam Hussein in his box. Could you give us any thoughts about what was involved in just maintaining the status quo before this war commenced?

General ABIZAID. Sir, that is a great point. We did expend a considerable amount of national treasure and effort in keeping Saddam Hussein in the box.

We had Operation Southern Watch going that flew hundreds of thousands of hours over southern Iraq.

We had Operation Northern Watch going that flew hundreds and thousands of hours over northern Iraq.

We spent years bombing antiaircraft positions. We spent a considerable amount of time in operations such as Desert Fox, to try to keep Saddam in the box.

So those were good efforts, they were valiant efforts; but, ultimately, they were not enough. I think that bringing this brutal regime down with as many of the hundreds of thousands of people that he killed was a good thing in its own right.

Senator SESSIONS. I would certainly agree, and would point out that the effort we were expending was in the name and on behalf of the United Nations, enforcing the resolutions the United Nations had passed. We were the primary enforcer of that.

You spent some time in the Kurdish region of northern Iraq. You dealt with the people there. Somehow, that group of people managed to carve out for themselves a semi-functioning territory and government.

How did that happen? Is there anything we can learn from that success, as to how we can create a successful new government in the whole nation of Iraq?

General ABIZAID. Sir, I think the success of the Kurdish enclave in terms of building their own prosperity and building their own institutions is one we all should look at, because we freed them of

the terror of Saddam Hussein and his intelligence services and his armed forces. They moved forward in a very clear way to build a better society for themselves.

The Iraqi people are very talented. They have a great amount of resources. Over time, they will build a society that is better than the one that Saddam Hussein gave them. I am very confident about that. But it is not something that will happen overnight. It will take some time. They will have to build their confidence.

If you look in the Shi'a south, for example, Senator, the Shi'a are experiencing a degree of freedom and ability to live their lives free from interference and terror in a way that they have never experienced before. I think we should not lose sight of that.

The Iraqis have a great opportunity ahead of them to move forward with us. What we need to do is to be smart enough to figure out how to make sure that we move forward with them.

Senator SESSIONS. I think you stated that very well. In the Kurdish area, we have heard reports that Saddam Hussein used chemical weapons against the Kurds. You have been there. Is that true? What kind of weapons did he utilize and what kind of casualties were there? Can you describe that for us?

General ABIZAID. Sir, we certainly know that he used chemical weapons. It is very well known that he used them in the village of Halabjah on the northeastern side of the Kurdish areas, near Sulimaniyah. The number of casualties—I would hesitate to really give you that number, but at least 5,000 people were killed in that particular attack. It is clear to me that he used them elsewhere.

It is also clear, and we know beyond any shadow of a doubt, that he used chemical weapons against the Iranians in the Iran-Iraq war.

So there is no doubt that he had chemical weapons. He used what we believe were nerve agents against the Kurds in Halabjah, and there is certainly no doubt that he had any scruples about using these weapons of mass destruction.

Senator SESSIONS. To me, the fact that he never demonstrated—that he deliberately and openly destroyed those weapons led anyone to a fair conclusion that they were still in his possession, Mr. Chairman.

The way I saw it, from the beginning, the United Nations in 1998—when they were forced out, the inspectors were, they left with a final conclusion that there were large stores of weapons of mass destruction. We never had any proof, or he never produced any proof, that he destroyed them or got rid of them. To me as a lawyer the case was made, and it was never rebutted up until the time the conflict started. Thank you.

Chairman WARNER. Thank you, Senator. I think at this juncture in the record the Senator has brought out the use of WMD by Saddam Hussein. You responded. You should also address here the killing fields, which were discovered by your advancing forces. Were the weapons utilized there conventional? For what reason did he destroy so many of his own population?

You have discovered these mass graves in many instances in your advance. Could you elaborate on that?

General ABIZAID. Yes, sir. As early as 1991 when we operated in Iraq we found mass graves. Certainly since the conclusion of com-

bat operations we have found an awful lot of mass graves, especially in the area of Al Hillah, south of Baghdad. We will continue to find more mass graves.

The method he used is about as brutal as you can imagine. Women and children—sometimes you find them with bullet holes in the back of the skulls. Sometimes you find them with no marks whatsoever, and you have to wonder whether or not they just weren't thrown into the pit to be buried alive. That is certainly what survivors tell us happened.

There is no more brutal regime that ever existed in the Middle East than this particular regime. We should shed no tears for the Baathists, and we should be resolute in prosecuting those that performed these horrible things.

Chairman WARNER. Many children were found in these graves?

General ABIZAID. Yes, sir.

Chairman WARNER. Some of them clutching their own prize toys, dolls and otherwise, as they went to death, is that correct?

General ABIZAID. That is correct, Senator. What you can imagine of the killing fields of Nazi Germany or Cambodia were every much as much active in Iraq as those other places.

Chairman WARNER. Thank you.

Senator Nelson.

Senator BILL NELSON. Thank you, Mr. Chairman. Welcome, General. Welcome to Mrs. Abizaid. Welcome to Florida. I hope Tampa is greeting you appropriately and taking care of you. MacDill is a good place. You are in one of the historical residences there, so we are glad to have you.

General, I would like, for the record, for you to state what you stated to me in our personal conversation about looking for Scott Speicher.

General ABIZAID. Thanks, Senator. First, let me say my wife has been in Tampa for about 6 months. I have been assigned to Tampa for 6 months and I have seen it for 6 days. I liked the 6 days that I have seen it. I hope to spend more time there. Thank you for your hospitality. It is a great place. Sir, it is amazing when you think about it that we have had two wars with Iraq, and there is only one person that we can't account for, and that is Scott Speicher. We had a very robust effort that attempted to confirm or deny his location, whether he was alive or whether he had died as a result of either being in Iraqi captivity or as a result of the crash of his aircraft.

Chairman WARNER. Excuse me, General. I think for the record, for those following these proceedings, you had better give a little historical context: when he was lost, the branch of Service, and the like. Many people are interested in this case.

General ABIZAID. Thank you, Mr. Chairman. Scott Speicher, who is from Jacksonville, was shot down on the first night of the Gulf War in 1991. We walked away from a downed pilot through a series of mistakes. When we asked for the exchange of POWs, we did not ask for him. He had been declared dead, mistakenly. We asked for his remains. They didn't have his remains, they had him.

From sightings from corroborated witnesses, there is reason to think that it is credible that he was sighted as recently as 1998. So you can imagine the trauma that the family is going through,

having him first declared dead, and then about 5 years later the Department of Defense changes his status from killed in action to missing in action. Last fall, the Secretary of the Navy changed his status to "missing/captured," which is POW.

So that is the background, Mr. Chairman. Thank you for the opportunity to clarify that.

Senator, we had an awful lot of places that we wanted to look into that were associated, as a result of the intelligence we had, as to places that he could have been moved to or been incarcerated in, et cetera.

There was one intriguing find at the Hakmiya prison where we saw the initials "M.S.S." scrawled on one of the walls. Certainly, Michael Scott Speicher—it is hard to wonder what else that could have meant.

But in all of our searching, we have yet to find evidence that he was alive or in the hands of the Iraqis. We have questioned a lot of people. In the same vein as WMD, we have a lot of work yet to do. We owe it to him. We owe it to all men and women that serve in uniform that we will figure out what happened to him and conclude this case. We will continue to look.

Senator BILL NELSON. When the chairman had his committee meet with the Secretary yesterday, Secretary Rumsfeld gave me his latest classified briefing on Speicher. We discussed the public information that we made public yesterday that Major General Keith Dayton has been appointed to oversee not only the WMD search, but also the search for Captain Speicher.

Chairman WARNER. He is in charge of the 1,400-person force constituted by Secretary Rumsfeld to be specifically tasked with weapons of mass destruction issues, prisoner issues, and other matters.

Senator BILL NELSON. And Speicher. That is important. I handed the Secretary a personal letter from the family yesterday asking that a high-level person be appointed. They specifically had asked that he be appointed to report to Bremer. The Secretary feels like this should go up through CENTCOM, so they will be reporting to you there, General.

I wanted just to get this on the table, because this is important. I can't go with the chairman, because of previous obligations, on his trip that is coming up next week, but I'm going to come to Iraq as soon thereafter as I can get out there.

I want to talk to General Dayton. I want to go to that prison cell, I want to go to any of the graves that you are examining, and I want to talk to the investigators, the team, the special team. I want to talk to any prisoners, anything. This is the least I can do for the family.

Let me ask you——

Chairman WARNER. Before we conclude on that, Senator Roberts will be accompanying me. He has been working with you in conjunction on this case. He is chairman of the Committee on Intelligence, and he has a personal interest in this.

Senator BILL NELSON. Senator Roberts and I are joined at the hip on this. We do everything in coordination with each other. He has given me a blue slip on my allotted time, however.

Chairman WARNER. Why don't you take an extra bit of time here, Bill?

Senator BILL NELSON. Thank you.

There is a story in today's London Times: "Resurgent Taliban forces have reorganized their command structure to fight against coalition troops in Afghanistan and President Karzai's government." Can you give us your thoughts on that, and what we ought to do about it differently than what we are doing now?

General ABIZAID. Senator, thanks for bringing up the issue of Afghanistan. As we focus a lot on Iraq, sometimes we lose sight of the fact that there are 10,000 U.S. troops up there. They are fighting in tough circumstances. Nearly every day there is some sort of engagement with either Taliban remnants, al Qaeda, or other Afghan groups that seek to overthrow the Karzai government. My old regiment of paratroopers is up there. They are doing a wonderful job. I visited them the other day.

We have achieved a lot in Afghanistan. We have denied it as a safe haven for al Qaeda. We have taken out the Taliban government. We have given the Karzai government an opportunity to move forward. I think it is safe to say that there is a lot of work that still needs to be done in Afghanistan.

Senator BILL NELSON. Is there some degree of Taliban resurgence?

General ABIZAID. I don't know that I would use the word "resurgence," but I would say there is a danger from the Taliban that we shouldn't underestimate. Does President Karzai deserve the respect and support of the international community? I think the answer is absolutely yes. As we are now able to focus more broadly throughout the theater, I certainly will reevaluate what we are doing militarily in Afghanistan and have discussions with the Secretary about what the way ahead is there.

Senator BILL NELSON. Mr. Chairman, I have one more question, but I will wait until my colleagues——

Chairman WARNER. Our colleagues would be glad to indulge you, I think.

Senator BILL NELSON. Thank you, Mr. Chairman.

General, you had said that the movement at the depots, the intelligence from that, is what led you to believe that when you crossed the red line that you were going to find that they had destroyed the chemical weapons.

My question is, as the chairman has launched this investigation into what went wrong with the intelligence, this morning the New York Times was reporting an expert analyst telling legislators that he was pressed to distort some evidence. This is a senior intelligence expert named Christian Westerman.

If we have the shading of intelligence to operational commanders like you, that is a fairly significant—if true—detriment for a military commander, I would assume. We don't know the answer because the chairman is going to have his investigation, but do you have any comments?

General ABIZAID. Sir, I firmly believe that there was no distortion of the intelligence. I looked at it as a military professional. My subordinates looked at it as military professionals. I really believe that the intelligence communities did their best to give us their best judgment about what they thought, and that is what hap-

pened. That we didn't get it completely right is what I consider to be a fact.

Will we figure out what we didn't know? I think we will. But again, I would like to emphasize, as I said previously, there were huge successes of intelligence in other areas, especially about the Iraqi battlefield, the order of battle, et cetera.

So I believe that there is no finer intelligence community in the world than ours. Do we have to do better? Should we look to see what went wrong and make sure we understand it so we can fix those problems? Absolutely. It is essential we do so.

Chairman WARNER. Thank you, Senator Nelson. I am glad you emphasized the tactical intelligence. That is confirmed by the various steps in the military operations.

Senator Cornyn.

Senator CORNYN. Good morning, General. I am interested in the process of, obviously, first providing security in the country; but then, what steps are being taken to make sure that the Iraqis have a reasonable opportunity to create a democracy, a representative form of government within their country, and one that recognizes the basic human rights of the Iraqi people to speak, to worship as they see fit and according to their consciences, and to exercise their right of consent to the laws and the policies that govern them?

I would be interested in your—first of all, given the joint nature of the arrangements between Ambassador Bremer and General Sanchez, is that something that CENTCOM is intimately involved in, or is that something that Ambassador Bremer is doing in connection with the State Department? Could you describe who has responsibility for that process?

General ABIZAID. Yes, sir. Ambassador Bremer has the lead for remaking the governmental institutions. He has a group of some extremely talented folks from all over the U.S. Government that are putting teams together that will eventually help the Iraqis with a constitutional process. He reaches out to Iraqi leadership, political leadership, almost daily.

He has an extremely active program to build a representative government within Iraq. Senator, this is really probably the toughest of all missions. There is no real tradition of democracy as we know it in Iraq. We wish them luck, and they will need a lot of help. But I think that if anybody can make it happen, it is the people that are working for Ambassador Bremer and Ambassador Bremer himself.

There is great interest in doing it right. Of course, there are many conflicting opinions. The important aspect that Central Command brings to the table is our ability to provide a secure environment in which meetings can be held and in which people can express their opinions, et cetera.

So yes, we are partnering in this. But as I mentioned before, the Iraq problem won't be fixed by any single solution, not by a single military solution nor a single government solution. We have to move together economically, militarily, diplomatically, and on governmental reform together. As we do that, things will improve.

Senator CORNYN. I know immediately after the main hostilities ended there were various comments made. I believe General Garner and others had expressed that maybe it was their hope, as op-

posed to a realistic expectation—how long we would need to stay to provide that help and assistance to the Iraqi people as they attempt to establish the rule of law and a representative government.

Do you have an opinion as to what sort of timetable we may be looking at before the Iraqi people are able to take that responsibility in hand without perhaps risking the loss of everything that we have been able to gain through the great effort of our military forces in such a brief period of time?

General ABIZAID. Sir, the Iraqi people are moving ahead and are very anxious to take charge of the political process of their own future. That is exactly what we want them to do. Ambassador Bremer is there to assist, not to dictate.

The process will take time. Governmental and institutional reform will take a long time, and I would certainly say that American engagement in that regard will be measured in years.

The military side of the engagement will depend upon whether or not we are successful in building Iraqi police institutions, Iraqi military institutions, and the presence of other international forces.

While I will only say that our military involvement there will be certainly a long one, I wouldn't want to characterize how long it is going to be. It can come down as we have success on the institutional front.

Senator CORNYN. I actually am very glad to hear you say that, because I think it is far more realistic than perhaps some of the statements that were made immediately following the main conflict about our desire to get in and out quickly.

Of course, maybe that was our desire; but the reality is, I believe, as you have expressed it. We have some history of reconstruction postwar in places like Japan and Germany which obviously is on the order of years, not days or weeks.

I was concerned—and I would be interested in your comment on this—that after the Gulf War we encouraged some Iraqis to rise up against Saddam, and then we left, and he used that as an opportunity to repress and indeed to murder thousands of Iraqis.

Until we actually find Saddam and account for him, whether dead or alive, do you view that as a pivotal event that will assist us in moving forward and the Iraqi people in moving forward? Do you feel like they are hesitating now because of their uncertainty as to his outcome?

General ABIZAID. Sir, in the north they are not hesitating. The Kurdish population is moving forward. In the south the Shia are very active politically. As far as they are concerned, they are not overly worried that Saddam will reappear.

The real problem is in the Sunni heartland. We need to ensure that we can account for Saddam Hussein so that the people that were on his team before and are supporting violence against our forces understand that there is no future for them.

We also need those members of the Sunni community that would otherwise be afraid to come forward and establish some sort of political activity in the Sunni community that is outside the scope of the Baath party. I think some of them are hesitant to do that until we close out the case of Saddam.

Senator CORNYN. Thank you, General.

General ABIZAID. Yes, sir.

Chairman WARNER. I assume if there were any new facts regarding Saddam Hussein you would share them with the Senate here this morning. There are no new facts?

General ABIZAID. No new facts, Senator.

Chairman WARNER. Senator Allard.

Senator ALLARD. Thank you, Mr. Chairman.

I would like to join my colleagues in wishing you well in your new position. I think you are going to be confirmed. I think you will bring the experience we need. I wish you well.

As a field commander, you obviously look at a number of scenarios; "what if" situations that can happen when you are on that battlefield. I would assume that you appreciated the fact that you were warned of the possibility that there could have been weapons of mass destruction, is that correct?

General ABIZAID. That is correct, sir.

Senator ALLARD. As Commander in Central Command, I presume you will make every effort you possibly can to warn your field commanders of any possibility of weapons of mass destruction that they may incur on the battlefield. Is that correct?

General ABIZAID. That is correct, sir.

Senator ALLARD. I think sometimes you expect things to be there, but when you show up and find out they are not there, there is a sigh of relief to a certain degree, because you didn't have to contend with it. But also I think you appreciate the fact that you were warned of that possibility and could have that contingency in mind as you move forward.

Let me talk a little bit—raise a question relating to the whole command area that you will be serving in or are in command of, and talk a little bit about the base alignment that is apparently going on, at least what has been reported in the media.

The press has reported that the United States has pulled out most or maybe all of its air assets out of Incirlik Air Force Base in Turkey, and is in the process of downsizing at Prince Sultan Air Force Base in Saudi Arabia. They are both major command centers, as I understand it.

What were the reasons for withdrawing from these bases, and have we found suitable sites in neighboring countries to replace these once critical bases?

General ABIZAID. Sir, Incirlik is in the European Command area of responsibility. While there is some drawdown going on there, there is certainly a desire by the European Command to maintain a very strong relationship with our Turkish allies.

During the war we got a tremendous amount of support—in spite of the fact that our land forces didn't come across the border, we did receive a lot of support from the Turks. But I would defer any questions about Incirlik to the European Command.

As for Saudi Arabia, yes, we are drawing down on our forces at Prince Sultan Air Base, and we have other areas in the Persian Gulf that have readily accepted U.S. forces that allowed us to operate from there during the war.

I would like to take the question for the record, because there are certain local sensitivities in the region about acknowledgment of the amount of force and the effectiveness of it, et cetera.

[The information referred to follows:]

[Deleted.] The Office of the Secretary of Defense directed Central Command [deleted]. Central Command has primarily [deleted.] Plans for relocation were temporarily suspended due to Operation Iraqi Freedom. Central Command has since completed the relocation of assets and is [deleted].

I would like to emphasize that we have a very good and strong relationship with the Saudi Arabians. They were very supportive during the war. I think it is clear to the Saudis that they are facing the same enemies we face in the world of terrorism, and that together we are going to have to work very hard to face this threat.

So I anticipate our relationship with the Saudis to continue to be strong. We won't have the same footprint there, but we will have a very strong and important relationship in getting after the terrorists together.

Senator ALLARD. Thank you for that response.

I would like to talk a little bit about the space-based assets that you utilized in Operation Iraqi Freedom.

Would you give us an assessment of the performance of these assets? If you have the insight, can you give us any idea of additional capabilities that you would like to see in future combats?

General ABIZAID. The space-based assets performed magnificently. To have a complete picture of the enemy, as complete a picture of the enemy as we had with regard to their military formations, has an awful lot to do with our domination of information technologies and of space-based things.

I don't want to go into the classified parts that you are well familiar with, Senator, other than to say that there were other programs that gave us great service, as well, that are classified. I would be happy to talk with you about it in a classified session.

In terms of what more we could get out of our space-based assets, we need to exploit our ability to dominate the information spectrum from space more and more in the future. It is just critically important. Our ability to sense, our ability to see, our ability to hear, our ability to broadcast can all be enhanced by space-based assets, and I think it is only our imagination that would keep us from being able to enhance our ability to fight wars more efficiently using space assets, even if they are not weaponized.

Senator ALLARD. That gets back to the basic question of what happened to the weapons of mass destruction, in many regards. Talk a little about the Patriot missile system. They shot down a number of Iraqi ballistic missiles. There were a couple of friendly fire incidents. Would you talk a little bit about that system?

General ABIZAID. Sir, I have great confidence in the Patriot system. We have to very thoroughly investigate what happened on the friendly fire incidents. I have not had an opportunity to look at the work that the Army is doing to try to understand what went wrong technically there. I think there were some similarities in the incidents.

I certainly know that the Patriot systems protected our forces very well from ballistic missiles that were fired at them, so I have a lot of confidence in it. But it is important that we understand what technical problems caused the friendly fire incidents and correct them right away.

Senator ALLARD. Thank you for your answers.

Chairman WARNER. Do you have another question or two?

Senator ALLARD. Just one question, Mr. Chairman.

You mentioned in your advanced questions to the committee that, and I quote, "Our ability to strike rapidly sometimes exceeds our ability to sense and assess the effects as quickly as we would have liked."

Can you please expand on that? Did you have sufficient intelligence, surveillance, and reconnaissance (ISR) assets? In a perfect world, what additional ISR capabilities would you like to have?

General ABIZAID. ISR is in chronically short supply for the department, and I think we need more ISR assets with our wide responsibilities in order to make sure we are sensing our environment better. I believe that the Secretary would not be surprised by that answer.

With regard to the comment in my written questions, it really had to do with a period that we went through where the battle damage assessment process was not working as efficiently as General Franks would have liked it to work.

This was during the stage of the battle when we were up on the Karbala-Kut line facing the Republican Guards. We did not think that the turnaround time on the assessments of what damage we were doing to the enemy came to us quickly enough. I am not sure whether that is a technical problem or a process problem. I tend to believe it is more of a process problem.

But certainly we need to always improve our ability to sense what we have done to the enemy so that we can take advantage of the weaknesses that we perceive. That requires some work.

Senator ALLARD. Thank you. Thank you, Mr. Chairman.

Chairman WARNER. Thank you very much.

My distinguished ranking member is trying to cover two hearings at one time, so I will defer my further questions until he has completed his.

Senator Levin.

Senator LEVIN. I appreciate that very much, Mr. Chairman. Just a few additional questions, General.

First as it relates to the recent event next to Syria relative to that convoy, what was the intelligence about that convoy? What did we expect it to be? What did it turn out to be? That is question one.

General ABIZAID. Senator, I believe that it would be very important for me to discuss this with you in a classified session.

Senator LEVIN. Including what it turned out to be?

General ABIZAID. Yes, sir.

Senator LEVIN. That is fine, if that is the way it should be.

Second, we have a new organization here now that is looking for weapons of mass destruction significantly larger than the previous one, which I think was the 75th Exploitation Task Force, if that is correct.

General ABIZAID. Yes, sir.

Senator LEVIN. Can you tell us the way in which the mission functions and capabilities of the new group, the Iraq Survey Group, differs from the 75th Exploitation Task Force?

General ABIZAID. Yes, sir. The 75th Exploitation Task Force—I would describe them as the blue-collar WMD searchers. We, of course, thought we could send them to specific targets, that they

would need to do the muscle work, the technical work to recover the weapons of mass destruction quickly and then bring them back to us. They were equipped more for moving, finding, and quickly exporting.

Chairman WARNER. Could I interrupt? I have just been informed this clock is not functioning. A vote was called, all the time has expired, and they are waiting for our vote. So we will go vote.

[Whereupon, the committee recessed from 11:18 to 11:35.]

Chairman WARNER. Gentlemen, we will continue the hearing. I will have to vote again and then come back and we will conclude it. Senator Levin was not able to return, but he asked that when I depart for the next vote, could you put into the record your full response to his question.

General ABIZAID. The 75th Exploitation Group did the work to locate the highly probable areas where we could find weapons of mass destruction, but they did not have a strong analytical group that was able to exploit documents, interrogations, and essentially connect the dots on the missing puzzle pieces that were apparent with being unable to find weapons of mass destruction.

So it was decided that we needed to put together a specialized group that had a very strong analytical capability. That is when we decided to build—or the department decided to build the Iraq Survey Group. I would refer to them as the white-collar searchers for WMD. They have a strong group of intel professionals and analysts that will look through miles and miles worth of stacked up documents and reports on interrogations, et cetera.

They will also look at the history of what the United Nations had done previously, what intelligence was reported previously, and then try to solve the central question as to what happened between 1998 and 2003 with regard to Iraq's weapons of mass destruction program.

At the same time, as they go through all of this, they should be able to give us clues as to where we should go next. The 75th had a list of a thousand sites to go to, but that really probably is not the most effective way of getting at the problem, especially now that we haven't found anything. We need to look at the evidence and have judgments made at a high level as to where we might achieve the higher payoff. So that is why there is an ISG.

Chairman WARNER. General, the North Atlantic Treaty Organization (NATO) to me is one of the greatest institutions that we have had the privilege as a Nation to participate in. I have spoken out a number of times in support of NATO, and hopefully always will. I have heard comments from responsible persons informing me that serious consideration has been given to incorporating NATO into your efforts in Iraq.

Could you bring me up to date on that and give your own personal views?

General ABIZAID. Sir, I do not know the degree to which the Secretary and the folks in the department have moved forward on the idea to include NATO formally in Iraq stability operations.

Chairman WARNER. I would hope that during the course of your stay here in Washington that that can be briefed to you in full.

General ABIZAID. Senator, NATO has agreed to provide the next International Security Assistance Force (ISAF) command in Afghanistan.

Chairman WARNER. I was going to go to Afghanistan momentarily. So at the moment you prefer to respond for the record on NATO?

General ABIZAID. Yes, sir.

Chairman WARNER. Give that further study.

General ABIZAID. Yes, sir.

[The information referred to follows:]

Several NATO countries are unilaterally participating in stability operations in Iraq. NATO, as an organization, has provided support to Poland as they prepare to lead one of the Multi-National Peacekeeping Divisions in Southern Iraq. We are continuing to explore additional methods to leverage the significant capabilities and experience that NATO possesses. [Deleted.] NATO's imminent assumption of command of the International Security Assistance Force in Kabul, Afghanistan should provide some valuable lessons that we can incorporate into our efforts in Iraq.

Chairman WARNER. I just want to conclude by saying that I strongly endorse at the earliest possible time the incorporation of NATO in the diversity of challenges that face you and Ambassador Bremer in the immediate future.

Now, shifting to Afghanistan, my understanding is that they have now formally concluded those arrangements. I would like to have you describe what they are, and also the chain of command that NATO reports through, and the relationship with the United Nations.

General ABIZAID. Sir, the chain of command—Senator, in Afghanistan right now we have the United States and coalition forces engaged in combat operations which report directly to the Commander of Central Command. Then you have the forces of ISAF, which are not in the direct chain of command with CENTCOM but do respond to some degree of tactical control.

I will have to respond for the record for precision with regard to the chain of command with NATO. But I think you will continue to see ISAF performing the stability role in and around the Kabul area; American combat operations, coalition combat operations, being a separate chain of command; and there are discussions currently under way in the department as to the future of that chain of command.

It is possible, for example, that there will be some new command arrangements that move. But suffice it to say that NATO will participate and will have an important role to play in ISAF. I agree with you 100 percent that this is a good thing for us.

[The information referred to follows:]

The International Security Assistance Force (ISAF) operates under a United Nations (U.N.) mandate, but not under U.N. control. The current mandate runs through December 2003. We anticipate that an extension of the mandate is forthcoming.

NATO has agreed to assume command of the ISAF. NATO involvement with ISAF is a significant occurrence because this is NATO's first deployment outside of Europe. An ISAF IV Letter of Arrangement (LOA) between NATO and the United States will specify command and control (C2) arrangements between NATO and coalition forces operation in Afghanistan under Operation Enduring Freedom (OEF). [Deleted]. Details of the relationship between the ISAF and OEF forces, however, have not yet been finalized.

Chairman WARNER. I presume you share that same opinion with regard to Iraq?

General ABIZAID. Sir, I am all for NATO participation, as long as we do not violate unity of command for combat operations.

Chairman WARNER. It is very important that that be made ever so clear. NATO I think tactically would have a joint chain to General Jones and yourself, CENTCOM.

The President of the United States met with President Musharraf yesterday. I think it was a very beneficial meeting on a wide range of issues. I have studied the initial reports. I have had the pleasure of meeting with President Musharraf on a number of occasions. I presume you have had that same opportunity.

General ABIZAID. No, sir, I have never met with the President.

Chairman WARNER. You will have that opportunity shortly after you assume your new command.

General ABIZAID. Sir, if confirmed, one of the first places I will go is Pakistan.

Chairman WARNER. Pakistan has been enormously cooperative in missions we have, are, and perhaps will be, conducting in Afghanistan.

The President made direct reference in the presence of President Musharraf that we are continuing direct efforts to get Osama bin Laden. I presume you have been following those operations. Could you elaborate a little on that?

General ABIZAID. Sir, the Pakistani military and some of their other security services have worked very closely with us in ensuring that there is no safe haven for al Qaeda within Pakistan. They have certainly done a wonderful job on their own in the areas of the urban centers of Karachi, Quetta, et cetera, where they have done a magnificent job of disrupting, identifying, and keeping al Qaeda from really establishing themselves firmly.

They have tougher challenges up along the border with Afghanistan for a lot of different cultural reasons and for security reasons, where there is no tradition of strong Pakistani forces up there.

Chairman WARNER. The geography lends a certain challenge.

General ABIZAID. The geography is like the Rocky Mountains times two. It is very difficult, very mountainous; one of the most daunting areas for military operations that you could find anywhere on Earth. The same goes for the Afghan side of the border.

The help that the Pakistanis have given us in operations in and around Afghanistan has been absolutely essential to the success of operations there. I certainly will do everything that I can to build upon General Frank's very excellent relationship with President Musharraf and with the Pakistani military.

We both know that it is a matter of utmost importance for both of our nations to get after the al Qaeda threat and that Afghanistan's stability is as important to Pakistan as it is to the United States. So we look forward to close cooperation and building on closer cooperation with them.

Chairman WARNER. I think it is important in this hearing that I state that in my opinion, there is ongoing risk to American forces and other forces operating in Afghanistan. The American public should understand that while they may not be on page 1 with the frequency that they once were, our troops are very courageously,

bravely, and with a high degree of risk carrying out these missions. Am I not correct in that?

General ABIZAID. Sir, you are absolutely correct. I visited Afghanistan a week ago. My old regiment is operating out there, a bunch of young paratroopers, up on the border 10,000 feet with helicopter support, often with Afghan militias, often with Afghan regular forces. They are doing wonderful work.

The other place that wonderful work is being done is where Major General Carl Eichenberry is and the work that he is doing to build the Afghan National Army. So from a security standpoint, there is a lot of fighting that continues to go on there. There is more ahead. Our troops there should be praised and thanked every day.

Chairman WARNER. Senator Levin and I have made two trips to the region, one just recently. You mentioned your old regiment and their courageous performance. Any other nations participating as actively in this?

General ABIZAID. Yes, sir. In Afghanistan, I had the opportunity there to see the Romanians operating. They have a special operations unit that is doing an excellent job. I also saw French soldiers that were operating there, likewise doing the same. In an ISAF we know the Germans were the victims of a terrorist attack very recently. Those troops serving in ISAF, Germans, Dutch, and others are doing wonderful work, as well.

The international community, ISAF, plus our own conventional operations that are going on there, are often out of the limelight, but they are very important and successful.

Chairman WARNER. General McNeill was in command when Senator Levin and I were there. I was very impressed with him as a professional. My understanding is through a routine rotation he is now back here in the United States.

General ABIZAID. Yes, sir. He is back in the United States. He has yet to give up command of the 18th Army Corps. I believe the Army has that scheduled soon. I'm sure there are great things in store for that soldier. He is one of the finest we have.

Chairman WARNER. I share in that view. It is the intention of myself, concurring with the ranking member, to have him appear before the committee to give us the benefit of his experiences over there in the very near future. I mention that because this committee is ever mindful of the situation in Afghanistan and the risks that our forces are daily encountering.

Now, I want to read an interesting concluding paragraph in one of the press stories today, a story which covered in some detail—the detail that is available—the tragic loss of the British forces.

"Security concerns will only grow if Tuesday's violence"—that is referring to that incident—"indicates an uptick of attacks," whatever the word "uptick" means; I would assume an increase of attacks—"is beginning in Shiite-dominated areas of Iraq, where British troops have a large security role."

"The Shiites, who make up some 60 percent of the Iraqi population, were abused by the Saddam Hussein regime and constantly had maintained a fairly neutral stance toward the American and British occupation. Resistance groups also have been blamed for a

series of attacks in recent days on oil and natural gas pipelines and other infrastructure."

This is the key paragraph: "The new attacks," again referring to particularly the one on Tuesday, "also show that the British troops' less aggressive stance in the more peaceful south may not fully succeed in preventing the kind of angry attacks that until Tuesday had focused on U.S. troops. American forces have responded with coordinated raids and tough tactics, while British forces have taken a more kid glove approach to occupation."

In my consultations and study of this situation, I was advised that the British decided that they could perhaps perform their mission as a central component of nationbuilding in that region by presenting themselves physically in a less formidable manner. I think they stopped, for a period of time, the use of the protective vests and actually utilized equipment other than helmets, and perhaps in other areas they altered their practices.

Now, my first question is, was this differentiation in approach and tactics a matter which was coordinated up through General Franks and yourself, and was it with your approval; or was that discretion reposed in the British commanders to exercise without the necessary approval of the senior command?

I ask that because I suppose a lot of American forces felt maybe they would like to take off the added weight of the protective vests and push back the helmet for a softer headgear or something of that nature; but to the best of my knowledge, that was not done.

Then this refers to the tough tactics that we employed versus the less tough tactics exercised by the British forces—they describe it as kid gloves—in performing their missions.

Did it come through? Did you chop on it and say okay——

General ABIZAID. No. Commanders' discretion in the field, sir. We granted—General Franks in particular, he is a commander that grants a broad degree of discretion to his field commanders. It would have gone, probably, as a question unasked as to whether or not they needed permission to adjust their operating style.

I would take great issue with the notion that the British forces are using kid gloves, anyway.

Chairman WARNER. That is why I wanted you to have an opportunity to reply.

General ABIZAID. They are undoubtedly among the toughest and finest professional soldiers on Earth.

Chairman WARNER. I share that view.

General ABIZAID. It is a great pleasure to have them in the coalition. I think when the smoke clears we will find out that what happened yesterday was some sort of a local problem; that people were surprised by it on both sides, and that it escalated in a way that is unfortunate and caused the loss of life.

But there is no lack of aggressiveness in the way that the British do business. In fact, they often take more risks than we do because philosophically they have learned different lessons from their own military history than we have. I think allowing national contingents to operate within their best judgment is what makes a coalition strong. You will find the British as tough as they come.

Chairman WARNER. I agree with that. As a matter of fact, I have said often—and will repeat—without the support of Great Britain

from the Prime Minister on down, this operation would have been considerably more difficult for the U.S. contingent of the coalition forces.

General ABIZAID. Our greatest concern before the war was they wouldn't cross the berm with us.

Chairman WARNER. They did.

General ABIZAID. We are thrilled to have them by our side, and still are.

Chairman WARNER. That brings me to this cultural difference.

Fragmentary reports on this incident described that the locals were concerned with tactics used in the course of trying to remove weapons from the households and other private places. Also, they have a very—I don't know quite how to phrase it—an extraordinary respect for the women in their culture, and I don't mean to differentiate between what we have. I certainly share extraordinary respect in my culture.

I wonder if you could enlighten us on that cultural framework, and how, hopefully, as you move in, drawing on your background, that you can be in a position to advise our troops and coalition forces about the importance of those cultural differences and how best to perform our missions, at the same time paying due respect.

General ABIZAID. Senator, if you go to the location where this incident occurred south of Al Amarah in Maysan province, in many respects it is one of the most isolated provinces in the nation of Iraq. Its ties to old tradition are probably stronger than almost anywhere else.

Chairman WARNER. That goes back centuries, am I not correct?

General ABIZAID. Absolutely; thousands of years. As a matter of fact, near the site of this action is the place called Al Qurnah, which is rumored to be the original Garden of Eden, so civilization has been there for a long time.

The cultural norms that they have established are very private. They are very family-oriented. They are very protective of the women. We have to be smart enough in our operations to be culturally sensitive, yet also understand that Saddam and the Saddam Fedayeen during the war used cultural sensitivities against us in every way possible. So in order to protect our forces, sometimes we have to make compromises.

I think our troops are smart enough, as are the British, to make those compromises at the right time. But we need to be talking to the local leadership before we conduct major search and cordon operations.

Chairman WARNER. I think more and more this phase of the operation—we will have to draw on your expertise and knowledge, and hopefully you will infuse that knowledge right down to the foot soldier.

I have to go and vote again. I will be right back.

[Whereupon, the committee stood in recess from approximately 12 noon to 12:21 p.m.]

Chairman WARNER. Gentlemen, we want to cover other areas of your AOR.

Let us start with the border nation of Iran: first, the implications with regard to our missions in Iraq; and second, with regard to the Middle East problem; and then with regard to security to other na-

tions in the region as a consequence of this what I view as a somewhat unstable and autocratic regime largely operated by the tier of government referred to as the Mullahs.

General ABIZAID. Yes, Senator. Clearly, Iran, with a population of somewhere around 65 million people and large armed forces, is a power to be reckoned with in the Gulf. As a matter of fact, were we not in the Persian Gulf or the Arabian gulf, whichever you choose to use, you would find Iran as the most powerful nation there.

Chairman WARNER. Excuse me. That is important, but I think you describe "most powerful" as a consequence, I presume, of its table of organization and military forces, their equipment, their readiness, and indeed, the doctrine under which they are trained?

General ABIZAID. Sir, they have the most capable military force in the region outside of our own. They have a doctrine that is designed to take advantage of what they perceive as our weaknesses. They look in particular to target what they view as naval vulnerabilities, especially in the chokepoints and places such as the Strait of Hormuz.

Chairman WARNER. That poses a threat to our operating units which periodically and most constantly have been in that Gulf region, is that correct?

General ABIZAID. That is correct, sir. They have a very robust intelligence service which has played active and not helpful roles in places like Lebanon, Iraq, and others with regard to working against the United States. So it is clear that the Iranians are a challenge.

Yet, on the other hand, I think all of us look with a certain degree of hope at various reform movements that we see taking place inside Iran. The government is split between hardliners and those that wish to move in the direction of reform; although I think we shouldn't underestimate the degree to which President Khatami's government could move, even if he had the desire to do so, in a direction that would be more accommodating to the United States.

Iran is a very serious contender and player in the geopolitics of the Persian Gulf and militarily. We need to be very concerned about them.

Chairman WARNER. Does the situation in Iraq have a bearing on the instability between the Palestinians and the Israelis and vice versa? Does that have a far-reaching influence into what is occurring on Iraq?

General ABIZAID. Sir, I think that the movement towards some sort of accommodation between the Israelis and the Palestinians is a positive and essential step, not only for Israel and the Palestinians but for the whole region.

There is a connection—there is not a day that goes by where, as I travel around the region, the various leaders in countries that are very positively inclined towards the United States don't ask us to get more involved. I don't think they are looking for us to impose a solution, but they are looking for us to play a role in finding a solution.

Although it is way out of my lane, I believe that the initiatives we are undertaking now are very important, and they will play

themselves out to a certain extent not only in Iraq but throughout the entire region.

Chairman WARNER. In my trip recently through there, like you, when I visited with the heads of government, the heads of state, it was brought up at every meeting.

I think we should also include in the record today the strong support we are receiving from Qatar and Kuwait. I hope to visit the government of Kuwait with my delegation when we go there. We have had a long association with them working in the Senate here over many years with Kuwait. Their contribution in land alone—we occupied for purposes of training and staging a very considerable portion of their real estate, temporarily occupied. I think I would like to have your comments on both.

General ABIZAID. Sir, I would describe the Kuwaiti government's support for the United States of America—and in particular these recent military operations—as nothing short of courageous. They have been incredibly supportive. They have suffered under Saddam Hussein in a way that taught them that he had to be dealt with, finally, and their support was unwavering in every respect. We couldn't ask for a better relationship than that which we have with the Kuwaitis.

It is important Kuwaitis remember that we have helped them come to grips with a large number of their citizens that we can't account for. They were last seen being moved by the Iraqi intelligence services from Kuwait into Iraq in 1991. Unfortunately, we haven't found any of these people alive. I think we will find, sadly, that they were executed by the Iraqis, but at least we can close out the concerns of the families over time. There is still a lot of work to do there. To answer your question about Kuwait, we have great support.

The Qatari government has been incredibly supportive as well in many respects. Not only are they supportive, but they are one of the most liberalizing influences in the Persian Gulf region. I think we owe the Qatari government not only a debt of gratitude for their military support, but also for the example that they set in their willingness to liberalize in a part of the world that is not necessarily noted for its liberal thought.

Chairman WARNER. We are contemplating some long-range relationships there, particularly as it relates to CENTCOM, are we not?

General ABIZAID. Sir, the mutual relationship with the Qataris is one of the United States providing obvious protection for their sovereignty, and them providing us with obvious access to a very strategically located basing construct, to include the forward headquarters of CENTCOM. It is a very good place to operate from.

Chairman WARNER. Should we not also cover the United Arab Emirates (UAE) in the context of our discussion here?

General ABIZAID. Yes, sir, the United Arab Emirates is also a staunch friend, and gave us and continues to give us great support in the Gulf region. Their military in particular has worked very closely with us in establishing a credible force there. They have been great supporters of the United States in many respects.

On the other hand, we shouldn't consider any of these countries as being our lackeys, because they quickly tell us what they don't like, and they work with us in very important ways.

But probably the most important thing that I have not mentioned is that for Kuwait, for Qatar, for the UAE, for Oman, for Saudi Arabia, this is a matter of life and death that they are engaged in with regard to the global war on terrorism. The terrorists will never defeat the United States, but they could be a mortal danger to any of those regimes.

Chairman WARNER. You did mention Oman, because they have given us—when I was there some time ago with Secretary Cohen I saw the foundations of that. I later was there with Senator Levin.

General ABIZAID. This concurrence of interest against the terrorists should not be underestimated. It is very important for our continued well-being here at home and also for their continued well-being in their homes to fight this fight. We are getting great cooperation from them.

Chairman WARNER. Our record today should also reflect that Jordan and Egypt, through their leadership, have likewise had a very constructive role in the war on terrorism.

Turning now to the India-Pakistan relationships for the moment, that seems to have de-escalated to the point where there may be a ray of optimism.

Have you a view on that?

General ABIZAID. Sir, I believe that the India-Pakistani relationship every now and then shows a ray of optimism, but the Kashmiri problem is very difficult. It will need a lot of work. It will need a lot of time. It needs a lot of good will between both sides.

We have to be optimistic with regard to the India and Pakistan relationship, because if we are not we could quickly find ourselves in a position where we have a very important part of the world moving towards nuclear war, so our engagement with both sides to find a sensible solution to a very difficult problem is important. As you have already mentioned, our military relationship with the Pakistanis is especially important to CENTCOM.

Chairman WARNER. Returning to Iraq, we discussed—and we certainly have seen a good deal of press, within the past several weeks particularly—very poignant and accurate stories about the perception of the foot soldier in Iraq, his view that he fought the war as best he could, and it is time for him to be rotated. I know that is difficult.

Could you comment a little bit on your rotation policy for the Army and Marine Corps units, particularly those units that bore the brunt of the early action?

General ABIZAID. Yes, sir.

Sir, if I may, I know you would concur with me that we also need to make sure that we mention Bahrain in your previous question, as well.

Chairman WARNER. Yes. I helped start the Navy there many years ago—or enlarge it, I should say—when I was in the Navy Secretariat. I am glad you mentioned that.

General ABIZAID. We received wonderful support from Admiral Keating. He is a wonderful, brave and courageous man.

Chairman WARNER. Our naval component commander——

General ABIZAID. Yes, sir, Admiral Keating is doing a great job there.

Sir, I understand one of the most important things for any soldier to know is when they are coming home when they are employed in a combat zone. When you go into combat operations—we didn't know whether the Iraq operation would last 17 days or 170 days. We couldn't tell the soldiers when they were coming home, and General Franks specifically went out of his way to ensure that commanders understood that there was no guarantee that when this was over, that—when the combat operations against major forces were over, that we would bring everyone home very quickly. He knew clearly that there would be a requirement for stability forces.

That having been said, we are working currently with the Services to ensure that units that come in have rotational dates that are known to the troops. It is important.

I should point out that the First Armored Division was scheduled to be the rotational replacement for the Third Infantry Division. That did not happen because the security situation did not move as quickly in a direction that we thought it would towards stability, and we needed the additional forces.

I think you will see in the weeks ahead that we will be able to make some decisions on rotating the units out that have been there the longest. We owe those soldiers an answer as to when that might be.

I would also like to point out, as you mentioned to me in your office the other day, that we cannot underestimate the huge contribution played by the Reserve and National Guard. That is continuing to be played.

I think somewhere between 25 and 30 percent of the force in the Persian Gulf region, and perhaps within Iraq itself, is either a National Guard or a Reserve component. That simply means we couldn't do the job without them under any stretch of the imagination.

Some of these folks have been deployed ever since September 11, or been activated since September 11. They are making contributions that are unbelievable. We owe it to them to review how best to use them in the future, and to make changes in the way we do business with them that keeps them on the team.

So I know the Secretary is very concerned about that. I know the Chairman is. I know General Franks is. All of us are working hard to figure out what is the right thing to do with those great people that serve us in this capacity during wartime.

Chairman WARNER. Earlier, I mentioned that we, as a military force, have reached a high water mark in jointness. I think one of the most extraordinary positive examples was the manner in which the United States Marine Corps and the United States Army in parallel areas of operation worked side by side in this advance.

Would you like to comment on that?

General ABIZAID. Sir, having personally witnessed the low water mark of jointness during the Grenada operation, I can tell you, we are better than we have ever been. During Grenada, I could not get Navy fighters on targets because they had different maps. I could not get the Marine Cobras to come where I wanted them to because

we couldn't talk properly to one another on the radio frequencies. I couldn't bring in naval gunfire on a position that was having good effect against my soldiers, because we hadn't practiced those sorts of things properly.

Chairman WARNER. We took casualties in that situation.

General ABIZAID. We sure did. My company had 5 killed and 10 wounded.

So I think that, as a captain, I witnessed the low point of our inability to operate. We couldn't even deconflict. Today, we are actually moving towards joint integration. This joint force that operated in this battle space, thanks largely to the plan that General Franks put together, was the best integrated joint force we have ever put together.

Now, I think there is still more work to be done. We have to get more joint, we have to get more able to bring in precision-guided weapons in front of the lowest level unit that is on the battlefield. We have to make sure that the inadequacies that currently exist go away; and more joint training, more joint programs, more understanding of where these problems are, and working lessons between the Services, led by joint commanders, are directions that we need to go.

Chairman WARNER. I think in that context we ought to talk about the naval and Air Force component commanders, and the magnificent manner with which those missions were carried out. Sometimes well in excess of a thousand missions a day were flown during the height of the combat operations. As you told me yesterday when we talked, there are combat air patrol (CAP) at this very moment on standby in the air and on ships and ready on land to respond to any contingency experienced by our forces that would need the application of air power.

General ABIZAID. Sir, the use of air power in this campaign was well coordinated, not only between the various Services that were flying things in the air, but between the components, in a way that was unprecedented.

When you went to the combined air operations center, you saw Navy, Air Force, Marine, and Army folks all working together to deconflict probably the most crowded airspace that has ever existed in military history. That we didn't have more difficulty with fratricide than we did, that we didn't have more difficulty in the control of airspace than we did, is nothing short of a miracle.

So the work that has been done to bring all of our air forces into the battle space in a very precise manner is something that we need to build on. It doesn't mean it is perfect, but it is pretty damned good.

Chairman WARNER. We should acknowledge that a number of nations, if maybe not formally part of the coalition—their ground facilities supported that air operation and were essential.

General ABIZAID. Sir, absolutely. Not only did we have great cooperation with our British allies, but we had failed today, or I had failed today, to mention the work that the Australians did there.

Chairman WARNER. Yes.

General ABIZAID. We had the Australian special operating forces with us; we had the air forces in the air with us; we had the naval

forces at sea with us; and all performed in a manner that was quite phenomenal.

Now, I would say, Mr. Chairman, that we need to find a way, before the next one of these that comes around, to more agilely share combat information of a classified nature with our coalition partners. That was a source of friction that we need to work our way through. I think it is vitally important.

Chairman WARNER. This committee, under the joint leadership of myself and the ranking member, will conduct some in-depth after-action studies. We have always done that as the committee—quite frankly, I am of the opinion, speaking for myself, that "after action" is not a usable title because action is still going on. I am ever mindful of the risks being assumed today. So we will eventually get to that.

In that context, we will discuss the biggest tactical lesson you learned in the conflict; in other words, to point to the future through lessons learned. Time doesn't permit today to get into that, but we will undoubtedly see you back here again, hopefully in your capacity as Commander of CENTCOM, and we will cover it.

The Horn of Africa, we have had some units down there for some time. Let's touch on that.

General ABIZAID. Yes, sir. We have a joint task force for the Horn of Africa that is commanded by a Marine one-star at the present time that is operating from a base location in Djibouti. These forces are capable of conducting operations against terrorist targets, should they present themselves. More importantly, they are working with the local governments in the region to help them help themselves against the terrorist organizations that operate in that area.

Over time, it has become clear to us that areas such as Somalia are ungoverned spaces, and as such, attract the type of people that want to do us harm.

We need to understand the battlefield as completely as we can. Our area goes down into Kenya, Somalia, et cetera. You know the problems we have had in Kenya, and the large number of operations that the terrorists have conducted there. So it is really essential to have a presence there.

We are currently examining the command and control relationships. One of the things I will do, if confirmed, upon assuming command is review the size, mission, and activity of our forces down there. My impression is that there is more work to be done there.

Chairman WARNER. The humanitarian suffering in that part of the world is just extraordinary.

We should touch a bit on the United Nations, their work with the nongovernmental organizations (NGOs), particularly in Afghanistan and Iraq.

I presume those nongovernmental organizations—we have given them such support as we can, and that has been a reasonably smooth operation in both the Afghan and the Iraqi AORs.

General ABIZAID. Sir, we have worked carefully and closely with the United Nations and numerous nongovernmental organizations in both Iraq and Afghanistan. It is very important that we do what we can to provide a secure environment for those organizations to operate.

There has been some concern expressed recently in certain parts of Afghanistan. We will continue to work with them to the best of our ability to help them operate in a safe atmosphere.

But it is interesting, of all the many things that we thought could go wrong, in Iraq in particular, one of the problems has not proven to be a humanitarian nightmare of displaced people, starving people, et cetera. We have work to do, and a lot of people need a lot of help, but the international community seems pretty well disposed to work the problem in an effective way.

Chairman WARNER. The NGOs have done magnificent work, not only in these two operations, but for a long time. I saw it firsthand in the Balkans when I made a number of visits in that area.

On the question of international terrorism, that is your top priority, as directed by the President? What are some of the initiatives that you will strike out on once you become CENTCOM commander?

General ABIZAID. Sir, I would build on the work that General Franks has already started and largely conducted in places like Afghanistan and elsewhere. He has done an absolutely magnificent job in establishing a military framework around which we can get at this problem, or through which we can get at this problem.

This problem is not going to go away tomorrow. It is not going to go away in the short run. We have a lot of military work that we will have to do to keep the terrorists off balance and bring the war to them on their territory, and not accept their offensive against our territory.

So I will review in particular the way that we have organized our Special Operation Forces. I think it is very important that we not look at Afghanistan, Iraq, and the Horn of Africa through soda straws and regard them as separate and distinct theaters of operation that are not connected. The truth of the matter is that everything in the CENTCOM operations is connected, especially with regard to the war on terrorism. There are no borders in the war on terrorism, and we have to take a theater-wide approach to getting at them militarily.

The number one way you get at them militarily is not only through your offensive, aggressive actions against them, but through closely working with nations that want the capacity to defeat them, and enabling them to get at the problem themselves.

Chairman WARNER. Is it your professional judgment in the conduct of the operations, both in Afghanistan and Iraq, that in any way the drawdown of those forces from CENTCOM resulted in any loss of momentum in the war on terrorism by CENTCOM?

General ABIZAID. Sir, all of us understand very clearly, from the President through the Secretary to General Franks, that the war on terrorism is our most important action. There is no loss of momentum.

Chairman WARNER. Thank you for this hearing. We have had a very full and in-depth hearing on a wide range of issues.

Is there anything left undone that I or other colleagues did not bring up that you think bears on this important hearing on your qualifications to assume CENTCOM command?

General ABIZAID. No, sir.

I think I failed to say probably the most important thing of the day, which is the biggest lesson learned from the Iraq war, that our most important asset is our people.

Chairman WARNER. No question about it. It is not something that we need to be reminded of, but the facts are there.

Also, there is a lesson that this country must be supporting an overall military establishment which ranges from the heavy tank to the smallest vehicle. I have actually seen an unmanned vehicle no bigger than a softball, that can take off and give the battlefield commanders real-time information. This is extraordinary, the high tech that is moving into the military, and how the military have quickly adapted to the advances in technology to improve their ability to achieve missions; and, most importantly, to achieve a safer environment for the personnel to act.

So the foot soldier, the "boots on the ground," is the phrase that is everlastingly etched in the history of this country, and this is another chapter of it. Thank you for that reminder of the troops and their families, who bear the brunt of the conflict throughout the history of this Nation. I think this is a "well done" to General Franks and a hurrah when you take over, and one is not going to be louder than the other. They are both equal. Good luck.

General ABIZAID. Thank you, sir. I appreciate your time and confidence.

Chairman WARNER. The hearing is adjourned.

[Whereupon, at 12:52 p.m. the committee adjourned.]

[Prepared questions submitted to LTG John P. Abizaid, USA, by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than 10 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had an opportunity to observe the implementation and impact of those reforms, particularly in your assignments as Director of the Joint Staff and Deputy Commander, U.S. Central Command.

The goals of Congress in enacting these defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. I do. Goldwater-Nichols allows the combatant commander to focus on warfighting. In my opinion, one need look no further than the USCENTCOM theater and Operations Desert Storm, Enduring Freedom, and Iraqi Freedom to demonstrate the soundness of those reforms. The importance of effective joint and combined operations under a clear chain of command cannot be overstated.

Question. Do you believe that legislative proposals to amend Goldwater-Nichols may be appropriate? If so, what areas do you believe it might be appropriate to address in these proposals?

Answer. I think that Goldwater-Nichols got it right. I do not believe any significant changes to the act are required.

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. Goldwater-Nichols required the military to look beyond its service parochialisms requiring deconfliction across the battlefield, to move more toward integration of effort and unity of command. While we still need to continue to move toward full joint/combined integration we would still be deconflicting battlespace between Services had Goldwater-Nichols not occurred. In addition, the enhanced role of the Chairman of the Joint Chiefs of Staff cannot be overstated. His ability to provide his best military advice gives the Joint Force a powerful advocate.

Question. Do you believe that the role of the combatant commanders under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. As I stated earlier, I think Goldwater-Nichols got it right. I do believe, however, that there is unfinished business in carrying out the spirit of the act, particularly in the area of resourcing. In my opinion, we should review the process within DOD that allots fiscal and manpower resources to the combatant commands. We all recognize the Services' responsibilities to upgrade and improve installations, train, and support their personnel and maintain and acquire new weapons and technology. These responsibilities and programs are intended to support the work of the combatant commands, but there are times when the priorities of the combatant commands conflict with those of the Services. For most missions assigned to a combatant commander, their service components provide the resources. However, there are times when the joint warfighting perspective and requirement needs greater visibility within our resourcing constructs. Such requirements are exemplified by ISR and strategic lift shortfalls in the Joint Force.

RELATIONSHIP DEPUTY COMMANDER, COMBINED FORCES COMMAND

Question. Please describe your duties and role as deputy commander during Operation Iraqi Freedom.

Answer. Combatant commander staffs are generally resourced to conduct one major theater war at a time. The scope of the Iraq operation, coupled with continuing operations in Afghanistan, requirements for coordination elsewhere in the global war on terrorism, extensive basing demands and unexpected requirements for joint integration made it clear that additional senior leadership in the region was needed. As the deputy commander, I helped sustain in-theater political and military support for Operation Iraqi Freedom by working on our relationships with militaries in the region, seeking access to bases and ports, and securing permission for staging and overflight.

During the war, I assisted the commander by focusing on the integration of joint (and inter-agency) capabilities and the integration of our joint efforts with those of our allies.

The commander focused my duties in the Iraq theater only. In his absence I made decisions at the CENTCOM forward headquarters and, at his direction, conducted detailed coordination between component and coalition commanders.

The deputy commander's permanent presence in Qatar permitted constant coordination with coalition commanders. Forward command presence in the theater facilitated coordination with European Command (EUCOM) and resolved potentially disruptive issues with nations in the region.

During the past 7 weeks, I have facilitated CJTF–7 support of the Office of the Coalition Provisional Authority and helped develop future plans for joint, combined and Special Operations Forces. In addition, my presence in the area of operations provides a frequent on-scene assessment of conditions within the Arabian Gulf theater of operations.

Question. Do you support making this in-theater deputy commander position permanent, and, if so, where would you recommend the deputy commander be located?

Answer. I strongly support permanently assigning a three-star deputy commander to a forward U.S. Central Command Headquarters in the theater. A three-star deputy commander forward facilitates engagement and development of personal relationships that are critical to pursuing bilateral and multilateral initiatives in a volatile region. With the commander torn between the demands of a huge and difficult region and frequent interaction with commanders, staffs, and national leaders in the United States, it makes sense to have a senior leader forward.

Question. How did you share responsibility with the deputy commander located at MacDill Air Force Base?

Answer. As the deputy commander forward, I focused the majority of my attention on supporting General Franks in the planning and execution of Operation Iraqi Freedom. LtGen Delong, positioned in Tampa, remained aware of the situation in Iraq, but also focused effort on executing the commander's intent throughout the rest of the area of responsibility. He also helped maintain a coalition of more than

70 coalition partners who sent Senior National Representatives (SNR) to Central Command in Tampa. This command and control arrangement allowed the Commander to maintain a balance of focus between current operations, long range planning and inter-agency policy development.

As mentioned earlier, the scope of operations in the theater and the pace of operations allowed Mike DeLong and I to provide 24-hour senior level oversight and coordination throughout the campaign. Mike's position in Tampa, in the same time zone as our leaders in Washington, was extremely valuable.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. Please see biography.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Commander, U.S. Central Command?

Answer. We face obvious challenges in Afghanistan, Iraq, and in the global war on terrorism. We must continue to apply offensive action against terrorist threats within our AOR and at the same time provide security for major stability operations in Afghanistan and Iraq.

Long range success in this mission depends on generating and effectively employing a sustainable mix of U.S. and coalition military and non-military capabilities.

The threat we face is pervasive, asymmetric, adaptive, and elusive. We must meet the threats of our region on their home ground.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. My immediate focus will be on continuing to improve the security situation in Iraq and Afghanistan while assisting in setting the conditions for long term success of the Coalition Provisional Authority and interim governments. Critical to these efforts are aggressive prosecution of the threat, strong support from our coalition partners, creation and sustainment of indigenous police and guard forces as well as accelerated fielding of national armies. Our success in these areas will drive how quickly we can redeploy our own forces. In addition, we will work exceptionally closely with local governments, our Special Operations Forces and our intelligence agencies to confront and destroy terrorist entities throughout the region.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the performance of the functions of Commander, U.S. Central Command?

Answer. With a region as broad, volatile, and militarily active as the CENTCOM AOR, the most serious problems are span of control and unity of command. The issues are further complicated by the necessity to embed CENTCOM's military activities into the broader context of U.S. governmental policy and synchronized agency effort.

Question. What management actions and time lines would you establish to address these problems?

Answer. Within the next year, we should assess ways to streamline and simplify procedures associated with policy and authority to support national efforts in both Afghanistan and Iraq. In addition, we will begin a complete reassessment of our strategies and operational concepts employed in the theater with regard to the war on terrorism.

OPERATION IRAQI FREEDOM

Question. From your perspective as an operational commander, in theater, and now as the prospective Commander of United States Central Command, what are the top lessons learned with regard to planning Operation Iraqi Freedom, including ongoing stability operations?

Answer. Operation Iraqi Freedom was the most well-integrated combined and joint operation ever. It is a benchmark for future action by U.S. or coalition forces. Carefully integrated planning and conduct of mission rehearsals during the 3 to 4 month period prior to the operation enabled continuous refinement of the plan prior to commencing operations. These "rehearsals" ensured all components understood timing, synchronization, integration, maneuver, and employment of joint lethal fires and other non-lethal effects planned for the operation. Thus we must sustain and improve our robust planning and rehearsal capabilities for major operations.

The Force Deployment Planning and Execution process requires more flexibility. The current deployment management systems are "Cold War vintage." They were not adaptive enough to meet OIF political and operational planning, basing, access, and over flight requirements. Automated tools are needed to speed force sourcing, planning and deployment execution.

Reserve mobilization policies and systems must also adapt to the more fluid force deployment and employment model we see in the future. The Reserve Force management policies and systems are inefficient and rigid. Many Reserve units provide the Active Force with critical combat support and service support, and there were instances where these enablers arrived late as a result of our current cumbersome mobilization and deployment system.

At the strategic and operational levels, battle damage assessment, interagency integration, and ISR management must be improved.

Shaping interagency involvement, while a key factor in our success, will also require continued attention and support. Military power alone does not win wars and it certainly does not win the peace.

Question. How would you assess the adequacy of forces provided to Central Command, both in terms of quantity and mix, to conduct Operation Iraqi Freedom up to the fall of Baghdad?

Answer. I assess that our force quantity and mix was adequate to conduct offensive operations. We employed the most lethal force ever to take the battlefield in less than half the time in took to posture for Operation Desert Storm 12 years ago. OIF had the right joint and combined force mix that allowed the commander to employ their combined effects and meet objectives.

Question. How would you assess the adequacy of forces provided to Central Command, both in terms of quantity and mix, to conduct the ongoing stability operations?

Answer. In general, the mix and quantity are correct for ongoing operations. Our analysis indicates force sizing is sufficient unless new missions are added to current requirements. As we moved away from combat operations to stability operations, the force mix changed considerably in favor of ground forces. As conditions change, the composition and size of our forces will continue to change. The factors that influence the force mix in Iraq are future enemy actions, the success we have in standing up the Iraq Police Force and the New Iraqi Army, as well as integrating Coalition Force contributions. That having been said I will fully reassess our current operational set and force commitments for both Afghanistan and Iraq immediately upon taking command.

Question. What role do you foresee for forces from additional coalition nations in Iraq in the future?

Answer. The role envisioned for coalition forces focuses on assuming security, stability, and reconstruction operations in various sectors throughout Iraq. As these coalition forces arrive, we will be able to redeploy U.S. forces. It has always been important that we build a diverse and international force mix in Iraq. We currently have commitments for UK and Polish led Multinational Divisions (under UK command—UK, Italian and Dutch Brigades; under Polish command—Polish, Ukrainian and Spanish Brigades). We are continuing discussions with India to secure a commitment to lead a third division. We also have been working with Pakistan to provide major forces. Several countries have agreed to provide forces based on their capabilities to fill out these multinational headquarters/divisions. At this moment, 18 coalition partners have deployed forces into the USCENTCOM AOR in support of military operations in Iraq. An additional 42 nations are conducting military to military discussions with respect to deploying forces to Iraq in support of post-conflict stability and security operations.

TRANSFORMATION

Question. Do current transformation initiatives support CENTCOM's future requirements?

Answer. From recent and current combat operations experiences, I am confident that DOD initiatives will support CENTCOM's future requirements. While we have the best fighting forces in the world, we must not be satisfied with the status quo. Growing asymmetric threats have dictated that we transform to a lighter, more flexible, more rapidly deployable force, while maintaining the lethality and overmatch of our heavy forces. We must remain committed and prepared to swiftly respond across the full spectrum of military operations, either unilaterally or in concert with other nations. The CENTCOM staff is linked to the various transformation efforts in DOD and provides combat proven lessons into the process of transformation.

Question. How will the Army's transformation impact CENTCOM's current operations?

Answer. As long as the Army continues to build lighter, more agile forces and maintain the overmatch of our heavy forces while focusing on their ability to bring precision guided weapons to bear on the battlefield in a timely manner, I see nothing in the Army's transformation efforts to give me concern. Beyond force structure and operational transformation, there are significant logistics aspects of Army transformation that will address sustainment issues. Continuing efforts to establish a common relevant logistics operating picture through asset visibility and in-transit visibility systems are particularly important transformational activities in a theater so far from home.

Question. If confirmed, how do you anticipate you would have to adjust CENTCOM's operational plans as a result of overall DOD transformation?

Answer. As DOD transforms, operational plans will be refined through life cycle reviews to take full advantage of improved capabilities, while focusing on transformational capabilities rather than transformational goals. We expect that transformational capabilities will allow us to reduce force buildup times, leverage precision engagement for greater effect, reduce anticipated logistics overhead, incorporate digital infrastructure to support information dominance, and protect the changing vulnerabilities of the transformed force. We must, however, guard against building plans which incorporate unrealized transformational theories and capabilities.

Question. What impact will the Army's transformation have on the large prepositioned stocks CENTCOM maintains in its area of responsibility?

Answer. The important aspect of this issue is whether the Army's transformation will obviate the need for prepositioning; the answer is, no. As transformation continues, it is important that we maintain prepositioned equipment and stocks that reflect those changes. The right mix and correct positioning of equipment, munitions and sustainment stocks will continue to be an essential component in the Central Command area of responsibility.

AFGHANISTAN

Question. What is your assessment of the current situation in Afghanistan?

Answer. Significant progress has been made in the last 18 months. Thanks to the efforts of coalition forces, Taliban forces no longer control the government or provinces and al Qaeda has been denied freedom of operations within the country. The Islamic Transitional Government of Afghanistan (ITGA) is established in Kabul, provinces outside Kabul are beginning to rebuild efforts, and elections are scheduled for the summer of 2004. There remains much to be done. With continued emphasis on stability operations, reconstruction and with the support of the international community, I am confident our long-term goals will be achieved.

Question. What is the status of efforts to develop and field an effective Afghan Army and national police force?

Answer. The German-led national police force training program is making strides in developing a high-quality police force. This police force is the key to long-term security and stability within the country. However, with only 1,500 in training of the 50,000 required, the current pace of training will not achieve the results required to provide security to all provinces in the near-term. Greater USG and international support is required to achieve our goals.

The U.S.-led Afghan National Army (ANA) program is on track and will field a full-strength Central Corps by January 2004. Light infantry battalions are constantly training and providing military presence in provinces outside Kabul. The first ANA battalion will join coalition forces in conducting operations within the next 30 days. The ANA has inspired confidence in the central government.

Question. In your view, what additional military or other assistance is required to ensure the transition of Afghanistan to a stable, democratic, and economically viable nation?

Answer. Foremost, improve local security for both the Afghan people and international aid organizations by increasing the scope and speed of national police fielding. In addition, empower a civilian-led authority to oversee all non-military functions and reconstruction efforts; complete fielding of the eight planned Provisional Reconstruction Teams with U.S. assets; and press neighboring nations to end support for regional warlords.

NATO PEACEKEEPERS

Question. What additional opportunities, if any, do you foresee for NATO forces to conduct out of area operations in the CENTCOM area of responsibility?

Answer. I look forward to introducing a NATO presence in the CENTCOM AOR. NATO involvement brings professionalism and experience in a wide range of capabilities and the ability to integrate seamlessly with U.S. forces. Their presence and operations will enhance CENTCOM's ability to fight the global war on terrorism throughout the region. As NATO forces are introduced, it is imperative that command and control relationships are established that ensure unity of effort under CENTCOM's operational control.

INDIA-PAKISTAN

Question. What is your assessment of the current situation with regard to Pakistani-Indian relations?

Answer. The recent attempt at rapprochement between India and Pakistan is encouraging, but both countries clearly have a long way to go to put aside their deeply entrenched mistrusts and suspicions. There remain contentious and emotionally charged issues to be addressed and resolved, with Kashmir being the foremost issue. Clearly Indian-Pakistani conflict can lead to a nuclear war. CENTCOM's continued relationship with Pakistan provides a venue for dialog and confidence building that can do much to lessen tensions.

OPERATION IRAQI FREEDOM LESSONS LEARNED

Question. From your perspective, what are the top lessons learned from recent and continuing military operations in Iraq?

Answer. As I mentioned earlier, operations in Iraq demonstrated a maturing of joint and combined force operations. Some capabilities reached new levels. From a joint integration perspective, our previous operations in our AOR (OSW/ONW, OEF) helped to develop a joint culture in our headquarters staffs and in our components. These operations also helped to improve joint interoperability and improve our joint C^4I networks. Integrated battlefield synergy achieved new levels of sophistication. Our forces were able to achieve their operational objectives by integrating multiple and rapid operations incorporating ground maneuver, special operations, precision lethal fires and application of other non-lethal effects. We saw a real integration of forces to achieve effects as opposed to the de-confliction approach used in earlier conflicts.

Our overall information operations campaign supported both the operational and tactical objectives of the commander. However, we found it difficult at times to assess and measure its effects during the operation. Better resolution of the IO effectiveness is now emerging during Phase IV operations. Intelligence, surveillance, and reconnaissance helped decisionmakers plan and execute strikes and maneuver effectively. However, our ability to strike rapidly sometimes exceeded our ability to sense and assess the effects as quickly as we would have liked.

Some capabilities require additional work. Fratricide prevention suffered from a lack of standardized combat identification systems. Units in theater arrived with seven different combat ID systems. Manual procedures and workarounds were rigorously applied by our commanders to overcome these shortcomings.

As mentioned earlier, deployment planning and execution need some work to meet emerging needs; deployment management systems must meet political and operational planning, basing, access, and over-flight requirements in future contingencies.

Coalition information sharing must also be improved at all levels. Our coalition partners need our full support during combat operations and we need to develop agile systems of information sharing that do not compromise sensitive U.S.-only information.

Finally, a significant command and control challenge was the task in determining future bandwidth requirements for the AOR infrastructure and new warfighting systems. The demand for ISR and battlefield information continues to grow. Additionally, command and control "on the move" was hampered by the finite number of UHF tactical satellite channels available. The demand for UHF TACSAT exceeded the finite capacity and forced continuous prioritization of those available channels as the operations unfolded.

FORMER SOVIET UNION STATES

Question. What is your assessment of current U.S. military relationships with these nations, including Uzbekistan, Tajikistan, and Kyrgystan?

Answer. Our relationship with the Central Asian States (CAS) is good and improving. They have actively supported our efforts in Afghanistan with over flight and basing access for coalition forces. We continue to expand our security cooperation programs by increasing and focusing our bilateral military contacts and secu-

rity assistance programs to build interoperability and host nation capabilities to assist in the fight against terrorism.

Question. What security challenges do you see in this portion of the CENTCOM area of responsibility?

Answer. Terrorism, narcotics trafficking, and the proliferation of WMD and their components remain the primary regional security concerns in Central Asia. These challenges are magnified by weak economies and porous borders that make this area a potential breeding ground for discontent and radicalism. Through our security cooperation programs, we are assisting the countries with improvement of their security and border controls. We remain cognizant of the need to implement strong force protection measures in a region where the lack of developed infrastructure could impact the security of our coalition forces.

IRAN

Question. What is the view of U.S. allies in the region with regard to the threat posed by Iran?

Answer. Iran casts a shadow on security and stability in the Gulf region. Iran's military is second only to the United States. U.S. allies in the Gulf region acknowledge Iran's increasingly proactive efforts to soften its image and to appear less hegemonic; however, Iran's military poses a potential threat to neighboring countries. U.S. forward presence will continue as a balance against any possible use of force by Iran. By continuing our forward presence in the AOR, we serve to influence Iran against any possible use of military force while providing assurances of long-term commitment to our friends and allies.

Question. What is your assessment of the prospects for political reform in Iran?

Answer. This question is probably best addressed by the experts in the Department of State and the Intelligence Community. In my opinion, there is chance for political reform to occur in Iran. It will not happen without some internal instability in Iran which could also create regional tensions. In such an environment, a credible Central Command deterrent capability is vital for regional security.

MISSILE AND WMD THREATS

Question. How do you evaluate Iran's current capability to use ballistic missiles and WMD against U.S. forces, and what is your projection of Iran's future capabilities?

Answer. Iran has the largest ballistic missile inventory in the Central Command region to include long-range WMD delivery systems capable of reaching deployed U.S. forces in theater. Systems include SCUD short-range ballistic missiles (SRBM) and SHAHAB–3 medium-range ballistic missiles (MRBM).

Iran's indigenous nuclear program continues. Iran has not declared all of its nuclear facilities and activities in a timely manner as required by the IAEA. Iran's long-term ability to develop nuclear weapons remains a source of serious concern.

Iran signed the chemical weapons convention treaty banning chemical weapons but, Iran is assessed to have the largest chemical weapons (CW) program in the region. Tehran also has a biological weapons (BW) program, the size and scope of which remains unclear.

In the future, Iran will continue to develop more advanced/longer range ballistic missiles and more advanced CBW agents. Iran will continue to be a proliferation concern in our region.

Question. How do you evaluate Iran's cruise missile capabilities, and Iran's ability to threaten U.S. naval forces and commercial shipping in the Persian Gulf, the Strait of Hormuz, and the Arabian Sea?

Answer. Over the past 5 years, Iran has substantially improved its anti-ship cruise missile (ASCM) capabilities through the acquisition of additional missiles, the indigenous production of mobile launchers and the purchase of new ASCMs from China and North Korea. However, realistic training has been very limited; we assess only a limited capability to effectively employ these weapons.

Nevertheless, the use of ASCMs and other weapons within Iran's coastal defense forces support a layered force strategy which poses a viable threat to western naval forces and shipping. Iran's strategy seeks to simultaneously employ air/land/ship-based ASCMs, submarines (3 x) and naval mines in concert with hundreds of lightly armed small boats in order to overwhelm the enemy and control the Strait of Hormuz (SOH). Iran's focus remains in the littoral; its ability to project power into the Arabian Sea is marginal. Use of externally based terrorist elements and surrogates is planned to compliment maritime capabilities.

Question. If confirmed, how would you protect the troops under your command from these threats?

Answer. I would use all available PATRIOT and AEGIS assets to counter any ballistic missile and/or cruise missile threat to U.S. and coalition assets in-theater as appropriate. The Command would work with Services to continue to develop ballistic missile defense capabilities. Certainly, military planning will fully consider tactics, timings, techniques, and procedures to deal with the threat in the event of an escalating crisis.

FORCE PROTECTION

Question. If confirmed, what would your top priorities be in terms of force protection?

Answer. USCENTCOM will maintain an offensive orientation and carry the war on terrorism to the enemy. The Command will continue to develop and implement dynamic Anti-Terrorism/Force Protection/Critical Infrastructure programs to assess and mitigate threats to DOD personnel and assets. These programs include:

Monitoring of terrorist threat intelligence with effective analysis and dissemination and to remain vigilant to address new terrorist tactics intended to exploit our weaknesses.

Developing programs that help eliminate sanctuary for terrorists and enable host nations to detect, deter, and eliminate terrorist elements.

Pursuing host nation support for force protection measures to include measures to counter MANPAD threats (off base patrolling) and to continue the development of force protection infrastructure at U.S.-occupied bases.

Conducting vulnerability assessments of DOD facilities and infrastructure regularly to assess and mitigate threats to personnel and assets.

Integrating appropriate emerging technologies, such as scanning and imaging systems for vehicles and people; explosive and metal detectors; military working dogs; and other merging technologies on the verge of release to field.

I anticipate an ongoing critical need for substantial augmentation by active duty and Reserve personnel to support Anti-Terrorism/Force Protection efforts. That having been said, we will never be able to achieve 100 percent force protection in this volatile region.

Question. What additional steps, if any, need to be taken to ensure that personnel being assigned to the CENTCOM area of responsibility are fully prepared for potential threats?

Answer. USCENTCOM must work closely with the Services to incorporate lessons learned from the field into relevant training, tactics, techniques and procedures, as well as the development of new technological capabilities.

HORN OF AFRICA

Question. What is the strategic importance of this region to the United States?

Answer. The Horn of Africa (HOA) sits astride one of the most critical sea lines of communications in the world. It is imperative that we maintain freedom of navigation to ensure strategic maritime access to the entire CENTCOM AOR and freedom of movement of ocean-borne commerce, including oil. The ports in Djibouti and Kenya also afford strategic entry points to the rest of Africa for humanitarian relief and contingency operations. Ungoverned areas in the HOA are used as safe havens for terrorist organizations that could potentially threaten our national interests. We must remain engaged in the HOA to deny the ability of these organizations to operate freely.

Question. Since EUCOM has geographical responsibility for most of Africa, what is the advantage of assigning the Horn of Africa to CENTCOM?

Answer. The majority of the population in the HOA is more aligned along religious and ethnic lines with nations in CENTCOM than with the remainder of the African continent. Ungoverned areas within this region remain safe havens for terrorist and radical Islamic organizations that threaten our national interests. These organizations are connected to other elements that mainly operate in the central region. Leaving the HOA in CENTCOM's AOR provides the strategic and operational advantage of seamless integration and the creation of optimal conditions for conducting operations.

PAKISTAN

Question. What is the current status of U.S.-Pakistan military cooperation?

Answer. The U.S.-Pakistan military relationship is good, and continues to improve. Pakistan remains a strong ally in Operation Enduring Freedom (OEF). The Pakistan military continues to improve its capability and effectiveness to deal with

international terrorist organizations. They have actively pursued and captured terrorists within their country. We will continue to foster the relationship to demonstrate our commitment to long-term regional stability and improved U.S. relations.

SCIENCE ADVISORS FOR COMBATANT COMMANDERS

Question. If confirmed, how would your Command make use of the technical expertise available in the Services and their laboratories in order to provide scientific and technical advice to the warfighters?

Answer. I would not only leverage the Service laboratories, but also the laboratories in other public and private sectors. CENTCOM has established a Science Advisor position, whose principle responsibility is liaison with science and technology centers of excellence and supporting agencies that receive direct input from all public and private laboratories such as Defense Advanced Research Project Agency (DARPA), Army's Field Assistance in Science and Technology (FAST), Counter-Terrorism Technology Task Force (CTTTF) and the Service laboratories. I see the Science Advisor as the entry point for technology input into the process of transformation. The critical linkage between the laboratories and the battlefield is increasing as we attempt to develop the Future Force.

BANDWIDTH ON THE BATTLEFIELD

Question. What challenges do you anticipate in fully utilizing these important assets with the limited bandwidth currently available to the warfighter?

Answer. Bandwidth is a critical warfighting resource and its availability was, itself, one of our greatest challenges—both inter and intra theater. Only through significant investments in commercial terrestrial and space segments leases were we able to secure the communications pipes necessary to prosecute the war. Our most significant challenge is determining future bandwidth requirements for the AOR infrastructure and new warfighting systems—because we know those requirements will grow. Sustained funding support for these commercial bandwidth resources is imperative. Operationally, our challenge will continue to be the smart, balanced employment of commercial and military communications assets to ensure redundant and reliable network support to the warfighter. To increase our capability command and control on the move, it is imperative that we secure additional UHF (TACSAT) bandwidth or alternate means. All Services have the obligation to aggressively pursue new technologies and system designs that take into account this limited critical resource.

Question. What is your assessment of the bandwidth available during Operation Iraqi Freedom?

Answer. We had sufficient bandwidth for C^4ISR requirements to prosecute the war. We achieved this sufficiency through intelligent investments in commercial communications as well as the smart, balanced employment of commercial and military communications assets as discussed in the paragraph above. We had marginally sufficient bandwidth for command and control on the move, specifically UHF TACSAT. The enormous demand for UHF channels exceeded the very limited availability of UHF bandwidth. However we measure sufficiency today, it is imperative that we do not underestimate the challenges in securing bandwidth to meet the future requirements as described above.

CONGRESSIONAL OVERSIGHT

Question. 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, 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. Central 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.

[The nomination reference of LTG John P. Abizaid, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 18, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for 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., section 601:

To be General

LTG John P. Abizaid, 0000.

[The biographical sketch of LTG John P. Abizaid, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF SERVICE CAREER OF LTG JOHN P. ABIZAID, USA

Source of commissioned service: USMA.

Military schools attended:
Infantry Officer Basic and Advanced Courses
Armed Forces Staff College
National Security Affairs Fellowship—Hoover Institute—Stanford University

Educational degrees:
United States Military Academy—BS—No Major
Harvard University—MA—Area Studies

Foreign language(s): Arabic—Modern, German, Italian

Promotions:

Promotions	Dates of Appointment
2LT	6 Jun 73
1LT	6 Jun 75
CPT	6 Jun 77
MAJ	1 Sep 84
LTC	1 Apr 90
COL	1 Sep 93
BG	1 Nov 96
MG	1 Mar 00
LTG	2 Oct 00

Major duty assignments:

From	To	Assignment
Jan 74	Aug 74	Rifle Platoon Leader, C Company, 1st Battalion (Airborne), 504th Infantry, 82d Airborne Division, Fort Bragg, North Carolina
Aug 74	Apr 75	Scout Platoon Leader, 1st Battalion, 504th Infantry, 82d Airborne Division, Fort Bragg, North Carolina
May 75	Feb 77	Platoon Leader, A Company, later Executive Officer, C Company, 2d Battalion (Ranger), 75th Infantry, Fort Lewis, Washington
Mar 77	Sep 77	Commander, Headquarters and Headquarters Company, 2d Battalion (Ranger), 75th Infantry, Fort Lewis, Washington
Oct 77	Aug 78	Student, Basic Arabic Modern Standard Language Course, Presidio of Monterey, California
Sep 78	Jun 80	Olmsted Scholar, University of Jordan, Amman, Jordan
Jul 80	May 81	Student, Harvard University, Center for Middle Eastern Studies, Cambridge, Massachusetts
Jun 81	Dec 81	Student, Infantry Officer Advanced Course, United States Army Infantry School, Fort Benning, Georgia
Jan 82	Nov 83	S–5 (Civil Military Affairs Officer), later Commander, A Company, 1st Battalion (Ranger), 75th Infantry, Hunter Army Airfield, Georgia and Operation Urgent Fury, Grenada

From	To	Assignment
Dec 83	Dec 84	Staff Officer, Army Studies Group, Office of the Chief of Staff, Army, Pentagon, Washington, DC
Jan 85	Jun 85	Student, Armed Forces Staff College, Norfolk, Virginia
Jul 85	Jun 86	Operations Officer, Observer Group Lebanon, United Nations Truce Supervision Organization, Naqoura, Lebanon
Jul 86	Jan 88	Executive Officer, 3d Battalion, 325th Infantry, United States Army Southern European Task Force, Vicenza, Italy
Feb 88	Jun 88	Deputy Commander, 3d Battalion, 325th Infantry, United States Army Southern European Task Force, Vicenza, Italy
Jul 88	May 90	Aide-de-Camp to the Commander in Chief, United States Army Europe and Seventh Army, Germany
Jun 90	Jun 92	Commander, 3d Battalion, 325th Infantry, United States Army Southern European Task Force, Vicenza, Italy and Operation Desert Shield/Storm, Northern Iraq
Jul 92	Jun 93	National Security Affairs Fellow, Hoover Institute, Stanford University, Stanford, California
Jul 93	Jul 95	Commander, 1st Brigade, 82d Airborne Division, Fort Bragg, North Carolina
Jun 95	Oct 96	Executive Assistant to the Chairman of the Joint Chiefs of Staff, Office of the Chairman, Joint Chiefs of Staff, Washington, DC
Oct 96	Aug 97	Assistant Division Commander (Maneuver), 1st Armored Division, United States Army Europe and Seventh Army, Germany and Stabilization Force, Bosnia
Aug 97	Aug 99	Commandant of Cadets, United States Military Academy, West Point, New York
Aug 99	Sep 00	Commanding General, 1st Infantry Division, United States Army Europe and Seventh Army, Germany and Task Force Falcon, Kosovo
Oct 00	Oct 01	Director for Strategic Plans and Policy, J–5, The Joint Staff, Washington, DC
Oct 01	Jan 03	Director, The Joint Staff, Washington, DC

Summary of joint assignments:

Assignment	Dates	Grade
Operations Officer, Observer Group Lebanon, United Nations Truce Supervision Organization, Naqoura, Lebanon.	Jul 85–Jun 86	Major
Executive Assistant to the Chairman of the Joint Chiefs of Staff, Office of the Chairman, Joint Chiefs of Staff, Washington, DC.	Jun 95–Oct 96	Colonel
Director for Strategic Plans and Policy, J–5, The Joint Staff, Washington, DC.	Oct 00–Oct 01	Lieutenant General
Director, The Joint Staff, Washington, DC.	Oct 01–Jan 03	Lieutenant General

U.S. decorations and badges:
Distinguished Service Medal
Defense Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit (with 4 Oak Leaf Clusters)
Bronze Star Medal
Defense Meritorious Service Medal
Meritorious Service Medal (with 2 Oak Leaf Clusters)
Army Commendation Medal (with Oak Leaf Cluster)
Army Achievement Medal
Combat Infantryman Badge
Expert Infantryman Badge
Master Parachutist Badge
Ranger Tab
Joint Chiefs of Staff Identification Badge
Army Staff Identification Badge

UNITED STATES CENTRAL COMMAND,
OFFICE OF THE DEPUTY COMMANDER IN CHIEF,
MacDill Air Force Base, FL.

Hon. JOHN WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Commander, CENTCOM. It supplements Standard Form 278, "Executive Person-

nel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I, nor any member of my immediate family will invest in any entity that would create a conflict of interest with my government duties. I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

JOHN P. ABIZAID,
Lieutenant General, United States Army.

[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 LTG John P. Abizaid, 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 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.)
John P. Abizaid.

2. **Position to which nominated:**
Commander, CENTCOM.

3. **Date of nomination:**
June 18, 2003.

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:**
1 April 1951; Redwood City, California.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to the former Kathleen Patricia Denton of Bridgeport, CA. Married on 22 December 1973.

7. **Names and ages of children:**
Sharon Marie Abizaid, age 27.
Christine Sandra Abizaid, age 23.
David Edward Abizaid, age 20.

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 above.
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.
My wife and I are trustees of the A.W. Berreyesa Trust which was established for our children after a relative's death. Assets of that trust are listed on my Financial Disclosure Form. Trust documents are attached at Tab A.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Association of the United States Army.
Society of the 1st Infantry Division.
82nd Airborne Division Association.
The Retired Officers Association.
Association of Graduates, United States Military Academy.
Member of Board of Directors, George Olmstead Foundation (Active Duty Member, no compensation).

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other tahn those listed on the service record extract provided to the committee by the executive branch.
Distinguished Cadet, United States Military Academy, 1973.
Olmstead Scholarship, George Olmstead Foundation, 1980.

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 Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

[The nominee responded to the questions in 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 P. ABIZAID.

This 14th day of June, 2003.

[The nomination of LTG John P. Abizaid, USA, was reported to the Senate by Chairman Warner on June 26, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 27, 2003.]

NOMINATIONS OF THOMAS W. O'CONNELL TO BE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT; AND PAUL M. LONGSWORTH TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION

THURSDAY, JULY 10, 2003

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

The committee met, pursuant to notice, at 10:09 a.m. in room SR–222, Russell Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, Inhofe, Roberts, Allard, Collins, Levin, Reed, Akaka, and Pryor.

Committee staff members present: Judith A. Ansley, staff director; and Gabriella Eisen, nominations clerk.

Majority staff members present: Charles W. Alsup, professional staff member; L. David Cherington, counsel; Mary Alice A. Hayward, professional staff member; Scott W. Stucky, general counsel; and Richard F. Walsh, counsel.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Madelyn R. Creedon, minority counsel; Evelyn N. Farkas, professional staff member; and Peter K. Levine, minority counsel.

Staff assistant present: Andrew W. Florell.

Committee members' assistants present: James Beauchamp, assistant to Senator Roberts; Douglas Flanders and Lance Landry, assistants to Senator Allard; James P. Dohoney, Jr., assistant to Senator Collins; Elizabeth King, assistant to Senator Reed; William K. Sutey, assistant to Senator Bill Nelson; Eric Pierce, assistant to Senator Ben Nelson; and Terri Glaze, assistant to Senator Pryor.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. The committee will come to order. We are pleased to have before the committee this morning Thomas O'Connell, nominee for the position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and I un-

derstand our distinguished and valued colleague from Rhode Island will introduce him momentarily. Additionally, Senator Roberts will introduce Mr. Longsworth, am I correct on that?

Senator ROBERTS. Yes, sir.

Chairman WARNER. Fine, thank you. We welcome Paul Longsworth back. We've never really felt he's left. Nevertheless, he's one of our very own and we repose tremendous pride and respect in you, indeed a distinguished number of the staff of this committee that has gone on to accept responsibilities in the area of our national defense and security.

We're fortunate that each of our nominees have included this morning members of their family and I will at the appropriate time ask them to recognize those members.

Mr. O'Connell comes highly qualified for this key post but I'll reserve my observations until Senator Reed and Senator Roberts have finished their introductions. We'll first recognize Senator Reed.

Senator REED. Thank you very much, Mr. Chairman, Senator Levin, and colleagues. It's an honor for me to introduce Tom O'Connell to this committee. He brings to his job as the Assistant Secretary for Special Operations and Low Intensity Conflict an expertise and passion. He is a dedicated patriot, someone who graduated from the University of Rhode Island in 1968, served as an infantry lieutenant in Germany, then went to Vietnam, where he was decorated with a Bronze Star for Valor and the Purple Heart. He returned to the United States and concentrated his military career in intelligence operations, the very operations which he will supervise.

He has seen it all, from the platoon level, company level, and battalion level. He's been in Special Operations Command, he's been in regular units, he's been in the 18th Airborne Corps. I can't think of anyone more qualified to be Assistant Secretary of Defense for Special Operations and Low Intensity Conflict. He has distinguished himself in many ways. He is now retired from the military, working for Raytheon, and—I think, Mr. Chairman, that you pointed out—he has brought with him his family and he will, I'm sure, at your suggestion introduce them. They have been a proud part of his life and his career and a part of his success, I'm sure.

In Rhode Island, we can claim some very distinguished military officers, and Tom's one of them. His family is still there working. His brother is a dispatcher in the Jamestown, Rhode Island Police Department. It is a public-spirited family. It is a family that has given much to the country. I unreservedly recommend our committee's approval of this distinguished American, a great soldier, Tom O'Connell.

Chairman WARNER. I thank you very much, Senator Reed. You speak from a very distinguished record yourself of service in the United States Army.

Senator Collins, I understand you also have some opening remarks with regard to this nominee.

Senator COLLINS. Thank you very much, Mr. Chairman. As we can all see by reviewing the background of Mr. O'Connell, he is eminently qualified to fill the position for which he has been nominated. What I want to comment on, however, is not so much Mr.

O'Connell's fine record, as his good judgment and extraordinary fortune in marrying a native of the State of Maine. [Laughter.]

I think that speaks volumes about his abilities and judgment. His wife of 35 years, Pat, is a native of Maine. She is the daughter of the Ladues, who are lifelong residents of Hollowell, Maine. Her father was the director of property tax for the State of Maine. Both of the O'Connells' sons attended the University of Maine, and they have a lake house in Winthrop, Maine.

So I thought that bit of information was also critical to the committee's determination. I appreciate the chairman's yielding to me on that point.

Chairman WARNER. I must say as I approached the nominee I thought it was his daughter that he was introducing. [Laughter.]

I see this marvelous family—I expect at this point in time you'd better step in, Mr. O'Connell, and introduce this wonderful family. We please ask that they stand.

Mr. O'CONNELL. First, my wife, Pat, who has already been pointed out by the Senator. My son, Kevin, a captain in the United States Army, his wife, Lindsay, they're newlyweds, married a year ago. My son, Andy, who's in the Coast Guard Reserves, just recalled to active duty from college to the United States Coast Guard Reserve—he was two courses short of his college degree, but he's back on active duty with no complaints. His lovely wife, Catherine, who is an identical twin. My sister Sally's son, Luke. Sally is sitting in the next row. I have John Grimes, my boss from Raytheon sitting there, the distinguished gray-haired gentleman. Well-known in town, my sister, Sally O'Connell Pezonko. My sister, Lori O'Connell Fisher. Lori's husband, Carl Fisher. Sally's husband, Larry Pezonko. A dear, dear friend, Michael Ledeen, and his wife, Barbara, is AWOL.

Chairman WARNER. I wonder if anybody in the room who's not here in support of your nomination could stand up——[Laughter.]

These hearings are very important. It is the fulfillment of the Senate's role under the Constitution of advice and consent to the President. But in this instance, Mr. O'Connell, speaking for this Senator and I think the majority of this committee, if not the entire committee, the President has chosen well in selecting you. We are delighted that the family has joined you.

I have an old yellowed set of hearing records when I sat in that chair 30-plus years ago. I treasure that little bit of a hearing record, as you and your family someday will treasure the one that this committee will print on your behalf.

So I will put into the record at this point without enumerating, because I couldn't do it as well as Senator Reed, the distinguished career that you have had.

Senator Roberts.

Senator ROBERTS. Thank you, Mr. Chairman. Like my colleague, Senator Reed, I want to say that it's an honor and a privilege for me to introduce no stranger to this committee, Paul Longsworth. I do it today for two reasons. Well, first just let me say that the Longsworth posse is not as numerous as the O'Connell posse but we make up for numbers with quality and dedication. [Laughter.]

When we ride the trail ride, we ride straight and true from Wichita to Dodge City to any other place in Kansas. At any rate, the

first reason is that the programs that he will be responsible for in this new position are under the jurisdiction of the Subcommittee on Emerging Threats and Capabilities, which I have the good fortune of chairing and which the chairman had the foresight to form some years ago. But more importantly, I am pleased to introduce him because he is a fellow Kansan and certainly we could use a few more Kansans around here in Washington.

Mr. Longsworth is from Wichita, Kansas. He graduated from Wichita State University. He's a Shocker and has almost two decades of experience working with the Department of Energy (DOE) and its national laboratory system. He has worked in the private sector and in the Federal Government and in Congress. As everybody on the committee knows, he most recently served Congress as a professional staff member on this committee. Currently he is the senior policy advisor for national security in the former Soviet Union in Energy Secretary Abraham's office. In this capacity, he has advised the Secretary on a wide range of national security matters, including nonproliferation stockpile stewardship and intelligence.

He works closely with the National Security Council and other Federal agencies and international organizations such as the International Atomic Energy Agency, an agency that has received a lot of mention in today's world in terms of importance.

I believe all of these experiences and capabilities make him a highly qualified candidate for the position of Deputy Administrator. I am proud to support his nomination. I would also like to join in welcoming Paul's family, and in keeping with the tradition set by my distinguished friend and colleague, Senator Reed, I would ask Paul to introduce his family. His wife, by the way, is from Pennsylvania. We thought we'd have Senator Specter here and Senator Santorum to give a ringing endorsement following the example of Senator Collins, but they are busy. But let me say that they are very proud of Paul's lifelong selection. Paul, would you like to introduce your family, please?

Mr. LONGSWORTH. Thank you, Senator. I have my parents here from Wichita, Thorn and Sue Longsworth. I have my wife, Rebecca, here, who is from Pennsylvania, and her mother, my mother-in-law, Sally Keene, from Washington, Pennsylvania.

Senator ROBERTS. That concludes my comments, Mr. Chairman.

Chairman WARNER. Thank you.

Senator LEVIN. Mr. Chairman, I wonder if I could just add a supporting comment here because Senator Collins has established a precedent which it seems to me is noteworthy. I understand that your father is a graduate of Michigan State.

Mr. LONGSWORTH. He is. Yes, sir. [Laughter.]

Senator LEVIN. Number one, where's your green jacket? Number two, that fact puts your son over the top as far as I'm concerned. He just made it. It was nip and tuck until then, but now he's okay. [Laughter.]

Chairman WARNER. Senator Allard.

Senator ALLARD. Mr. Chairman, just briefly, I have written comments that I'd like to make a part of the record. But I'd just like to remind the committee that when I first came on this committee and then became chairman of the Subcommittee on Strategic

Forces, Paul was my staff person and he worked with me to bring me up to par in what was currently happening in the area of nuclear issues. I can't think of anybody better qualified or knowledgeable than Paul to assume this position. I just wanted to personally wish him well. He did a good job for me.

[The prepared statement of Senator Allard follows:]

PREPARED STATEMENT BY SENATOR WAYNE ALLARD

Mr. Chairman, thank you very much for holding this nomination hearing today. I believe it is very important that we move these nominees as quickly as possible. These two positions are too vital to leave vacant.

First, I want to thank Thomas W. O'Connell for taking the time to come visit me a few weeks ago. I believe we had a very good but brief meeting during one of our stacked votes.

Second, I welcome Paul Longsworth back to the committee. When I first became Chairman of the Strategic Forces Subcommittee, Paul had the chore of getting me up to speed on all the diverse and complicated issues surrounding the subcommittee's jurisdiction regarding the Department of Energy's nuclear programs. Paul is a very qualified nominee to be the Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration. He will bring years of experience and expertise to the position. He has been and will continue to be a valued advisor to Secretary Abraham and Director Linton Brooks.

Mr. Chairman, I strongly support both these nominees and look forward to moving out of committee and out of Senate so they can get to work.

Chairman WARNER. I'll put into the record my remarks with regard to each of these distinguished nominees and again I commend the President, the Secretary of Defense, and the Secretary of Energy for their wisdom in selecting these outstanding individuals who are well-experienced and well-qualified. We are fortunate in this Nation to have these nominees together with their families accept public service. It is quite a challenge, particularly in these days and times which are quite perilous and uncertain facing this Nation and indeed the world.

Senator Levin.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT BY SENATOR JOHN WARNER

I am pleased that we have before the committee this morning Thomas O'Connell, the nominee for the position of Assistant Secretary of Defense for Special Operations and Low Intensity conflict. I understand Mr. O'Connell is a Rhode Islander and will be introduced by Senator Reed.

It is a personal pleasure for me to welcome back to the committee Paul Longsworth, a distinguished former member of the committee staff. Mr. Longsworth has been nominated to serve as the Deputy Administrator for Defense Nuclear Nonproliferation at the National Nuclear Security Administration of the Department of Energy. I understand that Senator Roberts will introduce Mr. Longsworth.

We welcome the nominees and their families.

Family support is critical to the success of individuals in senior positions in our Government. We thank you all for your role in contributing to the impressive careers of public service of our two nominees.

Mr. O'Connell comes highly qualified for this key post, having served over 27 years on active duty as an Army infantry and intelligence officer, including service in the Special Operations community. Among Mr. O'Connell's accomplishments, he served with the Central Intelligence Agency as Deputy for Command Support; as Deputy Director for U.S. Special Operations Command; as brigade commander for the Army Special Mission Unit; and as commanding officer of a Military Intelligence Battalion in the 82nd Airborne Division. His combat experience includes tours of duty in Vietnam, Grenada, Panama, and Southwest Asia. His awards include the Defense Superior Service Medal, the Bronze Star for Valor, the Purple Heart, and the Air Medal. Since retirement from active duty, Mr. O'Connell continued his public service as a task force member of the Defense Science Board and the President's Advisory Committee on National Security Telecommunications.

Paul Longsworth is likewise highly qualified for the position of Deputy Administrator for Defense Nuclear Nonproliferation at the National Nuclear Security Administration. The Deputy Administrator is responsible for programs designed to detect, prevent, and reverse the proliferation of weapons of mass destruction, and Mr. Longsworth has extensive experience in this important area. Mr. Longsworth is currently the senior Policy Advisor for National Security and the former Soviet Union to the Secretary of Energy, and, as such, Mr. Longsworth is responsible for advising the Secretary on a wide range of programs and issues related to stockpile stewardship and nonproliferation. In addition to his service with the Armed Services Committee, Mr. Longsworth has worked for the Senate Committee on Environment and Public Works and for the Office of Science and Technology of the Department of Energy.

Our nominees have a wealth of experience, and I believe each of them will excel in the positions to which they have been nominated. We welcome them and their families and look forward to their comments and responses today.

STATEMENT OF SENATOR CARL LEVIN

Senator LEVIN. Mr. Chairman, I'm going to follow your lead and put my opening statement in the record. We have two well-qualified nominees before us. I'm glad that we also have a nominee who has some experience in the legislative branch, on this committee no less. Since there has been a great deal of commentary about the flow of power to the executive branch from the legislative branch in this administration, which has been resisted by many of us, this is now a case where we're fighting back. We are infiltrating the executive branch. We are delighted with your experience and knowledge, Paul, that you will be bringing to your new position.

[The prepared statement of Senator Levin follows:]

PREPARED STATEMENT BY SENATOR CARL LEVIN

Thank you, Senator Warner. I want to join Senator Warner in welcoming our witnesses and their families this morning.

I am pleased that we finally have a nominee—Thomas O'Connell—for the position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (SO/LIC) before us today. That position has been vacant for 2 years, and yet the issues that fall under the purview of that office—including special operations, peace or stability operations, counternarcotics policy, and worldwide efforts to combat terrorism—are among the most critical responsibilities of the Department of Defense.

Mr. O'Connell comes to us with a long, distinguished background in special operations and intelligence work, and the endorsement of our colleague, Senator Reed.

Paul Longsworth, nominated for the position of Deputy Administrator for Defense Nuclear Nonproliferation at the National Nuclear Security Administration, is a former member of the committee staff. It is always a pleasure to see former staff members selected for senior positions in the executive branch.

If confirmed, Mr. O'Connell, you would assume responsibility for the policy that would guide peace or stability operations. Senator Warner and I, along with several other members of this committee, have just returned from Iraq, and we visited Afghanistan earlier this year. It is evident to me that in Iraq and Afghanistan, we urgently need to develop a comprehensive, multinational strategy for establishing security, and fostering political and economic reconstruction.

At the same time, you will be charged with guiding the Special Operations Command as it assumes its new expanded role in the global campaign against terrorism. You will also oversee the Special Operations Command's budget and its prioritization of roles and missions. This is critical, because while the Special Operations Command takes the lead in fighting the war on terrorism, special operators must continue to receive training for, and conduct, the many other missions, such as foreign internal defense, that give these operators access to other countries the United States may want to collaborate with, or where U.S. troops may be deployed in the future.

Finally, among your responsibilities will be formulating and implementing an effective counterdrug policy, and ensuring that our military commitments in places like Colombia meet with success and support U.S. foreign policy.

The position for which Paul has been nominated, the Deputy for Nuclear Nonproliferation, has grown in significance since its creation. The Department of En-

ergy, and now the National Nuclear Security Administration, is at the forefront of the effort to account for, secure, and protect nuclear weapons, nuclear weapons materials, and nuclear weapons technology from the former Soviet Union from falling into the wrong hands.

We now have the opportunity to expand those nonproliferation programs to address nuclear materials that could be used in radiological dispersal devices, so-called dirty bombs. Secretary Abraham recently hosted an international assembly to begin to address this problem. In addition, we have the opportunity to work cooperatively with Russia to reduce the size of its nuclear weapons manufacturing complex. We should take full advantage of these opportunities.

I look forward to working with both our nominees, upon their confirmation, to address the challenges of special operations and low intensity conflict, and nuclear nonproliferation.

Chairman WARNER. In keeping with the responsibilities of this committee, we have asked our witnesses to answer a series of advance policy questions. They have responded. Without objection, I will make the responses as well as the questions a part of today's record.

The committee also propounds to each of its nominees before the advice and consent procedure standard questions, and I will proceed now to ask you questions, and if you will please acknowledge with a sharp, crisp answer.

Have you adhered to applicable laws and regulations governing conflict of interest?

Mr. O'CONNELL. Yes.

Mr. LONGSWORTH. Yes.

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

Mr. LONGSWORTH. No.

Mr. O'CONNELL. No, sir.

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

Mr. O'CONNELL. Yes, sir.

Mr. LONGSWORTH. Yes, sir.

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

Mr. O'CONNELL. I will, sir.

Mr. LONGSWORTH. Yes, sir.

Chairman WARNER. Will those witnesses be protected from reprisal for such testimony or responses that they provide Congress?

Mr. O'CONNELL. Yes, sir.

Mr. LONGSWORTH. Yes, sir.

Chairman WARNER. I think we will now proceed with an opening statement from Mr. O'Connell, but I'd like to make an observation or two. My good friend and colleague on my left and I have been on this committee some 25 years. As we look back over the several things that we have worked on, I think the establishment of the Special Operations Force category in the Department of Defense by special congressional legislation—the two of us worked on it with our former colleague, former Secretary of Defense, Senator Cohen—it shows that we have taken a special interest in this position through the years.

It is a very critical position to the changing threats that face this Nation today because the Special Operation Forces (SOF) have the

versatility and perhaps the degree of mobility and the speed with which to react that is specially designed for these forces. They have distinguished themselves in a most commendable way, in the operations in Afghanistan, in Iraq, and elsewhere in the world.

I just wanted to make that comment because I'm proud of what Congress did. We undertook this responsibility in the face of, I might say, less than full support from the defense establishment, the fear being that the creation of this force would result in competition, more competition than perhaps is desired. I always feel that a little competition between the branches of the Services is healthy, but more competition would have not been in the benefit of national defense. Well, that hasn't proven to be true, and the Special Operations Forces have proven over and over again not only their courage and their commitment together with their families, but they have proven the concept of jointness, that our Armed Forces really are one.

Proud though they are of their Army, Navy, Air Force, Marine Corps, and Coast Guard uniforms, the bottom line is they fight for the cause of freedom, irrespective of the branches they are in and this has been proven in the SOF. I remember so well on our first trip to Afghanistan the night when we watched those teams of somewhere between 20 to 25 individuals board their helicopters for a very cold and chilly flight in-country to perform a mission, and then bring themselves out before the first light. One officer—that was all that was needed because the enlisted men knew full well their responsibilities. I take great pride in it, as I'm sure you do, Senator, for what we've done.

So we'll now receive your statement, Mr. O'Connell.

STATEMENT OF THOMAS W. O'CONNELL TO BE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT (ASD (SO/LIC))

Mr. O'CONNELL. Thank you, Senator. Just as an aside, I've been very fortunate to be present at many of the briefings and demonstrations that you and several other colleagues on the committee have attended over the years.

Mr. Chairman, Senator Levin, distinguished members of the committee, I'm honored to come before you as the President's nominee for the position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict. I greatly appreciate the confidence expressed by the President and Secretary. I want to assure you that if I am confirmed, I will strive to justify that trust, particularly to the members of our Nation's Special Operations Forces, who daily serve liberty's cause in many dangerous corners of the world.

Anyone fortunate enough to receive an honor like this has many to thank. I wish my parents, Jerry and Claire O'Connell of Lake Worth, Florida and Jamestown, Rhode Island, could be here today. They are my heroes and charter members of the greatest generation. My wife Pat has provided unwavering support during a 27-year military career. My sons Andy and Kevin would make any father proud. My sisters Sally and Lori and my brother Tim have been very supportive siblings. Our long-time friend who wanted so much to be here today for this hearing is retired Navy Captain

Chuck Jacques, currently struggling against leukemia in a Minnesota hospital. I know his heart is here today. In fact, he is a neighbor of yours, Senator Warner.

We are at an extraordinary time in our Nation's history. The war on terrorism, coupled with unprecedented security challenges, now places exceptional demands on our military and in fact on our entire Government. I believe today's challenges to our Special Operations Forces parallel those faced at the darkest days of World War II. As in that era, these challenges will be met by forces remarkable in their quality, self-sacrifice, courage, integrity, and dedication.

If confirmed, the primary challenge that I will face as the assistant secretary is the successful prosecution of the global war on terrorism. Special Operations Forces are at the forefront of the war, and this office will be responsible for making every possible effort to ensure that these missions are ultimately successful. America's Special Operations Forces possess unique capabilities to meet the many diverse threats that mark this conflict and these certainly increase their importance as a primary force in the Nation's defense.

If I am confirmed, the second challenge would be continued development and execution of stability operations. In Afghanistan and Iraq, we have seen that the transition of operations in the theater from military action to stabilization and low intensity conflict, and then eventually to local civilian control, is difficult. I note that both the chairman and the ranking member just returned from both locations in the not too distant past. Special Operations Forces, including civil affairs, and psychological operations elements, can provide a support essential to the combatant commander.

The third challenge is the transformation of Special Operations Forces. It will be important to remain fully compatible with the doctrinal and technical changes that are taking place within the Defense Department. We must continue to transform SOF to better position them to confront and defeat the threats of the 21st century. This will be an especially important task in light of the designation of the U.S. Special Operations Command as the lead command for the war on terrorism.

If confirmed, I will work closely with the Commander, U.S. Special Operations Command, to ensure that the annual funding can effectively maintain a ready force to meet the challenges of the new security environment. I recognize that the creation of the position of Assistant Secretary for Special Operations and Low Intensity Conflict is the product of many historical factors that bear witness to the keen and abiding congressional interests in these areas of responsibility. The historically close working relationship between that office and Congress is a tradition that has served the country well, and as we continue the war on terrorism and face many other challenges, it will only become more important. If confirmed, I look forward to continuing that close relationship.

I wish to thank all the Senators and their staffs who took considerable time to meet with me and discuss the many critical issues that face our Special Operations Forces today. I share your concerns and interests, and if confirmed, look forward to working with

each of you to give these forces every possible edge against the many adversaries that seek to destroy this Nation.

I certainly appreciate Senator Reed's willingness to introduce me and thank him for his kind words. We share the common bond of having commanded in the 82nd Airborne Division, and know what an extremely high honor it is to serve with soldiers ready to risk all for each other.

With that, sir, I'd be pleased to welcome your questions.

Chairman WARNER. We'll undertake the questioning of Mr. O'Connell because he has a very pressing engagement, so if you will just bear with us, Mr. Longsworth.

Mr. LONGSWORTH. Yes, sir, that's fine.

Chairman WARNER. Senator Levin, do you wish to lead off? I've had the opportunity to speak with this nominee on a number of occasions. I intend to put most of my questions into the record.

Senator LEVIN. Fine, yes, sir.

Mr. O'Connell, this position has been vacant for a number of years. It is a critically important position, and you are someone who has the background to fill it and to bring it up to where we need it to be. On the initiative of Senator Reed, the Senate version of the defense authorization bill for the next fiscal year includes a requirement that the Secretary of Defense report to Congress on the expanded role of the Special Operations Command (SOCOM) in the global war on terrorism. If confirmed, have you thought about what decisionmaking mechanisms you would recommend for authorizing, planning, and conducting individual missions? Under what circumstances would you recommend requesting authorization by Congress?

If you haven't given a lot to that issue, that's fine, you can just indicate that to us and let us know as you proceed in your new responsibilities how you address that issue. But the question is, are there any specific decisionmaking mechanisms that you are prepared to recommend at this time for authorizing, planning, and conducting the individual missions?

Mr. O'CONNELL. Senator, I'm not prepared to recommend any at this time. I would like to state for the record that at least 7 years ago I had a considerable amount of familiarity with how those things progressed and I have looked at some of the mechanisms, or provisos that have been put in place by the Secretary that these operations will be conducted in conjunction with the combatant commander. I'd just like to make that statement for the record, sir.

Senator LEVIN. That's fine. Do you believe that some of the special operators should operate undercover?

Mr. O'CONNELL. Absolutely.

Senator LEVIN. How are we then going to distinguish between the roles and missions of the special operators and the intelligence operators, as a practical matter and as a legal matter?

Mr. O'CONNELL. Sir, I believe that the law is quite clear, and in fact has been quite clear that there are authorities under both Title 10 and Title 50 to conduct those special operations missions enumerated in Title 10, some of them undercover. Again, it's been my experience—but I've been out of this for 7 years—that there is quite a robust mechanism and those operations that included both

intelligence activities and classic direct action or military activities were integrated and overseen quite well.

Senator LEVIN. Your written answers to policy questions contain the statement that the Special Operations Command will look at moving certain ongoing collateral activities not requiring unique SOF capabilities to general purpose forces in order to free up special operators for their primary mission, which is to wage the war against terrorists. What specific collateral activities, if you have any in mind, should be moved to the conventional forces?

Mr. O'CONNELL. Sir, the only one that I am aware of was, I believe, a training mission in Georgia. To the extent that there are other missions like that, I believe at least some current policy decision makers have decided that that is the type of mission that can be turned over to conventional forces. That would be one, sir.

Senator LEVIN. All right, thank you. In your written answers to pre-hearing policy questions, you refer to a joint effort between the Office of Special Operations and Low Intensity Conflict that, "seeks technology programs to ensure that the Special Operations Forces' capability remains at the cutting edge of technology" and you state that the "Department's increased investment in science and technology initiatives will continue that trend" of accelerating technologies into deployable systems for special operators and eventually into conventional units.

However, the budget request for fiscal year 2004 of $6.7 billion for the Special Operations Command includes a decrease in money for research and development. I'm wondering how do you intend to increase funding for research and development given that budget request?

Mr. O'CONNELL. I noted, sir, that Congress was good enough to add a plus-up to that. The one thing—and certainly if confirmed, sir, I would have to go back and look at the specifics of the difference between what you authorized and what the SOCOM budget was. But I would like to make one point—that one of the most difficult things that a military command does, or anybody in the military does, is to look out across all the research and development (R&D) areas and make sure that you are leveraging the ones that can perhaps be used by Special Operations Forces.

That's an extremely difficult thing to do. It requires a lot of smart people and a lot of time. If confirmed, sir, I can assure you that at least I will make good use of that money and good use of that talent in looking across the entire Department of Defense.

Senator LEVIN. Finally, there's a question about retention. During the Iraq war we saw the single largest deployment of Special Operations Forces since World War II, something like 10,000 troops were engaged in those operations, securing airfields, oil wells, dams, ports, clearing mines, searching for Scuds, weapons of mass destruction searches, arms caches, and they also rescued Private Jessica Lynch. It was truly outstanding work. However, we have received reports now from some special operators that there is an early indication that there is going to be a negative that arises from these deployments, including some resignations.

The problem appears to be most acute for civil affairs and psychological operations forces. Apparently, 80 percent of all psychological operations forces are still in Iraq. If we are going to have

a retention problem with our Special Operations Forces, we are going to need some action on your part. I'm wondering whether you're prepared at this time to make recommendations relative to retention?

Mr. O'CONNELL. Not specific recommendations, Senator Levin, but I'd like to assure you that I have read all of the previous testimony relative to this issue in front of both the House and Senate on the manning status, Reserve versus active, in both the psychological operations and civil affairs units. I know that adjustments are being made to both build new units and move more capability into the regular forces. I can assure you, sir, that if I am confirmed that will be a matter of utmost concern to me.

Senator LEVIN. Just to wind up on this issue, since my time is up—one proposal that we've heard from the civil affairs and psychological operations officers who have met with staff is that the retention problem can be effectively addressed by granting the operators more predictability in assignments and schedules, including some ability to choose assignments, at least choose them obviously subject to the approval of a commander. I just would urge you to take a look at those particular mechanisms as ways of improving retention and leave it at that.

Mr. O'CONNELL. I will, Senator.

Senator LEVIN. Thank you.

Chairman WARNER. Thank you, Senator Levin.

Senator Reed.

Senator REED. Thank you, Mr. Chairman. Again I just wanted to reconfirm the wisdom of the President in selecting Mr. O'Connell for this important job, he has done us all very proud in my home State of Rhode Island, he and his family. I neglected to mention his sister is a Providence school teacher. I mentioned his brother and his other sister is here with him. We tend to stick together in Rhode Island, so I'm not surprised we have half the State here. [Laughter.]

But, just quickly—your responsibilities are worldwide, literally. An area of the world that has in the past received a great deal of attention, but because of the conflict in the Persian Gulf is not currently receiving the same front page attention, is Colombia. Have you had the opportunity to make a preliminary assessment about the situation in Colombia and our involvement?

Mr. O'CONNELL. Senator Reed, I have not seen any specific briefing documents on Colombia. I had some experience there a considerable time ago. I try to follow it as best I can in the open press. I know it's a very difficult and thorny problem. The one observation I would make is that I think sometimes we never see any good news, but I think President Uribe has made good progress in a very difficult path. But in terms of specific recommendations on any changes in Colombia, I wouldn't have them at this time, sir.

Senator REED. Another point that I would make for comment if you'd like is that today's Washington Post indicated that poppy production in Afghanistan is up to 1999 levels, pre-war levels, and that is not only a counternarcotic problem, it's a counterinsurgency problem because it fuels the warlords. That's their cash crop. Any thoughts, specifically or in general, about your liaison with counterdrug forces and law enforcement authorities?

Mr. O'CONNELL. Sir, the current Office of the Assistant Secretary for Special Operations and Low Intensity Conflict has a very robust counterdrug office. The Department recently redefined counternarcotics and counterdrug to include going after activities that are related to counterdrug, but not specifically, i.e. transportation, safe havens, production, and things like that.

I have no immediate suggestions other than I will be able, hopefully, to talk to General Vines, the task force commander there, and certainly talk to the new Central Command (CENTCOM) commander on his thoughts as well as the many people that DOD liaises with in the President's Drug Control Office, et cetera. It is a very serious problem, and I don't pretend that it isn't. To the extent that we can do anything about it, the only thing I can say is we can certainly try and I'd be happy to come back and brief you on what we might try to do.

Senator REED. Thank you. Just a final point. Among your range of activities, as I understand, is the responsibility for detainees, which leads directly to the facility in Guantanamo, which if you're not aware of this, but you probably are, our Rhode Island National Guardsmen will deploy there shortly to take up the security task, so you'll have a special motivation in this one. But it obviously raises significant issues of policy and processing. I think we have about 680 detainees, the White House has recently announced they're commencing legal process for 6. That leaves over 600 individuals who are in a status that is unclear, and I'm sure in the course of the next several years obviously there has to be some decision with respect to the status of these individuals, but I don't have a question frankly. I just wanted to—I'm sure you're aware of it, but to make everyone aware of it.

Mr. O'CONNELL. I am well aware of the problem, Senator, and well aware of the challenge I'm going to face there.

Senator REED. We think you're up to it.

Mr. O'CONNELL. Thank you, sir.

Senator REED. Thank you very much.

Chairman WARNER. Thank you again, Senator Reed, for your participation and interest in this. Mr. O'Connell, as I mentioned earlier, your office was one created by Congress, and we take a very special and continuing interest in this office. I'd hope that if we bring you before this committee in the future, as we will, that you will share with us your personal views, even though those views may be at variance with your superiors.

Mr. O'CONNELL. I will, Senator.

Chairman WARNER. You have some of the finest of all the services, some who take time and time again personal risks far more than others do, and therefore, we need the strongest and toughest of spokesmen in this position. I hope you recognize that.

I frankly feel that we should be considering in the near future, and at this time I suggest you not reply to my statements, but I really think that the size, in terms of increasing Special Operations Forces should be reviewed. Is there any capability that is lacking today that should be added, and indeed perhaps additional roles for SOCOM? Now, we need look no further than the challenges posed by the African continent to address the seriousness of peacekeeping and humanitarian missions, which often Special Operations Forces

are involved in. As I look at some of these situations into which our people must go, we can't put a badge on them and say, we're peacekeepers, don't shoot. That doesn't work.

Those who want to place peacekeepers or humanitarian forces in harm's way will not be deterred simply because of the title or the written description of the mission. They look at the uniform, the equipment, the resolute face, and from that point on they could be in harm's way.

So look carefully at this. I realize you're not in the operational chain that's traditional in the Department of Defense. You know full well, the Secretary to the chairman and down, but your people will look to you to express a strong voice and to discharge your oversight responsibilities. I hope that you will not be reserved in advising your superiors of your views with regard to the missions which the operational chain may assign your forces.

The primary responsibility of course is the recruiting, equipping, and training of these forces. But I feel that it's very broad, and I would push the limits in discharging your duties. At all times I want you to know that this committee is available to hear your views if you so desire. Simply inform myself, the ranking member, or other members of the committee.

Peacekeeping is becoming an ever-increasingly important role for our Armed Forces worldwide and we're proud of the manner in which those missions have been carried out to date, how they are being carried out, and how they will be carried out in the future because these stability operations and humanitarian assistance can often solve a problem short of the use of force.

Now, you have also the counterdrug activities. We've mentioned that in the context of Colombia. There again, come to us if you feel that you're not properly financed, equipped, or otherwise provided for in the discharge of your duties.

The Department of Homeland Security has domestic counterterrorism, but you have it beyond the shores, and there again, the President has said that our war on counterterrorists is our number one priority. I agree with the President, as I'm sure you do as well.

I'll place the balance of these questions into the record unless you have any further comments you wish to make to me with regard to my observations.

Mr. O'CONNELL. No, Senator, I've written everything down.

Chairman WARNER. Good. Recruiting seems to be all right for the moment. I think it was important that my colleagues raised the question of retention because understandably I'm very proud of elements of the SEAL teams and so forth which rotate in and out of their Navy Department responsibilities with the SOF. They're all very proud of it. I learned a lot about SOF through those individuals. So I anticipate I'll be taking a trip down to visit your various commands with you hopefully in the near future.

Mr. O'CONNELL. Thank you, sir.

Chairman WARNER. If there are no further questions before the committee, any Senators desiring to place questions I would ask that that be done before the close of business tomorrow such that our nominee hopefully can be voted on by this committee at the earliest opportunity next week.

Thank you very much, Mr. O'Connell, and we thank your family. Godspeed and good luck.

Mr. O'CONNELL. Thank you, Senator Warner. I appreciate your courtesies.

Chairman WARNER. Thank you. You can go ahead and collect your team and leave Mr. Longsworth on his own. [Laughter.]

Mr. O'CONNELL. Thank you very much, sir.

Chairman WARNER. Thank you. We'll just wait a minute until you depart.

Chairman WARNER. Mr. Longsworth, we would be happy to receive your opening statement.

STATEMENT OF PAUL M. LONGSWORTH TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION

Mr. LONGSWORTH. Thank you, Mr. Chairman. Thank you, Senator Levin and Senator Reed. I am honored to be here to be considered as the President's nominee for Deputy Administrator for Defense Nuclear Nonproliferation in the National Nuclear Security Administration (NNSA) within the Department of Energy.

I, too, am thankful to the President and I'm thankful to Secretary Abraham and Ambassador Brooks for the confidence that they've placed in me. I would also like to thank the members of this committee for your continued support of the programs that make up the NNSA's nonproliferation effort.

To say that I'm honored to be nominated for this position is an understatement. I've worked with the Department of Energy for almost my entire professional career and I've seen many changes including, most recently, the establishment of the NNSA by this committee and the House Armed Services Committee.

Chairman WARNER. You were very active in the preparation of the appropriate statutes that made that possible.

Mr. LONGSWORTH. Yes, sir. As my wife will tell you, I've spent a lot of evenings here working on that. [Laughter.]

Chairman WARNER. I remember them well.

Mr. LONGSWORTH. While there have been many changes, the one thing that has remained the same is the dedication, patriotism, and competence of the scientists, engineers, technicians, and program managers that carry out our nonproliferation efforts. I don't think any group typifies this dedication better than the people that work in the Office of Defense Nuclear Nonproliferation. These individuals work tirelessly to address the spread of weapons of mass destruction and they bring to the task an unmatched level of technical experience and expertise. Many of these individuals spend weeks out of every year, some as many as 100 nights a year away from their families and they work in far-flung locations throughout the world such as the closed cities of Russia, Siberia, the Ural Mountains, and other locations, where they lack the most basic western amenities.

They work to secure the materials, the expertise, and the technologies that might be used by terrorists against the United States or our allies. In short, they prevent those threats before they reach our Nation's shores. They're the front line of our nonproliferation program. They carry out the work that the committee authorizes,

and I commit that, if I am confirmed, I'll make it my job to make them more successful. I'll focus my attention on removing any obstacles that hinder their work or create inefficiencies.

These materials represent an attractive target of opportunity for the terrorists who are openly and actively seeking nuclear materials to threaten the United States, blackmail the international community, or simply inspire terror. We cannot stand idly by and hope that Russia and other nations of the former Soviet Union take all the necessary steps to secure this material because, short of acquiring an intact nuclear weapon, the quickest route to a nuclear bomb is accessing poorly secured, highly enriched uranium or plutonium. Russia alone possesses an estimated 600 metric tons of weapons-useable nuclear material and thousands of warheads.

My first priority, if confirmed, will be to ensure that we finish the work that we've started in Russia as quickly as possible, and I will continue the work that Ambassador Brooks and Secretary Abraham have started to accelerate our cooperative programs after September 11 to secure these nuclear materials and warheads.

Russia isn't the only source of the threat. There are materials and technologies in other parts of the world that must also be secured. Our programs will have to adapt and evolve to locate and address these emerging threats. If confirmed, I will bolster our efforts to provide export control assistance to other nations, to assist the International Atomic Energy Agency (IAEA) with a safeguards program, and contribute to the overall U.S. effort to strengthen the nonproliferation regime. I commit to this committee that I will work day and night to ensure that the nonproliferation programs of the NNSA are effective and responsive to the most urgent threats that face our Nation.

Thank you, Mr. Chairman.

Chairman WARNER. Thank you, sir.

Prior to North Korea repudiating the Nuclear Nonproliferation Treaty, the NNSA provided a technical expertise team to monitor the agreed framework in North Korea. I think you're familiar with that, are you not?

Mr. LONGSWORTH. Yes, sir.

Chairman WARNER. At the time of the team's departure, what did the team observe regarding the status of the North Korean nuclear program?

Mr. LONGSWORTH. They were removed from North Korea prior to North Korea removing the seals that the IAEA had placed on those canisters, so everything was intact when they left. I will tell you that the cooling pond was in a fairly shabby state and we were preparing to replace the pumps and so forth in that pond where the fuel was actually stored. But it was fully compliant when our experts left.

Let me just, as a side note, point out that the individuals who worked in North Korea endured amazing hardships to be at that location. North Korea has what's called Anti-America Day and we had our teams in-country at that time. I can tell you some of the stories, but they were spit upon and yelled at and threatened quite actively by just normal citizens. So North Korea was one of the far-flung locations that I referred to that our experts worked in to prevent the spread of that plutonium.

Chairman WARNER. Putting aside diplomacy within the past 24 hours there has been another development on that, or several that I've found quite interesting, and putting aside the subject of military operations, is there anything that your department could be doing from a technical standpoint or in relationship to the IAEA to try and lessen these tensions and bring about a greater degree of compliance with the nonproliferation objectives of not just this country but the world?

Mr. LONGSWORTH. We are actively involved in trying to address the North Korean problem. To answer your first question, we do provide technologies and we have a very active research and development program. We developed the sensors and the computer algorithms and so forth that analyze data to assess what other countries are doing. We do that both through national technical means and we support the IAEA on a technical level.

On a policy front, we are supporting White House and State Department efforts to reach a solution to that problem, and we do support that actively on a policy level.

Chairman WARNER. Let the record show that in December 2002, the Office of Defense Nuclear Nonproliferation within the NNSA contributed both funds and technical expertise to the IAEA. You've just addressed that fact, and the Iraq Nuclear Verification Office (INVO) and the United Nations Monitoring Verification and Inspection Commission (UNMOVIC). So that was taxpayers' money going to support those operations, correct?

Mr. LONGSWORTH. Yes, sir.

Chairman WARNER. I think those investments were well taken by this country. Then I'd have to ask, in the post-conflict Iraq what additional support and technical expertise do you think the Office of Defense Nuclear Nonproliferation could provide to the Departments of Defense and State with regard to Iraq?

Mr. LONGSWORTH. We are advising the Department of Defense right now. We have supported certain operations in Iraq with technology and people. Right now, we don't have a lot of activities going on in Iraq because of the unrest that remains there, but we stand ready to support the Department of Defense with both technology and expertise from our material sites when the request comes. We have not been requested to do that yet.

Chairman WARNER. I hope that the relations with the Department of Defense are very smooth and professional and that it's a joint effort.

Mr. LONGSWORTH. Yes, sir, they are.

Chairman WARNER. I've not detected any strong differences; views on policy or otherwise.

Mr. LONGSWORTH. No. We work very closely with the Department of Defense. I think that it's their concern for the safety of our people going in-country right now, that is the main barrier.

Chairman WARNER. The Secretary of Energy announced on July 2, 2003, that he plans to combine the two offices of counterintelligence, the one run by the Department of Energy, and the other run by the NNSA, into one office to be run by the Department of Energy. As you may recall, it was a counterintelligence breach that, in the judgment of Congress, led to the particular legislation creating the NNSA. Do you have any concerns that taking the

counterintelligence program out of the NNSA may interfere with the type of nuclear proliferation concerns which led to the creation of the NNSA in the first place?

Mr. LONGSWORTH. No. We have dramatically enhanced our counterintelligence capabilities since the NNSA was created. I don't think that combining those will cause any additional degradation of our ability to counter threats of espionage or sabotage or any other threat against our sites or our technologies. In fact, we hope that this will provide some synergy and we'll get some efficiencies out of that.

There is also an advantage of having this organization address the entirety of the Department of Energy and the NNSA together. You get a seamless counterintelligence program that way. I will say that because we are not really downsizing the counterintelligence office within the NNSA. Those activities themselves will continue; we're simply streamlining how they're carried out and how the policy is established.

Chairman WARNER. Many countries' weapons of mass destruction programs are developing rapidly despite the existence of nonproliferation policies and treaties worldwide. Why do you think this is the case, and what new approaches should be taken by the United States and the international community to try and address this universal concern?

Mr. LONGSWORTH. I think the availability of materials and technology has contributed greatly.

Chairman WARNER. Would you say increasing availability, or about level, or a little less? I don't know what you'd use as a benchmark.

Mr. LONGSWORTH. I think the appetite for more powerful and even more destructive weapons is probably increasing on the part of rogue nations and non-nation state actors.

Chairman WARNER. I share that view. Because they look at the asymmetric system. They can't possibly develop the carriers that we have and the extraordinary Armed Forces on the ground there. So they look to this as the means by which to carve out their place on the world scene that is increasingly worsening.

Mr. LONGSWORTH. Yes, sir.

Chairman WARNER. Do you agree with that?

Mr. LONGSWORTH. Yes, sir, I do, wholeheartedly. With the fall of the Soviet Union, many of the restrictions that used to contain technologies and material and to make them unavailable to these rogue actors, a lot of those protections have gone away, and we are in a new environment now. The main mission of the Office of Defense Nuclear Nonproliferation is to ensure that we have layered defenses to protect those technologies from getting into the hands of bad actors. We protect material and technology at the source, we protect at border crossings to detect material transiting countries, and we protect at the U.S. border with radiation detectors at ports and other places in the United States. We're working in conjunction with the Department of Homeland Security now to build layered defenses because these other, what I'll call Cold War protections, have fallen away in many cases.

Chairman WARNER. Thank you.

Senator Levin.

Senator LEVIN. Just on that last point, do you think we should allow vehicles into this country that cannot be tested for radiation?

Mr. LONGSWORTH. We have a very aggressive program to screen containers. I'm not sure today that it is technically possible to screen every container or every vehicle that comes into the United States. I'm not sure that is practicable.

Senator LEVIN [presiding]. But if we're unable to screen vehicles, if there are certain types of vehicles that can't be practically screened giving the current equipment, should we allow them in?

Mr. LONGSWORTH. I think you have to look at a whole range of methods to assess what might be coming into the country. A detector at a portal or a border crossing is only one. There is also profiling that you can use, such as, what was the country of origin, where did it come from, what do we know about it, and what, from intelligence, do we know about certain activities by terrorist organizations or other groups? You can combine all of those into a picture that helps you focus on which vehicles or containers you should stop and inspect. But today, to answer your question, I don't think it's practicable to stop every vehicle.

Senator LEVIN. That's not my question. I'm not talking about the quantity of vehicles. I'm talking about the type of container. If it cannot be inspected because of the nature of the material in it, shouldn't we be leery about allowing it in?

Mr. LONGSWORTH. I think we should definitely be leery. We are working on technologies that can assess in all types of containers what's inside and some of those will require opening up the container and visually inspecting them.

Senator LEVIN. Until we can do that, should we not be leery about allowing them in, until that technology is available or until we can open them up?

Mr. LONGSWORTH. My personal opinion is I think you would stop a lot of commerce. Again, I don't think that's practicable to do.

Senator LEVIN. Stop a lot of commerce? You mean if as a practical matter, we don't have the technology and you can't open them up as a practical matter for inspection, we should not be cautious or leery about allowing those containers in?

Mr. LONGSWORTH. No, I think that we should use all of the tools that we have available to assess what's in the containers and focus our efforts on going after the containers that we view to be at risk or threatening.

Senator LEVIN. I want to talk to you about the Nation's nonproliferation goals and the broader context in which we should look at the nuclear weapons policies of the Nation. When you look at the broader context, here's what we are being requested to do by the administration: repeal the prohibition against developing new nuclear weapons with explosive yields of 5-kilotons, which is roughly a third of the size of the nuclear bomb that was used at Hiroshima which immediately killed an estimated 140,000 people and left many more injured.

The administration is asking us for $15 million to continue work on a robust nuclear earth penetrator (RNEP) that would modify an existing high-yield nuclear weapon, a much higher yield than the one I just described because this one would have a yield of approximately 30 to 70 times the explosive power of Hiroshima.

Now, your office is charged with helping to implement the U.S. policy to dissuade others from pursuing nuclear weapons. How do you persuade others from pursuing nuclear weapons when we're looking for new uses of nuclear weapons?

Mr. LONGSWORTH. Actually, I would say that I don't think that we are intending to look for a new use for a new nuclear weapon. First let me say also, President Bush, I think, is fully committed to the nonproliferation regime, including the Nonproliferation Treaty. I think we have a very good track record in the nonproliferation arena.

Senator LEVIN. Rhetorical commitment is one thing. I'm talking about deeds and actions.

Mr. LONGSWORTH. These are practical deeds. We have negotiated the dramatic reduction in our nuclear forces, upwards of 60 percent with the Treaty of Moscow. We've increased funding for the IAEA for its safeguards and its verification programs. We have also been working with the G–8 to dramatically increase funding; the proposal now is to provide $20 billion over the next 10 years to directly affect proliferation of weapons of mass destruction.

The one program that you might be referring to is the RNEP feasibility study, which is just that, a feasibility study. It is intended to look at the B–83 gravity bombs, to see if they can be modified to hold at risk known targets.

Senator LEVIN. To make them useable for a new purpose?

Mr. LONGSWORTH. Well, no, I would say that these are known targets. These are targets that today, we would like to hold at risk. I don't think the RNEP study, please note it's just a study, does anything to change the missions that we have for our stockpile. It simply makes it more effective.

Senator LEVIN. What's wrong with the word useable? Why do you shy away from the word useable? Aren't we looking at the possibility of using it for that purpose?

Mr. LONGSWORTH. Deterrence is intended to be a threat and if the threat isn't credible, I think that does undermine our nonproliferation efforts.

Senator LEVIN. But the deterrence which you're talking about is to make a more useful nuclear weapon, in fact two different warheads.

Mr. LONGSWORTH. We have done this before. We have modified a nuclear weapon before. The B–61 Mod 7, we modified that to be the B–611. I think at the time this committee and the previous administration debated whether that was a new nuclear weapon, and I think that they—that that was not——

Senator LEVIN. Is it a new use of an existing nuclear weapon?

Mr. LONGSWORTH. No. I would say that it is not.

Senator LEVIN. If it's not a new use for an existing nuclear weapon, what is it? I mean, why not just be candid about it and say, "sure it's a new use for an existing nuclear weapon." I don't see how we can possibly not acknowledge that this administration is looking into ways to make two nuclear weapons more useable. You can cite the things that you have, but it still comes down to the, it seems to me, irrefutable fact that we are looking at modifying weapons for use as bunker busters, which otherwise they would not

be useable for, and in the case of the 5-kiloton weapon, it is a new nuclear weapon.

I don't want to press you further than that. You can cite the Moscow agreement, you can cite the other things we're doing, but these two things run the opposite direction of our effort to persuade the rest of the world to rely less on nuclear weapons and they're held up to us as being, hey, you guys are doing this while you're telling us to do the opposite.

Mr. LONGSWORTH. I don't think they may make that case. Other nations may make that case. I think it would not be. I don't view that as a credible argument on their part, because we are drawing down our stockpile. I actually will also say, it has been determined that this is not a new nuclear weapon. I believe the previous administration came to the same conclusion, and it is intended to hold at risk targets that we hold at risk today.

Senator LEVIN. Okay.

Senator Reed.

Senator REED. Thank you very much, Senator Levin. Again, welcome, Mr. Longsworth. The Office of Nuclear Nonproliferation has built up large unspent balances in their nonproliferation programs, and Congress has provided this money to sort of jump start the activities in Russia. But it's a double-edged sword. As the money is unspent, some look to take those monies away from a very important program, and as we had a chance to discuss in my office, this is an area of concern. What are your plans to implement the congressional direction to accelerate these programs, get the money spent effectively, not just to spend it but to spend it effectively, and reduce these proliferation threats?

Mr. LONGSWORTH. First and foremost, I think we have to work to overcome the obstacles within Russia to utilize the funding that we provide. Secretary Abraham has indicated that one of the first things he wants me to work on is to work directly with my counterparts in Russia to accelerate things like contract approval processes, to work with them on access agreements vigorously, to get access to their sites. All of these things are kinds of barriers to conducting programs in Russia.

But I do want to say one thing about uncosted balances. It takes about 18 months to carry out a project in Russia, for a whole range of reasons. The first of which is we have to have the money obligated, we have to obligate the money at the time we begin negotiating contracts. So the money becomes obligated on that date. Then we have to negotiate a contract, we have to carry out the work and before we can make payment on whatever the project is, we have to confirm that the work was done to the specification that we wanted. All of those things require our scientists to get access to the facilities and to go there and visually inspect and access has been a problem in recent years. We're working to fix that.

So on average it takes about 18 months. You can do simple math and determine that a fiscal year is 12 months, you'll have about a third left over in any given fiscal year that is committed and it is obligated but it is not necessarily costed yet. I think some people have misinterpreted the high levels of uncosted balances as us not spending or not utilizing the funds that Congress authorizes and appropriates, or that we're not making progress in Russia but that

is not true. We are making progress. But it does take about 18 months to conduct work in Russia and that will lead to a level of uncosted balances of roughly a third.

Senator REED. Thank you. We have some, as you point out, successful programs in Russia. One is the Initiatives for Proliferation Program (IPP) and that is to identify Russian scientists who we want their talents directed at something good, not something mischievous. That's working pretty well. We're faced now though with the closure of some major nuclear facilities in the weapons manufacturing program. How are we going to deal with those closures on a facilities-wide basis when you have a large number of scientists who suddenly are without employment?

Mr. LONGSWORTH. The purpose of the IPP, as you've stated, is to buffer the downsizing at these weapons complexes so that the scientists and engineers that work there don't become unemployed and go work for people that we don't want them to work for, such as rogue nations and other actors.

There is currently a backlog of proposals in the IPP to do work from U.S. industry and western industry and to me that is an indication that the program is immensely successful, the fact that we have a backlog of people waiting to come into it. But we will continue to carry out these programs, we'll continue to do them in a way that focuses the IPP funding on the sites where we want to have the greatest impact.

I don't think we want to address all individuals at all times. Our intent is to soften the downsizing, not to ameliorate it completely.

Senator REED. Let me ask a final question about the IAEA. It is an increasingly important organization. At present, it is inside Iran inspecting, and they're the only, I think, reliable source of inspections. What can we do to enhance its ability to operate, what support could we give to it? What are those things we have to do to make it a more effective and credible partner in our efforts to end proliferation?

Mr. LONGSWORTH. We do fund the IAEA pretty vigorously and in fact, in the last 2 years President Bush has dramatically increased the U.S. support for IAEA, and I expect that will continue. They really are, as you've noted, able to operate in countries that one nation alone could not, and frankly, if the IAEA fails, I think the world is a much less secure place, and we have a vested interest in making sure that they are successful. That's why we've increased funding for the IAEA.

We provide them technical experts that actually move and work in their offices. Senator Warner mentioned UNMOVIC. A lot of those inspectors were from DOE sites that went into Iraq. So we support them pretty vigorously and I expect that the support will increase over time.

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

Chairman WARNER [presiding]. Thank you. I share your views on the IAEA. I think they've handled themselves with credibility in the events of recent.

Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman, I want to thank you for being here today. I want you to note that I'm so low in seniority that they put me down here at the witness table. [Laughter.]

Senator REED. If you'd like, Mark, I'll introduce you. [Laughter.]

Senator PRYOR. Yes, please do. My wife's not from Rhode Island, but——[Laughter.]

Anyway, let me ask a few questions if I may. I want to focus primarily on North Korea and Iraq, in no particular order, but let me ask about Iraq first. There have been some news reports about some official or scientist in Iraq taking some of our people to his backyard or someone's backyard, and digging up some pieces or parts of a machine that could be, I guess, a centrifuge, I'm not quite sure. What exactly was found there, could you give me the low-down on that if you can?

Mr. LONGSWORTH. This was a scientist who worked in the Atomic Energy Agency in Iraq. He was a senior scientist. He had not only components, components which are controlled by export laws and other things that Iraq was not allowed to have. He had components of a western uranium enrichment technology. He also had the schematics for building and designing an enrichment facility.

Senator PRYOR. Let me interrupt right there. Where did he get this? Where did Iraq get this? Where did they get the machinery and the schematic?

Mr. LONGSWORTH. They got it illegally. It is a technology that is a European design and it was proliferated to Iraq.

Senator PRYOR. We're in an open session here so we need to be sensitive to that, but can you tell me the age of the machine or the parts?

Mr. LONGSWORTH. It's a technology that is perfectly useful. I would guess that device is about 20 years old, 25 years old. I'm sorry, not the device itself. The technology itself is about 25 years old.

Senator PRYOR. But is it the kind of thing that if they dug it out of the ground and cleaned it up and whatever, is it still useable?

Mr. LONGSWORTH. It absolutely is. But it is just one component of an entire system, but they did have the drawings on how to make it.

Senator PRYOR. Do you think they have the entire system?

Mr. LONGSWORTH. It's unclear. I don't think we know. I may not be privy to all of the information.

Senator PRYOR. Right. I know that there has been much discussion about President Bush mentioning the Iraqis trying to buy uranium from an African nation, and I don't want to drag you into that unless you have something you'd like to volunteer on that.

Mr. LONGSWORTH. I don't. It's an intelligence matter.

Senator PRYOR. Right. But it did raise a question in my mind about purchasing uranium and how easy is it for a country or a company or a terrorist organization or an individual to go out and purchase the kind of materials needed, the uranium needed to make a nuclear device.

Mr. LONGSWORTH. Uranium is a commercial commodity. It's sold throughout the world for nuclear fuel. It's controlled, but it is a commercial commodity. The way that we attempt to control and contain those types of materials and technologies from getting to countries like Iraq is by using export control laws, and we also work very closely with an organization called the Nuclear Suppliers Group, which is a group of nations that supply nuclear fuels and

technologies. This group works very closely with governments to control the spread of nuclear technology and nuclear material to ensure that the commerce in natural uranium and other commodities, which by the way is not useful at all in nuclear weapons, you have to enrich it up to a very high level to be useful in a nuclear weapon. But that Nuclear Suppliers Group is very active and we support it very vigorously.

Senator PRYOR. How confident are you in the system that exists in the world today to control the supply of uranium?

Mr. LONGSWORTH. It's good. It could be better. We're always looking for ways to improve it. I think the thing that's happening is that, again, the appetite for nuclear technology is not decreasing, it's increasing, and that just requires us to continually try to stay ahead of the threat and continue to vigorously bolster those countries that have either maybe not adequate export control laws or maybe even nonexistent or that they don't enforce them. We need to work closer with those nations to make sure they know how to do it or they have the right laws and that they have the right enforcement mechanisms.

Senator PRYOR. How many companies or nations, how many entities are out there in the world today that have the ability to enrich uranium to the point that it could be useful in a nuclear device?

Mr. LONGSWORTH. I'm not sure I know the answer to that.

Chairman WARNER. I think that's a very important question, and I would suggest we want accuracy in the answer and that it be provided for the record. I share with you a desire to have that knowledge, Senator Pryor. Good question.

Senator PRYOR. Thank you.

[The information referred to follows:]

Nine countries currently have commercial uranium enrichment plants—six supplying the world market and three supplying internal requirements only. Commercial is used in the context of uranium enrichment supply for fueling civilian nuclear power reactors.

Countries supplying the world enrichment market:

Country	Owner
1. France	Eurodif
2. Germany	Urenco
3. The Netherlands	Urenco
4. Russian Federation	MinAtom
5. United Kingdom	Urenco
6. United States	USEC Inc.

Other countries with enrichment plants serving only internal commercial requirements:

7. Brazil (startup mode)
8. China
9. Japan

Chairman WARNER. You may continue if you want to take a few more minutes.

Senator PRYOR. Thank you. From the standpoint of terrorists obtaining a nuclear device, it seems to me that they somehow could get the uranium and enrich it on their own, but I would think it's more likely that they would be able to actually get the enriched uranium somewhere on the black market. Is it your sense that that's the more likely scenario?

Mr. LONGSWORTH. The IAEA has documented a number of attempts to acquire weapons-useable material, and I believe there have been other attempts as well.

Senator PRYOR. Now the two sources of that that are the most of concern to me would be one, the former Soviet Union, and I want to get your thoughts on how confident we are about the whereabouts of all the former Soviet Union's arsenal, and two, is North Korea. The reason I focus on North Korea, and I think it's probably conventional wisdom here on this committee and in the Senate, is because they are living in such a failed economy. It seems like one of the few things they have going for them is their arms programs.

But it seems that those two, the former Soviet Union and North Korea, seem to be the two primary sources. Now would you agree with that, or are there other sources that you're concerned about?

Mr. LONGSWORTH. When you're referring to nuclear material, weapons-useable nuclear material, I would describe Russia as the Fort Knox of nuclear material. They have vast quantities at dispersed locations.

Senator PRYOR. Now, when you say the Fort Knox do you feel like they're as secure as Fort Knox is?

Mr. LONGSWORTH. No, I don't. But let me say this is an interesting point. A terrorist doesn't necessarily want to break into Fort Knox to get to a facility that may have large quantities of material. The most attractive facility is the country bank or the bank out in the suburbs that maybe doesn't have as much material in it but is perhaps more vulnerable.

So the weakest link is where we intend to focus our efforts first. The first priority is to go to those facilities that are forgotten, maybe don't have a mission, don't have an ability to generate revenue, to pay their employees, but have quantities, maybe not the large quantities that are present in Russia's serial production enterprises, but have enough that would be useful for a terrorist. Those are the kinds of facilities that we have focused on first.

Senator PRYOR. Now you mentioned——

Chairman WARNER. Senator, could I interject?

Senator PRYOR. Sure.

Chairman WARNER. It's such an important colloquy that I think that you'd be well advised to, on a technical standpoint, broaden the category because it's not necessarily the thermonuclear explosion—we all know that—but we now have the dirty bomb category which is the dispersal of this material in such a manner that the effects from the radiation cause severe damage to human existence. Am I not correct on that?

Mr. LONGSWORTH. Yes, sir.

Chairman WARNER. So I think as you're in this colloquy, it's the securing of this material for use antithetical to life and limb that

isn't in the category of an actual thermonuclear explosion, but is in a dispersal pattern such that the dirty bomb might cause. So I want you to continue, but let's broaden the category from a technical standpoint.

Senator PRYOR. Thank you, Mr. Chairman, I do agree with that, and so I would like to broaden that if possible. You mentioned Russia. Now when you say Russia do you mean all the former Soviet states, or are you talking about just the Nation of Russia?

Mr. LONGSWORTH. I was referring just to Russia, but there are materials that we are working to address in the former Soviet states.

Senator PRYOR. What about the old eastern bloc countries. Do they have stockpiles?

Mr. LONGSWORTH. They do not have nuclear stockpiles. There are materials in those countries that would be attractive to terrorists, yes, and some of it is in the form of reactor fuel, highly enriched reactor fuel, and some of it is just in spent fuel and in other forms.

Senator PRYOR. Mr. Chairman, that's all I have.

Chairman WARNER. That was an excellent line of questioning. I thank you.

Senator Levin, do you have further questions?

Senator LEVIN. Actually it's along the same line. The NNSA has asked for legislation to allow for the expansion of materials protection beyond the former Soviet Union. What are the plans for that expansion, do you know?

Mr. LONGSWORTH. We are trying to address the evolving threats and that means moving outside of the former Soviet Union itself. We believe we have the authority to do this. I think what we asked for was clarification that we could do this.

Senator LEVIN. What specific plans do you have to do it, assuming you have the authority, which we hope you have or will be given?

Mr. LONGSWORTH. We have an action plan, I guess I would call it a program plan in place and ready to execute in those countries.

Senator LEVIN. How many are there, do you know?

Mr. LONGSWORTH. A dozen. I will say that's the first tier. There are about a dozen countries initially.

Senator LEVIN. The NNSA's Second Line of Defense Program is a very effective program working primarily with Russia to improve border security to prevent nuclear materials from crossing into or out of Russia. The Department of Defense has started a program that will be similar to the NNSA program, which is designed to work with the states of the former Soviet Union other than Russia.

It's important that the programs, plus a variety of other U.S. Government programs, be coordinated. How will you work to ensure that full coordination of those programs?

Mr. LONGSWORTH. We are doing that now. We're actually working with the Threat Reduction Office of the Department of Defense to support them. Most of the technology frankly that they use in their sensors, and frankly the technology that the State Department used when it initially put up sensors immediately after the fall of the Soviet Union, most of those technologies came from DOE facilities. So we continue to be the technology provider and the provider of expertise, so that interaction is going on right now.

Senator LEVIN. We had a discussion before about the earth penetrator and you said it's not a new weapon, and I agreed, but it's a new use of an old weapon, so we went through that. Now let's talk about the 5-kiloton prohibition. That clearly is a new weapon and if we remove that prohibition on the development of a 5-kiloton weapon that is the development of a new nuclear weapon. Doesn't that undermine our argument in the world of, hey, don't move down that path?

Mr. LONGSWORTH. I don't think it does. One thing that I think is inherent in our programs is we have not proposed to design or build anything. We're simply doing studies, and I would note that the things that we're looking at are only one element in a spectrum of options that DOD is looking at to hold those targets at risk. I think it would be very premature to assume that there is any foregone conclusion that we are going to move beyond this feasibility study. This is a study to determine if it can be done.

Senator LEVIN. The only purpose for this study is because we may want to do it.

Mr. LONGSWORTH. I think it's to ensure that we are able to respond quickly as rogue nations and other countries begin to go deeper and deeper.

Senator LEVIN. I'm not talking about the earth penetrator. I'm talking about the 5-kiloton prohibition.

Mr. LONGSWORTH. They are related. The repeal of the Spratt-Furse provision I think is what you're referring to, the 1993 provision. It is overly restrictive in the sense that many of our attorneys believed that it would prohibit us from doing assessments, it would have prohibited our lab scientists from even thinking about doing additional thinking about what might be possible.

Senator LEVIN. So you wouldn't mind the prohibition staying for the development, providing we don't try to get into someone's grey matter?

Mr. LONGSWORTH. I think that even that is not needed. We would have to come to Congress to request funds. It would prejudge whether we were going to go to a Phase 6.3 in the Joint Nuclear Weapons Life Cycle Process. I think it's unnecessary.

Senator LEVIN. What about the Nonproliferation Treaty? North Korea pulled out of that treaty—they gave notice that they were going to pull out of it. Do we have any problems with countries giving notice under a treaty and pulling out of it? We did the same thing with the ABM Treaty. We gave notice and pulled out of it. How do we argue that North Korea shouldn't use a provision of the treaty to give notice and pull out of it?

Mr. LONGSWORTH. The Nonproliferation Treaty is, I think, different than the ABM Treaty.

Senator LEVIN. Not the withdrawal part of it. I'm just talking about the withdrawal part. There is a provision in the Nonproliferation Treaty, is there not, to give notice and withdraw?

Mr. LONGSWORTH. Yes, sir.

Senator LEVIN. If that's part of the treaty, why shouldn't countries exercise that?

Mr. LONGSWORTH. I think the Nuclear Nonproliferation Treaty (NPT) is a different type of treaty. It underpins all, I think, civilized nations' attempts to halt the spread of nuclear weapons. I

don't see the comparison between that and the ABM Treaty, which was really driven by the Cold War and the structures of the Cold War.

Senator LEVIN. What about the Comprehensive Test Ban Treaty? Would that underpin——

Mr. LONGSWORTH. President Bush has issued a continuation of the moratorium on testing, and we have no intent to breach that.

Senator LEVIN. Or to ratify it.

Mr. LONGSWORTH. As the members of this committee may remember, we spent a lot of time debating that, and there were flaws with that treaty. Maybe we can go through those again, but that treaty itself was flawed, and like the ABM Treaty, one of the key flaws was that it was a permanent treaty, and it would prejudge what the world would look like in two, three, or four decades from now.

Senator LEVIN. We wish you all the best. We do. You're well-qualified for the position, and your work on this committee hopefully gave you some of the tools that you're going to need.

Mr. LONGSWORTH. Yes, sir. Let me just say I appreciate the debate and the discussion on these nuclear programs. Obviously we wouldn't be having a debate if there weren't legitimate arguments on each side.

Senator LEVIN. Thank you.

Mr. LONGSWORTH. I think the primary focus of the Office of Defense Nuclear Nonproliferation is to, in a tactile way, address the threat, and that is material security, that's keeping scientists from working for rogue nations, and controlling technology. That is what I've dedicated myself to do.

Chairman WARNER. You had a good hearing this morning, and you've been very responsive to the questions. I just close by joining Senator Levin in the pride in the members of this committee, but perhaps even the greater pride among the professional staff of this committee.

This committee has been privileged to have one of the finest professional staffs throughout the many years that I've been on the committee with my colleague here, under great chairmen, through these years. It has attracted the finest and we're so proud when they move on to accept other challenges of responsibility because life on the committee staff of the Armed Services Committee is not a bed of roses. They all know that. I hear some coughs in the background, so I think I better close the hearing right now. [Laughter.]

Mr. LONGSWORTH. Thank you, Senator.

[Whereupon, at 11:42 a.m., the committee adjourned.]

[Prepared questions submitted to Thomas W. O'Connell by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than a decade has passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms.

Do you support full implementation of these defense reforms?

Answer. I support full implementation of Goldwater-Nichols and the subsequent special operations reforms. Those important reforms have had impressive success in the years since they were enacted. I believe the increase in readiness levels and the

attendant demonstrations of true joint warfighting capabilities of our Armed Forces validate the wisdom of the Defense Reorganization Act of 1986.

Question. What is your view of the extent to which these defense reforms have been implemented?

Answer. These reforms have fundamentally changed the way the Department of Defense works by strengthening the role of the Chairman of the Joint Chiefs of Staff and the combatant commanders, and significantly improving the ability of the Department to carry out its fundamental mission—protecting America's security and furthering its vital interests. It has made the chain of command clearer, focused clear lines of responsibility and commensurate authority on the combatant commanders and provided more effective civilian control of the military, thus making our Armed Forces more effective. It has helped us greatly improve the interaction among each of the Services in conducting military operations—fully joint operations are now the norm.

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. In my view, the unambiguous responsibility and authority assigned to combatant commanders for mission accomplishment and the increased attention to strategy formulation and contingency planning are the most important aspects. Further, the act promotes jointness in our military forces. Our ability to integrate forces into joint operations provides another exponential increase in military effectiveness.

"Jointness" is no longer a buzz word. It is the driving force of daily military operations. I remember the results of the Holloway and Long Commissions that contributed heavily to the creation of this important reform legislation. I believe that the central findings of both reports are embodied in the Goldwater-Nichols Act and subsequent implementation.

Question. The goals of Congress in enacting these defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. Yes, absolutely. If fortunate enough to be confirmed, I will work to continue implementation.

Question. Do you believe that legislative proposals to amend Goldwater-Nichols may be appropriate? If so, what areas do you believe it might be appropriate to address in these proposals?

Answer. I am not aware of any pending legislation relative to amendments to Goldwater-Nichols. The Secretary of Defense is leading the transformation of the Department to improve our national defense. As part of that effort, the U.S. military is pursuing a host of transformations. Questions of responsibility, authority, and organization are matters of specific interest and continuous review. If any of these reviews recommend refinements to Goldwater-Nichols, the Department will certainly consult closely with Congress, and especially this committee. As SO/LIC and SOCOM continue to evolve and assess lessons from our most recent conflicts and the global war on terrorism, it may be necessary to review relationships. If confirmed, I would review and assess new proposals, and will consult closely with Congress.

RELATIONSHIPS

Question. If confirmed, what will be your relationship with:

The Secretary of Defense
The Deputy Secretary of Defense
The Under Secretary of Defense for Policy
The Assistant Secretary of Defense for International Security Affairs
The Assistant Secretary of Defense for International Security Policy
The Assistant Secretary of Defense for Homeland Defense
The Joint Chiefs of Staff
Commander, United States Special Operations Command
Commander, United States Joint Forces Command
The regional combatant commanders
The commanders of the service Special Operations Commands

Officials in the Department of Homeland Security with intelligence and counterterrorism responsibilities?

Answer. If confirmed, I will report to the Secretary of Defense and Deputy Secretary of Defense through the Under Secretary of Defense for Policy. I expect to maintain a close working relationship with the other Assistant Secretaries in the Office of the Under Secretary for Policy, the offices of the Under Secretaries for Acquisition, Technology and Logistics, Personnel and Readiness, Comptroller, and Intelligence, the Chairman, Vice Chairman and the Director of the Joint Chiefs of Staff, and with combatant commanders, especially the Commander of the U.S. Special Operations Command and its component commands. I will also, if confirmed, work closely with the National Security Council Staff and with officials in the Departments of State, Justice, Homeland Security, the Intelligence Community, and other agencies and departments.

DUTIES

Question. Section 138(b)(4) of Title 10, United States Code, describes the duties and roles of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict ASD (SO/LIC).

What is your understanding of the duties and functions of the ASD (SO/LIC)?

Answer. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict has oversight of special operations and low intensity conflict activities. Those activities include direct action, strategic reconnaissance, unconventional warfare, foreign internal defense, civil affairs, psychological operations, peace operations, post-conflict reconstruction, detainee policy, counterterrorism, humanitarian assistance, theater search and rescue, domestic and international counterdrug efforts and such other activities specified by the President and Secretary of Defense. ASD (SO/LIC) is the principal civilian advisor to the Secretary of Defense on special operations and low intensity conflict matters. After the Secretary and Deputy Secretary of Defense, ASD (SO/LIC) is the principal special operations and low intensity conflict official within senior management of the Department of Defense.

Question. Assuming you are confirmed, what changes, if any, in the duties and functions of ASD (SO/LIC) do you expect that the Secretary of Defense would prescribe for you?

Answer. At this time, I do not see the duties and functions of ASD (SO/LIC) changing from those prescribed in law and current directives.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I completed 27 years of military service as an infantry and intelligence officer, holding positions of significant responsibility in the special operations community. I participated in Vietnam, Grenada, Panama, and the Persian Gulf War. In an assignment as an exchange officer in the British Army, I observed how our close ally operates. I have extensive joint and combined service that includes planning and execution of clandestine special operations activities. I commanded at the battalion and brigade level, and served at CIA for 3 years. For the past 7 years, I have held management positions in the civilian defense industry.

Question. In your view, are the duties set forth in section 138(b)(4) of Title 10, United States Code, up to date, or should changes be considered?

Answer. Section 138(b)(4) of Title 10 United States Code cites the ASD (SO/LIC)'s principal duty as the overall supervision (including oversight of policy and resources) of special operations activities (as defined in section 167(j) of Title 10) and low intensity conflict activities of the Department of Defense. At this time, I do not see the need for statutory changes to the functions of ASD (SO/LIC), although I look forward to making a more formal assessment.

Question. What changes, if any, would you recommend?

Answer. Again, I believe it is too soon for me to recommend changes to existing law. If confirmed, my daily execution of duties under section 138(b)(4) of Title 10 would, over time, perhaps provide me with sufficient expertise to consider changes.

Question. What Department of Defense activities are currently encompassed by the Department's definition of special operations and low intensity conflict?

Answer. Special operations and low intensity conflict activities include direct action, strategic reconnaissance, unconventional warfare, foreign internal defense, counterinsurgency, contingency operations, civil affairs, psychological operations, peace operations, post-conflict reconstruction, detainee policy, counterterrorism in the United States and abroad, humanitarian assistance, theater search and rescue, domestic and international counterdrug efforts, and such other activities specified by the President and Secretary of Defense.

Question. If confirmed, would you exercise overall supervision of all special operations and low intensity conflict activities of the Department of Defense?

Answer. Yes.

Question. In cases in which other assistant secretaries within the Office of the Secretary of Defense exercise supervision over some special operations and low intensity conflict activities, what is the relationship between your office and those other offices?

Answer. I am not aware of other assistant secretaries who exercise supervision over special operations and low intensity conflict activities. I believe Title 10, Section 138(b)(4) is clear. If an activity pertains to special operations and low intensity conflict, then ASD (SO/LIC) supervises and provides policy and oversight, and is the principal advisor to the Secretary of Defense on these matters. After the Secretary and Deputy Secretary of Defense and under the Under Secretary of Defense for Policy, ASD (SO/LIC) is the principal official within senior management of the Department of Defense responsible for special operations and low intensity conflict. I recognize the need to work closely with the regional and other functional offices in the Office of the Secretary of Defense.

SO/LIC ORGANIZATION

Question. The position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict has been vacant for over 2 years.

What changes, if any, have taken place during this time in the SO/LIC organization and in the responsibilities of the ASD (SO/LIC)?

Answer. I understand that there have been three major changes in the responsibilities of the ASD (SO/LIC): addition of policy oversight and guidance for the global war on terrorism; addition of policy oversight and guidance for detainee activities in the aftermath of operations in Afghanistan and the global war on terrorism; and divestiture of domestic consequence management, installation preparedness and homeland defense activities to the office of the ASD for Homeland Defense.

Question. If confirmed, how would you fulfill your responsibilities related to counternarcotics?

If confirmed, how would you fulfill your responsibilities related to combating terrorism?

If confirmed, how would you fulfill your responsibilities related to peacekeeping and humanitarian assistance?

Answer. If confirmed, I will assume oversight and management of the varied and complex portfolios in SO/LIC through oversight of the Deputy Assistant Secretaries for Counternarcotics, Special Operations and Combating Terrorism, and Stability Operations.

Question. How would you coordinate these responsibilities with the ASD for Homeland Defense, who has responsibilities for combating terrorism in the United States?

Answer. A very close relationship between SO/LIC and Homeland Defense is already developing. If confirmed, I expect to maintain that relationship with the Assistant Secretary of Defense for Homeland Defense as he enhances the Department's integration into the Nation's homeland security efforts. He will have a number of responsibilities for combating terrorism in the United States; SO/LIC retains lead responsibility for special operations, including all contingencies in which SOF might be employed. In fact, I had a very useful meeting with Assistant Secretary Paul McHale to discuss his new responsibilities and his interaction with SO/LIC. I believe he is off to a great start, and I noted that SO/LIC provided some exceptional personnel to his staff.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the ASD (SO/LIC)?

Assuming you are confirmed, what plans do you have for addressing these challenges?

What do you anticipate will be the most serious problems in the performance of the functions of the ASD (SO/LIC)?

If confirmed, what management action and timelines would you establish to address these problems?

Answer. If confirmed, the primary challenge that I will face as the ASD (SO/LIC) is the successful prosecution of the global war on terrorism. SOF are at the forefront of the war, and SO/LIC will be crucial to ensuring that they are ultimately successful. I realize the magnitude of this task, and that it is much easier said than done. However, I believe my past experience on active duty within the SOF community

has prepared me for this task. A critical component of this effort will be close and continual coordination with the Under Secretary for Intelligence, the CIA and other major participants. I believe it would be prudent to withhold judgment on specific management action and timelines until, if confirmed, I have the opportunity to function as the ASD (SO/LIC) for a period of time.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the ASD (SO/LIC)?

Answer. If confirmed, I believe there are three general areas or issues that require special attention and commitment on my part. These areas are not comprehensive or exclusive of each other or other issues not specifically mentioned, but are a snapshot of the broad priorities as I see them.

The first is perhaps the most obvious and of immediate importance: continued execution of the global war on terrorism. As we have discussed earlier, SOF's unique capability to meet the complex new challenges of this war has increased their importance as a primary tool in the Nation's defense—as opposed to merely a tool for leveraging conventional forces or for smaller, specialized missions. Perhaps the most important manifestation of this change is in the designation of USSOCOM to be the supported (or "lead") command in the war on terrorism (whereas before it generally had assumed only a supporting role for the regional combatant commands).

The second is transformation of SOF. We must continue to transform SOF to better position them to confront and defeat the threats of the 21st century, especially in the global war on terrorism. The President's budget request contains a number of significant, transformational efforts.

The third is continued development and execution of the concept of stability operations. As in Afghanistan and Iraq, we have seen that the transition of the theater from one of military action, to one of stabilization and low-intensity conflict, and then eventually on to local civilian control, is difficult and benefits from the specific skills and capabilities of SOF, especially Civil Affairs and Psychological Operations Forces.

TRANSFORMATION

Question. Secretary Rumsfeld has established transformation of the Armed Forces to meet 21st century threats as one of his highest priorities.

What is the role of Special Operations Forces in the overall transformation vision?

Answer. As I understand it, the Department of Defense has begun a significant "retooling" of USSOCOM to enable the command to lead the war against terrorism in an even more effective manner. Perhaps the most profound change is a shift in policy by the Department that USSOCOM will no longer serve primarily as a supporting command, but rather will plan and execute key missions as a supported combatant command. USSOCOM is expanding to plan combat missions directly against terrorist organizations around the world and execute those missions as the supported Command, while maintaining the role of force provider and supporter to the geographic combatant commanders. Additionally, the assignment of this transformational responsibility to Joint Forces Command will help SOCOM navigate this increasingly complex environment. If confirmed, I look forward to working closely with both Admiral Giambastiani and the Department's Director for Force Transformation, Vice Admiral (ret) Cebrowski, to further transformation efforts.

Question. Specifically, what do you believe transformation should mean for the special operations community in terms of missions, training, equipment, or in any other aspect?

Answer. Transformation is an approach to produce advances in the individual, the organization, and in technology to build the right capability at the right time to defeat any threat.

USSOCOM is transforming SOF capabilities to meet the formidable challenges associated with waging war against terrorist cells scattered across the globe. The command is transforming by building the capability to maintain sustained operations in areas where terrorist networks are operating. It is investing in critical "low-density/high-demand" aviation assets that provide SOF with the mobility necessary to deploy quickly and to execute their missions quickly. It is investing in key command, control, and communications to support the war on terrorism more effectively. The command has added personnel to better sustain worldwide deployments and 24-hour-a-day operations. In conjunction with these expanding roles, USSOCOM will also look to move certain ongoing collateral activities not requiring unique SOF capabilities to general purpose forces in order to free up special operators for their primary mission—to wage war against terrorists.

Question. What, if any, special role can SOCOM's development and acquisition capability play in Service and DOD efforts?

Answer. USSOCOM's unique acquisition authority among combatant commanders has allowed the command consistently to accelerate emerging technologies into deployable SOF systems. These technologies routinely find their way to conventional forces as the military departments and other Government agencies integrate SOF-developed products into their equipment arsenals. The Department's increased investment in science and technology initiatives will continue that trend.

CIVILIAN OVERSIGHT OF THE UNITED STATES SPECIAL OPERATIONS COMMAND

Question. The 1986 Special Operations legislation assigned extraordinary authority to the Commander, United States Special Operations Command, to conduct some of the functions of both a military service and a unified combat command.

Which civilian officials in the Department of Defense exercise civilian oversight of the "service-like" authorities of the Commander, United States Special Operations Command?

Answer. ASD (SO/LIC), reporting through the Under Secretary of Defense for Policy, is the principal civilian official, below the Secretary and Deputy Secretary of Defense, that exercises civilian oversight of the "Service-like" authorities of the command. Federal law assigns ASD (SO/LIC) the responsibility for providing overall supervision (including oversight of policy and resources) of special operations and low-intensity conflict activities of the Department of Defense. Although the ASD (SO/LIC) is the primary overseer of special operations and low-intensity conflict activities, we work closely with regional and other functional offices. Under this arrangement, the ASD (SO/LIC) coordinates with regional and functional offices, and executes full oversight of USSOCOM. I fully understand this arrangement and plan to work closely with the regional and other functional offices as well as the Commander, USSOCOM, to ensure that oversight of the command is efficient and effective.

Question. What organizational relationship should exist between the ASD (SO/LIC) and the Commander, United States Special Operations Command?

Answer. I believe the organizational relationship between Commander, USSOCOM, and the ASD (SO/LIC) is a complex one because of the unique authority and responsibilities granted USSOCOM on administrative and resource matters. In my view, the organizational relationship should be a close partnership. Today numerous aspects of SO/LIC and USSOCOM are closely intertwined, ranging from the Technical Support Working Group (TSWG) program to collaborative studies on SOF forward presence and transformation. I intend to continue to foster this relationship between the two organizations. Through our cooperative efforts, I believe we can continue to be effective in wisely allocating the limited resources entrusted to the command.

Question. What should be the role of the ASD (SO/LIC) in preparation and review of Major Force Program 11 and the Command's Program Objective Memorandum?

Answer. The ASD (SO/LIC) provides overall supervision of the preparation and justification of Special Operations Forces programs and budget. Past Assistant Secretaries for SO/LIC have served, along with Commander, USSOCOM, as co-chair of the Command's Board of Directors, as does the current PDASD (SO/LIC), Marshall Billingslea. In this manner, the ASD (SO/LIC) and the commander participate in every budgetary and programmatic decision involving Special Operations Forces. Representatives from SO/LIC regularly spend a significant amount of time at USSOCOM headquarters in a joint effort to develop the SOF program. This joint effort produces a program that stresses force readiness and sustainability, provides sufficient force structure to meet the demands of the geographic warfighting commanders and Commander, USSOCOM, in his role as a supported commander. This effort also seeks technology programs to ensure SOF capability remains at the cutting edge of technology. If confirmed, I will work closely with the Commander, USSOCOM, to ensure that the annual funding can effectively maintain a ready force to meet the challenges of the new security environment while simultaneously replacing aging and obsolete equipment with systems that will meet the threat well into the next decade.

Question. What is the appropriate role of the ASD (SO/LIC) in the research and development and procurement functions of the Special Operations Command?

Answer. The appropriate role of ASD (SO/LIC) in the acquisition functions of the Special Operations Command is to advise and assist Commander, USSOCOM, in resolving acquisition issues. As the lead OSD official for SOF acquisition matters for the Under Secretary of Defense for Acquisition, Technology and Logistics, ASD (SO/LIC) represents SOF interests within DOD and before Congress. The responsibilities

and relationships between ASD (SO/LIC) and Commander, USSOCOM, are clearly defined and described in a joint Memorandum of Agreement (MOA) that addresses acquisition oversight, including recommendations, advice, and assistance provided to program managers and senior decision makers. SO/LIC representatives participate in working groups, integrated product/process teams, boards, and committees to address issues, make recommendations, and approve programs.

In addition, the ASD (SO/LIC) has considerable responsibility to direct technology development programs that address several mission areas in support of other departmental, interagency, and international requirements as well as SOF. For example, the ASD (SO/LIC) exercises management and technical oversight of the Combating Terrorism Technology Support program. The Combating Terrorism Technology Support program conducts rapid prototyping to meet requirements of the Technical Support Working Group. The Special Operations Command is an active participant and chairs the Tactical Operations subgroup.

Question. What is the appropriate role of the ASD (SO/LIC) in the operational planning of missions that involve Special Operations Forces, whether the supported command is SOCOM or a geographic command?

Answer. According to section 138(b)(4) of Title 10, United States Code, the ASD (SO/LIC) shall have as his principal duty the overall supervision (including oversight of policy and resources) of special operations activities (as defined in section 167(j) of Title 10) and low intensity conflict activities of the Department of Defense. The Assistant Secretary is the principal civilian advisor to the Secretary of Defense on special operations and low intensity conflict matters and (after the Secretary and Deputy Secretary) is the principal special operations and low intensity conflict official within the senior management of the Department of Defense.

EXPANDED ROLES OF UNITED STATES SOCOM

Question. The Secretary of Defense recently announced that USSOCOM would take on additional, expanded responsibilities in the global war on terrorism, as a supported combatant commander, in addition to its more traditional role as a supporting combatant commander.

What role will ASD (SO/LIC) play in the oversight and planning of such missions?

In your view, what types of missions should SOCOM conduct as a supported combatant commander?

What role will ASD (SO/LIC) play in preparing SOCOM for its new role?

Answer. The change from supporting to supported command is a fundamental change in many aspects of the mission of USSOCOM. The oversight, planning and policy role for ASD (SO/LIC) is especially important in that change. The role of SO/LIC and its relationship to the command in that process will remain largely unchanged. If confirmed as ASD (SO/LIC), I will continue to provide advocacy and oversight for the command as it develops the capabilities required to implement these fundamental changes. What is different, however, is the magnitude of the changes and immediate implications for our national security.

The changes in the relationships among the relevant commands that will, in some cases, switch from supported to supporting and vice versa, is likely to require some specific policy changes and guidelines. Additionally, changes within USSOCOM will have to be pursued as well, simply because of the nature of the new responsibilities. As ASD (SO/LIC), I will continue the process of working with SOCOM to evolve its capabilities to meet the responsibilities it has been assigned by the Secretary. Much has been accomplished in the past 2 years, but there is much more to be done.

SPECIAL OPERATIONS MISSIONS

Question. When announcing additional responsibilities for SOCOM, Secretary Rumsfeld indicated that SOCOM may divest itself of some traditional missions, such as foreign military training, that can be conducted by conventional forces.

What current missions, if any, do you believe can and should be divested by SOCOM, and why?

Answer. USSOCOM missions and tasks must evolve to meet the future needs in light of their expanding role in the war on terrorism. USSOCOM's new role as a supported combatant commander for the war on terrorism, including both planning and execution, drives a refocusing of their primary responsibilities and the constraints under which SOF are employed. The Department and USSOCOM are conducting a review of the SOF principal missions and collateral activities to identify those missions and activities that do not require the special skill sets inherent to SOF and could be transitioned to or shared with general purpose forces.

Question. Are there any additional missions that you believe SOCOM should assume, and, if so, why?

Answer. USSOCOM is expanding its role in the war on terrorism. USSOCOM requirements to plan, synchronize, and execute operations on a global scale necessitate a more globally capable SOF through the use of full spectrum integrated SOF. USSOCOM is expanding to directly planning combat missions against terrorist organizations around the world and executing those missions as the supported Command, while maintaining the role of force provider and supporter to the geographic combatant commanders. To meet this challenge, USSOCOM is establishing command and control infrastructures that augment the geographic combatant commanders and investing in programs and systems to improve SOF's speed, precision, lethality, stealth, survivability, and sustainability.

FUTURE OF SPECIAL OPERATIONS

Question. Many believe that the principal threats of the 21st century will be asymmetric, unconventional ones, often emanating from non-state actors.

Since asymmetric, unconventional threats must now be confronted by our conventional forces, what is the future role of special operations? What special threats must SOCOM be focused on for the future?

Answer. As we increasingly face unconventional enemies, we will have to continue to adapt to meet these threats. This is the very type of threat that SOF has for decades been geared to confront, and continues to confront on a daily basis in the war on terrorism.

SOF were called upon to lead Operation Enduring Freedom. In Afghanistan, that effort was waged by less than 500 SOF personnel. They mounted an interagency and combined unconventional warfare effort, tied closely to indigenous forces and linked with the United States Air Force, in a way that provided for a rapid defeat of the Taliban's conventional forces. The operation in Afghanistan was prosecuted by small units that operated with autonomy in a highly fluid environment. It was won by people who could meld with friendly Afghan forces, able to:

- operate without a safety net;
- develop such a rapport that they could trust their security to their Afghan allies;
- live without a huge logistics train to provide equipment and supplies;
- distinguish between combatants and non-combatants in an environment where civilians and fighters, Taliban and non-Taliban, and ex-Taliban, were found together; and
- engineer combined arms operations between U.S. B–52s and the Northern Alliance's Soviet era tanks.

The SOF operator is distinguished from other military personnel by specific skills, extensive overseas experience, ability to work closely with indigenous forces and to train them, ability to blend into the fabric of the society in which he operates, independence and maturity, and an unparalleled degree of training. These Americans truly are one of a kind—each one. That is why there are so few of them. They are one of this Nation's most scarce and precious resources, and they should always be employed with careful consideration.

LESSONS LEARNED

Question. In your view, what have been the most significant lessons learned by Special Operations Forces in recent military operations, and what are the future operational, research and development, and procurement implications of these lessons?

Answer. I understand that a formal military "lessons learned" process for both Afghanistan and Iraq is being conducted by the Joint Staff and will go through Joint Forces Command. That process is not yet complete. From that process and those findings, SO/LIC will develop policy advice and guidance to facilitate or enable new operational constructs for current and future conflicts.

In addition to that formal process, we learned a great deal about the importance of SOF and the best use of their specialized skills. In both Iraq and Afghanistan, SOF demonstrated its utility as both a component of a larger joint and combined force and as a stand-alone force. In particular, SOF's unique expertise in unconventional warfare proved invaluable in Afghanistan and in northern Iraq in bringing local forces to bear against the enemy. As I mentioned earlier, that capability was able to leverage the nationwide situation to our decisive advantage with fewer than 500 U.S. personnel. In both Operation Enduring Freedom and Operation Iraqi Freedom, SOF again demonstrated flexibility, innovation on the fly, improved methods to enhance the effectiveness of extremely sophisticated, long-range weapons—all with a very small footprint. These types of experiences and lessons are what have made SOF into a critical incubator or tester for methods, techniques and equipment

that will make its way into conventional use and enhance combat effectiveness across the Services. The most important investment we make in Special Operations Forces is in the people who comprise SOF—our soldiers, sailors, airmen, marines, and civilians.

SIZE OF SPECIAL OPERATIONS FORCES

Question. The recent successes of Special Operations Forces in Afghanistan and Iraq have led many to advocate a significant increase in the size of Special Operations Forces.

Do you believe that we should increase the number of Special Operations personnel?

Answer. Yes. The Department of Defense directed the USSOCOM to assume an expanded role in the war on terrorism, which necessitates an increase in personnel in specific areas. The President's budget for fiscal year 2004 supported an increase of 2,563 personnel that increases the total end strength in fiscal year 2004 to 49,848 personnel. Over the next 5 years, the Department's recognition that there was a need for more SOF and the Services' cross-walking personnel will grow the force by almost 4,000. This growth primarily supports the manning requirements to wage the global war on terrorism. The increases focus on fixed and rotary-wing aviation, SEAL Teams, Civil Affairs, Psychological Operations, Theater Special Operations Commands, and support to USSOCOM as the supported combatant commander in the war on terrorism.

Question. In your view, can the size of Special Operations Forces be increased significantly if the rigorous admissions standards for these organizations are to be maintained?

Answer. People are the most important component of SOF capability. The SOF operator is one of a kind and cannot be mass-produced. USSOCOM continues to work with the Services to improve recruiting, retention and inventory levels of Special Operations Forces. Special Operations personnel levels remain strong, but new and innovative means must be found to sustain and grow current projected inventories. World events significantly increased public awareness of what Special Operations is all about, consequently raising interest in joining.

Recruiting, training, and retaining SOF will not be without challenges. Several initiatives were implemented over the past year to improve the effectiveness of these efforts. Analysis to date indicates that the command will have the right numbers to sustain the forces the Nation needs. Training instructors and the number of training slots available have increased for Army Special Forces, Civil Affairs, and Psychological Operations. A recruiting initiative was launched in which new Army recruits can sign up for Special Forces directly, rather than awaiting selection from a conventional unit. This is an option that has not been possible since 1988. In addition, special pay and bonuses were implemented to improve retention in highly specialized areas and units.

SOCOM/USMC

Question. In November 2001, the Commandant of the Marine Corps and Commander, USSOCOM, signed a memorandum of agreement aimed at increasing Marine Corps support and cooperation with SOCOM.

What do you believe should be the appropriate relationship between the Marine Corps and SOCOM?

Answer. I believe that the relationship between the Marine Corps and SOF continues to evolve in a very healthy direction. As you noted, for the first time in history, the command and the Marine Corps have established a construct for joint warfighting. A Marine detachment is in a 1-year proof of concept phase that began last fall. On October 1 of this year, we expect this detachment will be fully integrated into a Naval Special Warfare Squadron and serve there on a rotating basis. Additionally, last year, SOF and the Marine Corps began joint wargaming exercises called "Expeditionary Warrior," which focus on cooperation (with naval support) in combating terrorism and counterproliferation contingencies.

As USSOCOM assumes its role as a supported command in the war on terrorism, and can draw on all Services' assets in a theater of operation, the joint capability being established between the Marine Corps and SOF will undoubtedly grow. We can expect that we will realize ways in which such cooperation is possible or even essential. Moreover, I note that events in the field continue to drive the creation of close working relationships between SOF and the Marine Corps, and other conventional units.

COUNTERDRUG/COUNTERTERRORISM MISSIONS

Question. Special Operations Forces have been deeply involved in training forces in Colombia to conduct unified counterdrug-counterterrorism missions.

In your view, what has been the success of training missions in Colombia?

Answer. The success of the training effort is best measured in terms of the unprecedented level of progress being made by President Uribe and the Colombian military in destroying the FARC and ELN terrorist organizations, in eradicating drug cultivation, and in reclaiming Colombia for the people of that great nation. DOD-managed training missions have and continue to provide an excellent opportunity to train the Colombian military as it becomes a professional force that can improve the security of the Colombian people and the respect for the rule of law and human rights. As a result, the Colombian military units that the Department has trained are more effective and respectful of human rights.

Question. Are these appropriate missions for U.S. Special Operations Forces?

Answer. Absolutely. The Department believes that these missions are appropriate for Special Operations Forces. We also execute training missions using non-SOF, such as those of the United States Army and Marine Corps. The Department reviews training requests to ensure that, where appropriate, we employ the right mix of SOF and conventional forces.

Question. What, if any, benefit do unified counterdrug-counterterrorist training missions in Colombia and counterdrug training missions worldwide provide to Special Operations Forces?

Answer. I understand that the training missions in Colombia and, indeed, worldwide, provide excellent opportunities for SOF to work with police and military forces of our friends and allies. As a result, SOF hone their language and cultural skills and their "train the trainer" skills, and take advantage of opportunities to work in countries where the United States seeks to enhance relationships.

COUNTERNARCOTICS POLICY

Question. The Department of Defense has been extensively involved in counternarcotics missions for many years, involving both Active and Reserve component forces.

In your view, what is the appropriate role of the Department of Defense in interdicting illegal drugs bound for the U.S., in reducing drug cultivation, and in reducing demand?

Answer. International, Federal, State, and local law enforcement agencies are responsible for interdiction activities. DOD supports those efforts. For example, the Department provides detection and monitoring support, command, control, communications and intelligence support and training. I believe that the Department should continue to use its unique military skills and assets to support agencies that execute interdiction missions.

Similarly, the Department of Defense does not reduce foreign or domestic drug cultivation. The Department of State, in partnership with our friends and allies, manages drug cultivation programs outside the United States. Federal, State, and local law enforcement agencies manage domestic counter-cultivation programs. DOD, again, provides detection and monitoring support, command, communications, control, and intelligence support and training.

As part of the President's National Drug Control Strategy, the Department executes significant demand reduction programs designed to prevent the use of and treatment for drugs by Service members, civilian employees and our families. The Department continues to review these programs to ensure the efficient use of taxpayer dollars.

STABILITY OPERATIONS

Question. The office of ASD (SO/LIC) is responsible for policy and activities concerning stability operations such as peacekeeping and humanitarian assistance.

What has been the involvement of the office of the ASD (SO/LIC) in the planning and conduct of stability operations in Afghanistan and Iraq?

Answer. I understand that the Stability Operations office within SO/LIC has played a leading role in defining policy with respect to humanitarian assistance, peace operations, reconstruction, and war crimes issues in both Afghanistan and Iraq. From the early phases of both conflicts, the Stability Operations office, in close partnership with Central Command, coordinated the inter-theater delivery of humanitarian daily rations, bottled water, and relief supplies for refugees and other civilians.

In the case of Afghanistan, the Stability Operations office participated in planning for and resourcing the International Security Assistance Force for Kabul, drove formation of the interagency Provincial Reconstruction Teams, and has been the DOD lead office for the fielding of the new Afghan National Army and Afghan Police.

In the case of Iraq, the Stability Operations office has participated in planning and force generation initiatives for the multinational force that will eventually assume security responsibilities throughout the country. The Stability Operations office has also served as a planner and coordinator for humanitarian and reconstruction initiatives under the supervision of the Coalition Provisional Authority in Iraq. In both the Afghanistan and Iraq crises, Stability Operations has worked closely with regional experts in DOD, as well as various offices at the Department of State and the NSC.

Question. Who has had principal responsibility within the Pentagon for the planning and conduct of stability operations in these nations?

Answer. The Office of the Under Secretary of Defense for Policy closely supervises the planning and conduct of stability operations in both Afghanistan and Iraq, providing policy-level oversight and coordination. The Joint Staff, in particular the Directorate for Strategic Plans and Policies (J–5), also plays a critical role in developing plans and operational guidance for the relevant combatant commands. The Stability Operations office has led or assisted other offices in policy such as the Assistant Secretaries of Defense for International Security Affairs and International Security Policy and the Office of the Coalition Provisional Authority, depending upon the specific plan or issue for action. On every issue, the hallmark of SO/LIC work is comprehensive coordination, both within and outside of the Pentagon.

PSYCHOLOGICAL OPERATIONS AND CIVIL AFFAIRS

Question. Psychological operations (PSYOPs) and civil affairs (CA) have played prominent roles in recent military operations, from the Balkans to Afghanistan to Iraq. Most U.S. PSYOPs and CA units and capabilities are in our Reserve components.

In your view, do the Armed Forces have sufficient personnel and other assets to conduct the range of PSYOPs and CA missions being asked of them?

Answer. Since the start of the global war on terrorism, PSYOPs and CA forces have made extraordinary contributions to the security of the United States, and to the reconstruction of Afghanistan and Iraq.

There is a well-documented and urgent need to enhance PSYOPs capabilities to penetrate denied areas and to win the "war of ideas." This vital requirement will be accomplished by transformation of PSYOPs both in personnel and equipment. Planned increases in PSYOPs active component forces include the addition of two regional and one tactical PSYOPs companies. The Reserve components will receive an additional four regional PSYOPs companies.

Modernization and transformation of PSYOPs equipment is at a critical juncture. Significant investment has already been made to modernize production, distribution, and dissemination means. More importantly, additional investments are concentrating on developing transformational dissemination capabilities that will allow us to get our messages to previously inaccessible areas. While much has already been done, I envision additional PSYOPs transformational programs will be developed, especially in the areas of satellite and UAV technologies.

Army CA forces have sustained a high operations tempo for several years now, and personnel strength is a concern. Long before the events of September 11, a plan was introduced to address the expanded utilization of Army CA forces.

The most important parts of that plan include the addition of 4 Reserve component battalions, and 84 positions to the lone active duty CA battalion—the 96th—in the U.S. Army. During the 2½ years since the plan was developed, the 96th Civil Affairs Battalion has received the authorization for its additional staff. From the Reserve component, one of the four CA battalions has come on line, with the second to follow shortly. The two remaining new battalions are scheduled to be activated in calendar years 2004 and 2005, respectively.

If confirmed by the Senate, I would support the continued implementation of this plan. Given the unprecedented pace of deployment in support of the global war on terrorism, it may also be necessary to increase the force size and structure of the active component CA units to provide a greater capability to respond to emerging, near-term requirements without requiring mobilizing Reserve CA forces.

Question. In your view, is the planned mix of active and Reserve components adequate in these areas?

Answer. With regard to PSYOPs, the mix of active and Reserve components must be reviewed frequently to ensure that the force structure can respond to national

requirements. Additionally, annual assessments must be completed to match national strategies from a regional perspective.

Approximately 97 percent of the CA forces are drawn from the Reserve component. There is no "correct" proportion between active and Reserve components, but the overwhelming majority of the CA personnel should continue to come from the Reserve component. This fact will enable the combatant commander to take advantage of the reservist's civilian expertise in areas such as civil administration, public safety, and economics and commerce.

TRAINING CAPABILITY

Question. The ability of special forces personnel to train realistically is of vital importance.

What capabilities do you consider most important for effective training of SOF personnel?

Answer. Much of what makes SOF personnel special or unique is the training. Most of it is very intense and very specialized. The skills, however, are perishable over time and with attrition and must constantly be pursued. I believe four elements contribute to the critical training necessary to maintain SOF.

First, SOF needs realistic combat training environs. This includes ranges that support realistic, live-fire training. It also requires the integration of modern weapons and techniques on a large scale, including ground, sea, and air assets. Realistic urban combat training facilities are of increasing and obvious importance. Less obvious but essential is training access in real (actual) critical infrastructure facilities, be it a nuclear plant or a major port. Ranges and simulated facilities cannot replicate the complexities found in actual structures.

Second, SOF requires adequate mission planning and rehearsal systems. Systems that afford the operator the ability to integrate real-time information into operations planning and rehearsal provide virtual "eyes on target" to enhance mission success. For aviators, mission rehearsal systems must provide the ability to fly the route, evade the threat and hit the target before actual mission execution.

Third, SOF must have worldwide access and exposure. This includes Joint Combined Exchange Training (JCET), humanitarian de-mining programs, and counterdrug cooperation. Language training is an essential part of this effort. These programs are essential to maintain the unique SOF skills and knowledge that proved so decisive in Afghanistan and elsewhere.

Finally, SOF must maintain a robust capability for selection and training of SOF personnel. Selection criteria, faculty and curricula must be maintained to the highest standards in order to find and produce SOF personnel cut from the right cloth. The skills that set SOF apart and that make them so important to the national defense are perishable and must be continually reinforced and maintained at the highest possible levels. Standards must not be reduced.

Training and experience have the greatest long-term effect on SOF capabilities. In order to maintain strategic flexibility and maximize the likelihood of operational success, SOF will continue to "train for certainty, educate for uncertainty." There is no substitute for tough, realistic training.

Question. What improvements are necessary, in your view, to enhance training for SOF personnel?

Answer. In my opinion, critical improvements include access and support for infrastructure facilities (ranges) to conduct realistic training. Additionally, language training is essential for the SOF operator. Identifying new and innovative methodologies for maintaining language proficiency continue to be a challenge.

Question. What, if any, training benefits accrue to SOF from training foreign military personnel?

Answer. Depending upon the nature of the training mission, there can be substantial benefit. The JCET program is one of the most valuable tools the DOD has to train SOF overseas and to maintain SOF readiness at the highest possible level. JCET ensures critical SOF readiness regarding regional language, culture, combat operations, combat support operations, and instructor skills. JCET also sharpens critical SOF skills to support coalition operations, peacekeeping training, and noncombatant evacuation. When we deploy joint special operations task forces they must possess the strategic adaptability to operate globally and the tactical precision required for sensitive operations with far-reaching political consequences. This can be accomplished only by having intelligent, experienced, mature, and resourceful personnel—armed with cross-cultural communications skills—to interact successfully with U.S. country teams, other government agencies, non-government organizations and foreign indigenous military organizations. JCET activities are a principal means of developing and sustaining these skills.

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, 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 Assistant Secretary of Defense for Special Operations and Low Intensity Conflict?

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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN WARNER

SPECIAL OPERATIONS CHAIN OF COMMAND

1. Senator WARNER. Mr. O'Connell, the United States Special Operations Command's new role as a supported combatant commander will require a refocusing of the command's primary responsibilities and the constraints under which Special Operations Forces are employed. Each regional combatant command includes a sub-unified command for special operations providing operational direction and control of special operations. If confirmed, how would you anticipate exercising your oversight responsibilities over all special operations activities, given the increasingly complex network of Special Operations Commands?

Mr. O'CONNELL. While each geographic combatant command has a sub-unified command, commonly called the Theater Special Operations Command (TSOC), they are not independent operators. The majority of their activities and operations are conducted under the operational command of the combatant commander. I would exercise my oversight responsibilities in part through the existing process of coordination and approval of training, exercise, and operational deployments. My office reviews and recommends approval on all such activities. This same construct applies to those occasional activities and operations that might be under the operational command of the Commander, United States Special Operations Command.

PSYCHOLOGICAL OPERATIONS AND CIVIL AFFAIRS

2. Senator WARNER. Mr. O'Connell, you underscored in your policy question answers the unique contribution of PSYOPs forces and the high operations tempo that personnel in this specialty have experienced for several years. Please explain the plan for active duty and Reserve Forces aimed at reducing the stress on PSYOPs and CA personnel.

Mr. O'CONNELL. The Department's current force structure plan includes increases in both PSYOPs and CA units. Over the next couple of years we will add two active component regional PSYOPs companies, four Reserve component regional PSYOPs companies, two active component CA companies, and two Reserve component general purpose CA battalions. These planned increases will mitigate some of the high operations tempo that PSYOPs and CA forces have experienced over the past few years. We will continue to analyze force structure requirements to ensure that we can sustain current and anticipated future operational tempo with available forces.

3. Senator WARNER. Mr. O'Connell, are you concerned that too heavy reliance—currently 97 percent—is being placed on the Reserve component and not enough on the Active Forces?

Mr. O'CONNELL. The PSYOPs and CA Reserve component force structure is being used to meet surge and long term rotational requirements. The high percentage of the force structure in the Reserve component provides strategic depth in our man-

power resources to meet these requirements. The Active Force is equally engaged in continuing operations that require quicker responses than available through mobilization of the Reserve components. The combination of Reserve and Active component forces gives us operational flexibility to meet both immediate and long term requirements. We will continue to analyze current and anticipated future operational requirements to ensure that there is the right mix of the two components in the force structure to meet the Department's needs and provide operation tempo.

COUNTERDRUG ACTIVITIES

4. Senator WARNER. Mr. O'Connell, the Department has requested authority to expand counterdrug activities into certain Andean Ridge and Asian nations in an effort to encourage nations in these regions to disrupt cultivation and interdict transit of narcotics in these areas. What is your view on the need and value of expanding counterdrug activities in this manner?

Mr. O'CONNELL. Section 1033 of the National Defense Authorization Act for Fiscal Year 1998, as amended,[1] authorized the Department of Defense, during fiscal years 1999 through 2002, to provide specific types of support to the Governments of Peru and Colombia, at a level not to exceed $20.0 million. It has proved to be a responsive and effective authority for supporting interdiction efforts in Colombia and Peru and it could be extremely useful to bolster security efforts in the Andean Ridge and in Afghanistan and the surrounding region.

The proposed legislation recognizes that DOD supports countries that are key in our national drug strategy and the defense security cooperation goals. An enhanced interdiction capability for these nations is critical to our combined efforts to stem the flow of illicit drugs, attack a source of terrorist funding, and reduce the threat to struggling democracies. By working with the security forces of these countries, DOD receives access to host nation information that is useful for not only tracking illicit drugs, but also terrorists and weapons of mass destruction.

The proposed legislation expands the nature of support to include additional types of equipment and supplies that will sustain and reinforce previously provided training and other support, to enable these countries to combat drug traffickers.

The inclusion of Afghanistan, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan is a result of the September 11, 2001, attack on the United States and the recognition that drug trafficking is an important source of funds for many terrorist groups. Disrupting drug trafficking in Afghanistan and the surrounding region is also critical for establishing a stable government in Afghanistan, which will increase the chance for peace in the region.

The inclusion of Ecuador as a covered country will bolster that country at a time when drug traffickers will be looking for new venues in which to avoid the counterdrug pressure in Colombia. This is appropriate since Ecuador, in spite of its internal difficulties, assumed its role in the regional struggle against drug traffickers by providing the United States long-term access to its airbase at Manta.

The expanded authority also provides for upgrading as well as maintaining and repairing the equipment of these governments that is used for counterdrug activities. For example, DOD could provide enhancements to Colombia's and Peru's aerial interdiction fleet to make them more effective. It specifically provides for sustainment cost, including ammunition for nations willing to do more interdiction, but who may not be able to pay for it. The expanded authority doubles dollar authority to accommodate four times as many countries being supported, and it deletes references to the term "riverine" in recognition of the fact that host nation counterdrug activities are not limited to riverine operations.

PEACEKEEPING AND HUMANITARIAN ASSISTANCE

5. Senator WARNER. Mr. O'Connell, peacekeeping and humanitarian assistance planning and policy had been an important part of the ASD (SO/LIC) portfolio of responsibilities. Post-conflict planning and conduct of stability operations and humanitarian assistance have been handled by other elements of DOD in Operation Iraqi Freedom. What role do you see for ASD (SO/LIC) in future peacekeeping, stability operations, and humanitarian assistance operations?

Mr. O'CONNELL. Due to unique conditions relating to the planning and conduct of Operation Iraqi Freedom, an ad hoc organization, the Office of Reconstruction and Humanitarian Assistance (ORHA), which later became the Coalition Provisional Au-

[1] Public Law No. 105–85, Nov. 18, 1997, amended by § 1021, National Defense Authorization Act for Fiscal Year 2001, (Pub. L. No. 106–398)

thority (CPA), was indeed established under DOD authority at the Pentagon, and deployed forward to Kuwait and then Iraq to coordinate relief and reconstruction activities. SO/LIC's Office of Stability Operations was linked closely with ORHA/CPA's planning efforts from the very beginning, and is now the Office of the Under Secretary of Defense for Policy's lead office for a number of CPA's programs in Iraq. (The Stability Operations office contributed, in fact, four of its eight assigned military personnel to deploy forward with the ORHA organization.)

As in planning and determination of policy for all peacekeeping and humanitarian operations, the Stability Operations office has worked closely with the appropriate regional office within the Policy Under Secretariat (in this case ISA Near East/South Asia), with the Joint Staff, and with the staff of the responsible combatant commander, in planning for these phases of Operation Iraqi Freedom. I fully expect that the role of SO/LIC and the Stability Operations office will continue in this manner for future peacekeeping, stability operations, and humanitarian assistance missions.

SPECIAL OPERATIONS FORCES

6. Senator WARNER. Mr. O'Connell, Special Operations Forces have clearly distinguished themselves in Operations Enduring Freedom and Iraqi Freedom. Many have called for increasing the size and scope of our Special Operations Forces. What is your view concerning increasing the size of Special Operations Forces?

Mr. O'CONNELL. Over the next 5 years, there will be an increase in the number of personnel assigned to the United States Special Operations Command (USSOCOM). Some will bolster SOF aviation capabilities; others will enhance the ability of USSOCOM to perform as a supported command for the war on terrorism. We also look forward to certain increases in SOF, such as an additional SEAL team. At the same time, SOF cannot be created overnight. Special operators often spend years in conventional forces before they can apply and qualify for SOF. Creation of SOF therefore requires considerable time and effort on everyone's part, making long-term retention an equally important issue. At least as important as overall increases in the manpower assigned to USSOCOM are the quality, training, and readiness of the personnel they have today.

7. Senator WARNER. Mr. O'Connell, what aspects of SOCOM capabilities should be expanded?

Mr. O'CONNELL. The Secretary of Defense has directed USSOCOM to become a supported command for the war on terrorism. In the past, USSOCOM has been a force provider, so this requires changes in organization and staffing to allow it to perform new battle staff duties. In addition, USSOCOM's ability to undertake what we call "operational preparation of the battlespace" needs to be expanded, both for the war on terrorism and to enhance SOF's ability to support U.S. and allied conventional forces in campaigns such as Operation Enduring Freedom and Operation Iraqi Freedom. This in turn calls for increased numbers of people with language capabilities in areas where we can expect crises to occur and SOF to be employed in the years ahead.

8. Senator WARNER. Mr. O'Connell, what additional roles do you feel SOCOM should assume?

Mr. O'CONNELL. There are approximately 46,000 personnel under USSOCOM today, not a great number considering its global responsibilities. USSOCOM has a set of core missions which go to the heart of campaigns like Operation Enduring Freedom and Operation Iraqi Freedom, and also of the ongoing war on terrorism. In addition to these core missions, however, USSOCOM also has a range of collateral missions which Special Operations Forces are frequently called upon to perform. Some of those can also be performed by U.S. conventional forces, and at the present time the Department of Defense is studying which collateral missions can be assumed by others, to allow USSOCOM to concentrate upon its core missions. This study's recommendations are being reviewed at the present time.

9. Senator WARNER. Mr. O'Connell, what role do you see for the U.S. Marine Corps in SOCOM?

Mr. O'CONNELL. The United States Marine Corps (USMC) did not place any units under USSOCOM when the command was created in 1986, although in recent years Marine Corps officers have served at USSOCOM headquarters and component headquarters staffs. In the past year, USSOCOM and USMC have worked together on interoperability in various areas, and also on a first-time USMC force contribution

to USSOCOM based on its force reconnaissance capabilities. The latter, designated the USMC USSOCOM Detachment, is nearing the end of a "proof of concept" year with Naval Special Warfare Group. USSOCOM also participates in "Expeditionary Warrior," an ongoing set of USMC war games exploring how USMC units and Special Operations Forces can cooperate in a range of contingencies.

[The nomination reference of Thomas W. O'Connell follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 1, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Thomas W. O'Connell of Virginia, to be an Assistant Secretary of Defense, vice Brian E. Sheridan.

[The biographical sketch of Thomas W. O'Connell, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF THOMAS W. O'CONNELL

A 1968 distinguished military graduate of the University of Rhode Island with a BA in Economics, Mr. O'Connell began his career as an infantry officer in Germany. He served in Southeast Asia as a field advisor to Vietnamese forces including duties with the Phoenix Program. Mr. O'Connell was assigned as an instructor in Combat Intelligence at the Army's Intelligence Center and School at Ft. Huachuca, Arizona, prior to spending 3 years in the 82nd Airborne Division at Ft. Bragg, North Carolina as an intelligence officer at battalion, brigade, and division levels. During attendance at the Army's Command and General Staff College, he earned a Management MA from Central Michigan University.

Mr. O'Connell then spent 2 years on exchange duty with the British Army at the Joint Intelligence Centre in England, where he commanded the Foreign Armed Services Branch. From 1980 to 1983, he was the Senior Intelligence Officer for a U.S. Army Special Mission Unit. He then commanded the 313th Military Intelligence Battalion of the 82nd Airborne Division for 2 years, followed by attendance at the Naval War College, graduating with highest distinction and completing a Masters Degree in International Relations.

He returned to Ft. Bragg as the Director of Intelligence (J2), Joint Special Operations Command, and continued in the Special Operations Intelligence field with a 2½ year brigade command of an Army Special Mission Unit.

After a brief Pentagon assignment in the U.S. Special Operations Command's Washington Office, he served 3 years at the Central Intelligence Agency as Deputy for Command Support, retiring in October 1995. Mr. O'Connell's career included participation in four conflict arenas of Vietnam, Grenada, Panama, and Southwest Asia and various assignments in 33 countries. He holds a Master Parachutist rating and received numerous awards including the Defense Superior Service Medal, the Legion of Merit, the Bronze Star for Valor, the Purple Heart, and Air Medal.

He is currently a Senior Manager for Raytheon Company. He recently participated in Defense Science Board Task Forces, and has served as a frequent Task Force member of the President's National Security Telecommunications Advisory Committee.

Mr. O'Connell and his wife Patricia, a marketing executive at Mount Vernon Estate, have two sons, both in the military.

[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 Thomas W. O'Connell 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 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.)
Thomas W. O'Connell.

2. **Position to which nominated:**
Assistant Secretary of Defense (Special Operations/Low Intensity Conflict).

3. **Date of nomination:**
May 1, 2003.

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:**
July 30, 1946; Great Barrington, MA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Patricia Ledew O'Connell.

7. **Names and ages of children:**
Andrew T. O'Connell, 30.
Kevin P. O'Connell, 27.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Rogers High School, Newport RI, 1961–1964, HS Degree, College Prep. (1964).
University of Rhode Island, 1964–1968, BA, Economics (1968).
U.S. Army Command and General Staff College, Ft. Leavenworth, KS, 1977–1978, Diploma (1978).
Central Michigan University, 1977–1978, MA, Management/Public Admin. (1978).
U.S. Navy War College, Newport, RI, 1986–1987, MA, National Security and International Relations.

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.
October 1995–Present, Senior Manager, Raytheon Company, Intelligence and Information Systems, (previously Electrospace Systems, Chrysler Technology Company, and previously Raytheon E-Systems), 1235 Jefferson Davis Highway, Arlington, VA, 22022.
July 1992–0ctober 1995, Colonel, U.S. Army, Deputy Chief Command Support, Office of Military Affairs, Central Intelligence Agency, McLean, VA.
July 1991–July 1992, Colonel, U.S. Army, Deputy Director, United States Special Operations Command Washington Office, Pentagon, Washington, DC.
February 1989–July 1991, Colonel, U.S. Army Brigade Commander, U.S. Army Intelligence and Security Command, Fort Belvoir, VA.
June 1986–February 1989, Lieutenant Colonel/Colonel, U.S. Army, Director of Intelligence (J2), Joint Special Operations Command, Fort Bragg, NC.

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.

Special Terrorism Security Assessment, State of Rhode Island, 1987 (as part of Naval War College Study).

Defense Science Board Task Force on Transnational Threats.

President's National Security Telecommunications Advisory Committee, Member of Task Forces, Industry Executive Subcommittee Alternate Member, Raytheon Company (pro bono).

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.

Senior Manager, Raytheon Company, Intelligence and Information Systems, 1235 Jefferson Davis Highway, Suite 800, Arlington, VA 22202.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Member, Army Navy Country Club, Arlington, VA since 1995.

Member, Armed Forces Communications Electronics Association since 1995.

Member, Association of the United States Army since 1968.

Member, Old Crows Association since 1995 (Professional Electronic Warfare Association).

Member, Republican Senatorial Task Force, 2002.

Republican Presidential Task Force, 2000.

Virginia Republican Party, 2003. Donor and membership.

Phi Gamma Delta Fraternity, University of Rhode Island, 1965–1968 (President, Treasurer).

Alumni Association, University of Rhode Island.

Member, Special Operations Warrior Foundation (Scholarships for Children of Deceased Special Operations Personnel).

Member, All Ranks Association, Delta Force, and Unit Scholarship Fund.

Member, Fort Belvoir Parish, Roman Catholic Church.

Member, Board of Directors, Special Operations Division, National Defense Industrial Association since 2000.

Volunteer, National Leukemia and Lymphoma Society, 2000–2003.

Member, Mount Vernon Civic Association (Neighborhood, since 1996).

Member, Legal and Regulatory Task Force, Presidents National Security Telecommunications Advisory Commission, 2002–present. Participation as a member in other NSTAC Task Forces on a pro-bono basis for Raytheon Company from 1998–2003.

Member, Security Affairs Support Association.

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.

Member, Republican Presidential Task Force, 2000.

Member, Republican Senatorial Task Force, 2000, 2002.

Member, Republican Party of Virginia, 2002, 2003.

(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.

Raytheon Political Action Committee 1998–2002, $400.

Republican Presidential Task Force, $100.

Republican Senatorial Task Force, $100.

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.
- Legion of Merit (2).
- Bronze Star Medal (Valor).
- Bronze Star Medal (2).
- Purple Heart.
- Defense Meritorious Service Medal.
- Meritorious Service Medal (3).

- Air Medal.
- Joint Service Commendation Medal.
- Army Commendation Medal (Valor) 2.
- Army Commendation Medal (2).
- Army Achievement Medal.
- Vietnam Service Medal.
- Vietnam Campaign Medal.
- South West Asia Campaign Medal.
- Army Service Medal.
- National Defense Service Medal (2).
- Humanitarian Service Medal.
- Overseas Service Medal.
- Republic of Vietnam Gallantry Cross.
- Expert Infantry Badge.
- Master Parachutist Badge.
- Joint Meritorious Unit Award.
- Army Superior Unit Award.

Other

- National Honor Society.
- Rhode Island Honor Society.
- Naval War College (Distinguished Honor Graduate).
- Exceptional Performance Award, Central Intelligence Agency.
- Outstanding Achievement Award, Raytheon Company.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Farewell Article, The Rose, Magazine of the Intelligence Corps of the British Army, 1980.

"Leadership in Retrospect", Military Intelligence Magazine, U.S. Army Intelligence Center and School, 1985.

82d Airborne Long Range Reconnaissance in WWII, 1984 Paraglide, Fort Bragg, NC.

Letter to the Editor, Proceedings Magazine, Naval Institute Press, 2000.

Defense Intelligence Journal, Preparing America's Leaders—Intelligence Symposium, Joint Military Intelligence College Foundation, 2002.

Numerous official and classified reports written in conjunction with military duties, 1968–1995.

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.

I have no copies of formal speeches. I have presided over or participated in numerous professional development panels as a member of industry including the National Defense Industrial Association Special Operations Division, the Association of the U.S. Army and have participated in informal presentations at the American Enterprise Institute, Washington, DC.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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.

THOMAS W. O'CONNELL.

This 6th day of May, 2003.

[The nomination of Thomas W. O'Connell was reported to the Senate by Chairman Warner on July 16, 2003, with the rec-

ommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 21, 2003.]

[Prepared questions submitted to Paul M. Longsworth, by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. What is your understanding of the duties and functions of the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. The duties of the Deputy Administrator for Defense Nuclear Nonproliferation include preventing the spread of materials, technology, and expertise relating to weapons of mass destruction; detecting the proliferation of weapons of mass destruction worldwide; eliminating inventories of surplus fissile materials usable for nuclear weapons; and providing for international nuclear safety.

Question. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I have over 17 years of experience working with the Department of Energy and its national laboratory system. As a Federal employee, I have participated in every phase of the Federal procurement and budget process, and have managed both programs and people at the DOE. My work with the Russian Ministry of Atomic Energy (and its predecessor agency during the Soviet era, the Ministry of Atomic Power and Industry) dates back to 1989, when I helped the Department of Energy craft the first cooperative agreement on environmental restoration and waste management. While serving as a professional staff member on the Senate Armed Services Committee, I was responsible for advising the Chairman on DOE oversight, budget, and policy matters. During the past 2½ years, I have served as the Senior Policy Advisor to the Secretary of Energy for National Security and the former Soviet Union. In this capacity, I have participated in reviewing and advising the Secretary on re-shaping the nonproliferation programs of the National Nuclear Security Administration in order to accelerate and expand their scope to rapidly address the most urgent threats.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. No, not at this time. I feel confident that my past experiences have prepared me well to carry out the duties of the Deputy Administrator for Defense Nuclear Nonproliferation.

Question. Assuming you are confirmed, what duties and functions do you expect that the Administrator of the National Nuclear Security Administration would prescribe for you?

Answer. I anticipate that the Administrator would authorize me to carry out fully all the programs of the Office of Defense Nuclear Nonproliferation to support and implement the policies of the President. He has not indicated that he intends to prescribe any additional duties or functions other than those enumerated in the NNSA Act.

Question. If confirmed, how would you work with the following:

Other Deputies in the NNSA

Answer. If confirmed, I intend to work closely with the other NNSA Deputy Administrators and the Associate Deputy Administrators on crosscutting programmatic issues such as budgets, security, counterintelligence, personnel, and procurement. The NNSA Administrator has established a Management Council to coordinate policy, financial, and other management issues. This Council has been very effective in establishing cohesion among the NNSA program offices and I intend to participate actively in its deliberations.

Question. The Assistant Secretary for Environmental Management

Answer. The Office of Defense Nuclear Nonproliferation has no waste management or storage facilities of its own. As a result, many aspects of the Office's Fissile Materials Disposition program must be coordinated with the Office of Environmental Management to ensure that the Mixed Oxide (MOX) fuel program remains on schedule and within cost. If confirmed, I intend to work through the NNSA Administrator to establish cooperative and productive working relationship with Office of Environmental Management.

Question. Other Assistant Secretaries of the Department of Energy

Answer. If confirmed, I intend to work through the NNSA Administrator to establish cooperative working relationships with other Assistant Secretaries of the Department of Energy, where necessary, to ensure that overall departmental missions are met.

Question. Heads of relevant nonproliferation offices at the Departments of Defense and State

Answer. The Office of Nonproliferation has good working relationships with the nonproliferation staffs of the National Security Council and the Departments of State and Defense. In my current capacity as Senior Policy Advisor to the Secretary of Energy, I work closely with these parties on a wide range of nonproliferation and national security issues. If confirmed, I would work to continue the existing partnerships with those organizations and try to improve them where possible.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. The principal challenge confronting the Deputy Administrator will be improving Russia's ability to more effectively utilize NNSA threat reduction funding. A longer term challenge is determining how best to reallocate NNSA resources and capabilities to address evolving proliferation threats outside the former Soviet Union.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. Improving Russia's ability to more effectively utilize NNSA threat reduction funding will require a number of steps, including working with the Russian Ministry of Atomic Energy to improve contract review procedures, streamline access at MinAtom and other sites, and breaking down other barriers that hinder NNSA-funded activities. The Administrator has identified the need to address evolving proliferation threats outside the former Soviet Union. The effort to characterize and respond to these threats will be an ongoing effort for the Office of Defense Nuclear Nonproliferation.

Question. What do you consider to be the most serious problems in the performance of the functions of the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. The most serious management problems facing the Deputy Administrator are: (1) establishing a program management system for the Office of Defense Nuclear Nonproliferation; (2) recruiting and retaining skilled staff capable of carrying the diverse mission of the Office; and (3) continuing to improve the rates at which authorized funds are costed and obligated.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I will work with the Associate Administrator for Management and Administration to ensure the full implementation of a program management system which is compatible with the Five Year Nuclear Security Plan (FYNSP) and the Planning, Budgeting, Programming, Budgeting and Evaluation (PBP&E) system within NNSA. I will work to continue the Nonproliferation Graduate Internship Program and other mentoring programs. I will also work with the contractors and program managers who execute programs in Russia to find ways to improve the rates at which funds are costed and obligated.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. The threat that nuclear materials, technology, or know-how might fall into the hands of a terrorist organization remains unacceptably high. Programs carried out by the Office of Defense Nuclear Nonproliferation continue to work down this threat, but the threat is an expanding and evolving one. If confirmed as the Deputy Administrator, my highest priority will be to complete the task of securing the nuclear weapons complex in Russia and the former Soviet Union, while preparing to address the new threats that arise in other regions of the world.

NATIONAL STRATEGY TO COMBAT WEAPONS OF MASS DESTRUCTION

Question. According to the National Strategy to Combat Weapons of Mass Destruction of 2002, "strengthening nonproliferation to combat weapons of mass destruction proliferation" is one of the three principal pillars of U.S. national security strategy. In this regard, the National Strategy states that "we will identify and pur-

sue new methods of prevention, such as national criminalization of proliferation activities and expanded safety and security measures."

If confirmed as Deputy Administrator for Defense Nuclear Nonproliferation, what steps would you propose to provide "new methods of prevention" and "expanded safety and security measures"?

Answer. If confirmed, I will continue to support the broad U.S. effort to establish new methods of preventing transfers of WMD materials, technology, and expertise. Such efforts would include: (1) working with the IAEA to strengthen its existing safeguards capabilities; (2) working with members of the Nuclear Suppliers Group to strengthen and enhance existing safeguards efforts; and (3) assessing ways to update and strengthen existing export control measures.

GENERAL ACCOUNTING OFFICE (GAO) REPORT

Question. According to the March 2003 GAO report, Weapons of Mass Destruction: Additional Russian Cooperation Needed to Facilitate U.S. Efforts to Improve Security at Russian Sites, the Department of Energy "plans to help secure Russia's weapons-usable nuclear material by 2008; however the department lacks access to many sites. As a result, most of [the department's] expenditures in the past 2 years went to functions other than securing buildings, such as maintaining previously installed equipment and developing nuclear security regulations."

If confirmed, what steps would you take to address these continuing problems in Russia?

Answer. If confirmed, I will continue to press my Russian counterparts to expeditiously address the issue of access to Russian sites. Such efforts would include finding ways to mitigate Russian security concerns while improving the access necessary for U.S. experts to confirm that work was completed. I will also continue to work closely with the NNSA Administrator, the Secretary of Energy, and the Department of State to ensure our concerns are raised to the highest levels in the Russian government.

BAKER-CUTLER TASK FORCE

Question. The Baker-Cutler Task Force Report of 2001, A Report Card on the Department of Energy's Nonproliferation Programs with Russia, stated that the task force observed "impediments to DOE program implementation that should be addressed on an urgent basis. Many of these seem to revolve around restrictions on international travel stemming from both DOE international regulations and procedures in other U.S. Government agencies. These restrictions appear to have created unnecessary paperwork and bureaucratic impediments. They hinder DOE's ability to supervise work in the nonproliferation programs, maintain the pace of projects, and ensure that funds are used appropriately."

If confirmed, what management improvements would you propose to address the impediments to program implementation, including the "urgent" problem with the international travel process within the Office of Defense Nuclear Nonproliferation, identified by the Baker-Cutler Task Force?

Answer. For the most part, the problems identified in the January 2001 Baker-Cutler report have been eliminated and do not pose any appreciable impediment to the pace of work being carried out in Russia. However, the Russian government has placed new restrictions on travelers entering the Russian Federation. These new restrictions will take effect later this year and could have an adverse impact on the ability of U.S. experts to travel to Russia.

HARVARD UNIVERSITY REPORT

Question. According to the March 2003 Harvard University report, Controlling Nuclear Warheads and Materials: A Report Card and Action Plan, "It is crucial that the United States and the other countries involved provide the financial and personnel resources needed to secure the world's stockpiles of nuclear weapons and materials, and to accomplish the other steps needed to block the terrorist pathway to the bomb, as rapidly as these jobs can be done. As noted earlier, the available budgets are now large enough, and the non-monetary obstacles substantial enough, that simply adding money to existing programs, while making no other changes, would in most cases do little to strengthen or accelerate these efforts."

What is your view of this perspective, and what changes, if any, would you make to strengthen or accelerate these programs?

Answer. My view of the above statement is that it is fundamentally correct. The greatest challenge facing U.S. threat reduction programs in Russia is not the level of funding, it is the Russian's ability to utilize funding from U.S. and other sources for these threat reduction programs.

The March 2003 Harvard University report on Controlling Nuclear Warheads and Materials contains several innovative and actionable recommendations to both strengthen and accelerate NNSA's threat reduction programs in Russia; however, most of the report's specific recommendations were being implemented prior to its publication. For example, the G–8 Global Partnership Against the Spread of Weapons of Mass Destruction was established in June of last year and will provide more than $20 billion over 10 years to address proliferation concerns in Russia.

NEED FOR FINANCIAL MANAGEMENT IMPROVEMENTS

Question. At present, DOE's Defense Nuclear Nonproliferation programs are averaging uncosted balances of almost 50 percent of the programs' total appropriated budget. The DOE-wide average is 15 percent.

If confirmed, what management initiatives would you propose to lower the level of uncosted balances for all DOE Defense Nuclear Nonproliferation programs?

Answer. Uncosted balances reached a high of 48 percent in fiscal year 2002 because of several unique circumstances. Among these were the government-wide nonproliferation review conducted by the National Security Council in 2001, the post-September 11 travel freeze, and an influx of supplemental funding provided by Congress late in the fiscal year. Clearly, NNSA's Nonproliferation program cannot sustain uncosted balances of 50 percent. If confirmed, I will work aggressively to draw down uncosted balances in the Office of Defense Nuclear Nonproliferation to the lowest practical level.

PROLIFERATION DETECTION

Question. Early detection of proliferation activities has never been more critical. The Nonproliferation and Verification Research and Development program in the Office of Defense Nuclear Nonproliferation plays a key role in conducting applied research to develop near and long-term nuclear proliferation detection systems that can provide policymakers with timely information to curtail such activities.

If confirmed, what efforts would you undertake to ensure that technologies developed in this area would support the nonproliferation programs within the Office Defense Nuclear Nonproliferation, as well as related programs at the Department of Defense?

Answer. The Verification Research and Development program plays a pivotal role in the broader interagency community concerned with detecting, deterring, and attributing proliferation throughout the world. The work carried out by this office, in many areas, represents the cutting edge of technology. I strongly support these activities and will ensure that they are integrated with and supportive of the activities of the Department of Defense and other relevant Federal agencies.

NUCLEAR EXPLOSIONS MONITORING

Question. Do you believe that the United States' existing nuclear explosions monitoring capabilities are sufficient to deter and detect any nuclear explosions?

Answer. No. Current U.S. nuclear explosions monitoring capabilities are sufficient to detect, and therefore deter, most postulated testing scenarios. However, the technological capability to remotely detect and attribute all possible tests, particularly certain evasive or clandestine test scenarios, is not adequate.

Question. What additional steps, if any, do you believe should be taken by the Office of Defense Nuclear Nonproliferation to enhance U.S. nuclear explosions monitoring capabilities?

Answer. The Office of Defense Nuclear Nonproliferation has a vigorous research and development program to address this deficiency. If confirmed, I will fully support continued R&D in this area to ensure that U.S. capabilities keep pace with emerging threats.

FISSILE MATERIALS DISPOSITION

Question. In your view, does the MOX program continue to advance the nonproliferation goal of reducing weapons grade plutonium in the United States and in Russia?

Answer. Yes. The Office of Defense Nuclear Nonproliferation is responsible for—among other things—detecting, securing, and eliminating surplus fissile materials that pose a risk to the U.S. or its allies. The MOX fuel program is the only cooperative U.S.-Russian program to permanently eliminate weapons-usable plutonium. This must remain one of our highest objectives in the effort to stem the threats posed by weapons of mass destruction.

Question. Do you support accelerating the highly enriched uranium program?

Answer. Yes. I support U.S. efforts to accelerate the blending down of weapons-origin highly-enriched uranium (HeU) in Russia. The U.S.-Russia Highly Enriched Uranium Purchase Agreement converts Russian weapons-origin HeU into nuclear reactor fuel. Both the U.S. and Russia have designated commercial parties to carry out that agreement, which results in the blend-down and import into the U.S. of about 30 metric tons of Russia uranium each year. Increasing the rate at which Russian weapons-origin HeU is blended down—and therefore no longer attractive to terrorists—is very important. However, it must be done in a manner that does not adversely affect the international uranium market.

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 Deputy Administrator for Defense Nuclear Nonproliferation?

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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR DANIEL K. AKAKA

ACCESS TO RUSSIAN SITES

1. Senator AKAKA. Mr. Longsworth, I am concerned with the United States' efforts to improve the security of Russia's nuclear weapons materials. The GAO completed a report that I had requested about these efforts in March. The report notes that DOE plans to secure Russia's many tons of weapons-useable nuclear material by 2008. GAO found that DOE lacks access to many sites which raises questions about whether DOE can complete the program by 2008. What are your plans for working cooperatively with your Russian colleagues to obtain the access to Russian facilities so this important work may be finished in a timely manner?

Mr. LONGSWORTH. The Secretary has established a high-level working group consisting of senior DOE/NNSA and senior MinAtom officials specifically to address access issues that must be resolved before work can proceed. If confirmed, I intend to be an active participant in this working group to continue to accelerate the pace of our work in Russia. I will work to find innovative, practical solutions that address Russian concerns regarding the protection of their national secrets while allowing the pace of security upgrades to continue.

I believe that NNSA projects carried out at Russian Navy sites can serve as a good model for future security upgrades at MinAtom's most sensitive facilities, such as the serial production enterprises.

While I agree with overall finding of the GAO report that access issues remain a problem, however, I would point out that the Office of Defense Nuclear Nonproliferation continues to make progress in Russia. If the program continues to make progress at its current pace, there is no indication that NNSA will not meet all of its accelerated timetables and complete its work by 2008.

TACTICAL NUCLEAR WEAPONS

2. Senator AKAKA. Mr. Longsworth, the numbers and security of Russian tactical nuclear weapons have been a concern for over a decade. During the Senate's debate on the Moscow Treaty several Senators expressed reservations that tactical nuclear weapons were not addressed by the treaty. In 1991 and 1992, Presidents Bush, Gorbachev, and Yeltsin made pledges to consolidate and eliminate U.S. and Russian tactical nuclear weapons. In April 2002, Moscow announced that Russia could complete destruction of its remaining ground forces battlefield nuclear weapons—nuclear mines, artillery shells and warheads for land-based tactical missiles—by 2004,

if sufficient financing was available. Given the concerns about the theft of these easily transportable ground force weapons, how will you work with your Russian colleagues to eliminate completely these weapons as soon as possible?

Mr. LONGSWORTH. I share your concern about the importance of tactical nuclear weapons and the need for their elimination as rapidly as possible. Currently, the National Nuclear Security Administration is extensively involved in cooperation with Russia to enhance the security of Russian nuclear warheads. If confirmed, I would fully support these ongoing efforts.

At the May 2002 Moscow Summit, Presidents Bush and Putin established the Consultative Group for Strategic Security (CGSS) in addition to signing the Moscow Treaty. The CGSS is chaired by the Foreign and Defense Ministers of the United States and Russia, as the principal mechanism through which the sides strengthen mutual confidence, expand transparency, share information and plans and discuss a broad range of strategic issues of mutual interest. The initial meeting of the CGSS took place in September 2002, and resulted in the creation of three working groups: Working Group One on Offensive Nuclear Transparency, Working Group Two on Missile Defense Cooperation, and Working Group Three on Nonproliferation.

Working Group One has met twice this year in Geneva. The U.S. focus has been to build confidence in a spirit of cooperation by presenting a positive long-term vision and emphasizing near-term transparency. As Secretaries Powell and Rumsfeld mentioned during their testimony on the Moscow Treaty and to their Russian counterparts, the United States has a strong interest in transparency related to tactical nuclear weapons. The issue of tactical nuclear weapons has been an element of discussion during the Working Group One meetings this year.

RADIOACTIVE SEALED SOURCES

3. Senator AKAKA. Mr. Longsworth, an issue of great importance to me is the control of radioactive sealed sources and their potential for use in a dirty bomb. Last month, the GAO delivered a report I requested concerning U.S. and international efforts to control radioactive sealed sources. The report shows there is a worldwide crisis in controlling of sealed sources. Poor accounting, tracking, and security measures for sealed sources exist in many countries around the globe. The GAO report recommends that DOE take the lead in the U.S. Government to develop a comprehensive program for the government to tackle this problem internationally. Please tell me how this will be accomplished.

Mr. LONGSWORTH. The Radiological Threat Reduction (RTR) program was initiated in the aftermath of the terrorist attacks of September 11, 2001.

The RTR program's strategy consists of the three key elements: securing the most dangerous radioactive materials in the most vulnerable locations through bilateral and multilateral projects; leveraging critical partnerships internationally to assist countries to develop "cradle-to-grave" control of radioactive materials; and detecting smuggled radioactive materials at border crossings and "Mega-Port" locations through the placement of detection systems.

Because the RTR program involves many nations and international organizations, it requires a significant coordination among the U.S. Government, the Russian government, the host governments, and the IAEA. We have worked to develop consensus on a number of technical issues (sources of concern, activity thresholds, worldwide source inventories, health/economic impacts of a Radiological Dispersal Device (RDD), etc.). We have also developed internal policies and procedures, such as our RDD threat reduction Strategic Plan, Implementation Plan, Threshold Document, and program methodology document. All of these were developed in the last year through the efforts of numerous government laboratory and private sector experts.

4. Senator AKAKA. Mr. Longsworth, in the case of Russia, NNSA has a Radiological Threat Reduction program to help Russia control and protect dangerous sealed sources. GAO found, however, that 93 percent of the funds spent so far by the DOE on this program have been spent in the United States by the DOE's national laboratories for labor, travel, equipment, and overhead. How will DOE look to spend a greater percentage of the remaining funds DOE has at its disposal for this program where the problems are overseas?

Mr. LONGSWORTH. I believe there are two principal reasons why the GAO figure of 93 percent is a misleading figure for characterizing U.S. spending on international sealed sources.

First, if you take into account the $3.0 million contribution that DOE/NNSA made to the International Atomic Energy Agency (lAEA) last year, then you see that only about 60 percent of our budget was spent inside the U.S. The funds sent to the

IAEA are intended to support security improvements in IAEA member states. The actual total spent by the RTR program as of January 31, 2003, was $8.9 million. Of this, $5.3 million was spent inside U.S. on labor and travel. Of that money, a large portion covered the salaries of specialists traveling to countries of the former Soviet Union to support the mission of securing dangerous and vulnerable radiological materials.

Second, this is a new program with normal, initial start-up costs. The first, major activity was a thorough study of the national security threat posed by radiological dispersion devices. This study was conducted by U.S. subject matter experts, including specialists from DOE national laboratories as well as leading experts from private industry. At least 28 subcontractors, in addition to personnel from the national labs, were involved and their travel—both domestic and international—is all reported as funding spent at national labs.

As the program progresses to an operational phase, increased spending in international venues is planned.

5. Senator AKAKA. Mr. Longsworth, the IAEA is developing a Draft Code of Conduct on the Safety and Security of Radioactive Sealed Sources. It will provide nonbinding guidelines for nations to follow if they wish to improve the safety and security of sealed sources within their borders. This is important, but where possible we should reduce our reliance on dangerous sealed sources, thus reducing the "sources" of concern. Senator Domenici in the Energy Bill has a provision calling for research on finding substitutes for sealed sources. How do you plan to work internationally to help countries, industries, medical facilities, etc., to find substitutes for sealed sources?

Mr. LONGSWORTH. NNSA is currently exploring these issues with the International Atomic Energy Agency. NNSA held a meeting in Vienna in April 2003 with major sealed source manufacturers to discuss ways to enhance the safe and secure design, manufacture, distribution, and return of radioactive sources and devices. I anticipate follow-on meetings and technical discussions to identify recommendations and a path forward.

6. Senator AKAKA. Mr. Longsworth, in May, GAO delivered to me a report concerning the U.S. program in recovering domestic greater-than-Class-C radioactive sources. Thousands of these sources still remain to be recovered. In addition to the concerns over a dirty bomb, GAO showed that there was enough Pu–239 in unrecovered sources for one to two nuclear bombs. GAO found that DOE was not giving the program the attention it needed or deserved. What plans does DOE have to give this program greater attention?

Mr. LONGSWORTH. Approximately a year and half ago, the Office of Defense Nuclear Nonproliferation (NA–20) established a program to improve the security of sealed sources overseas. The initial focus of the program has been on the former Soviet Union, but in recent months has expanded to include other countries of concern. Currently, upgrades are in progress at a total of 43 sites in 11 countries. By the end of this fiscal year, it is anticipated that 17 site upgrades in 7 countries will be completed.

The scope of this problem is large and NA–20 has created four documents to guide its activities including a strategic plan, an action plan, radioactive threshold values for items of concern, and programmatic guidelines to ensure that consolidation and security upgrades are consistent across the program. Efforts in this area have been closely coordinated with IAEA. Under a tripartite initiative, the IAEA and the Russian Federation collaborate with NA–20 to locate and secure vulnerable, high-risk sources in the former Soviet Republics. Additionally, NA–20 has actively engaged the interagency and has formed an interagency working group to develop policy recommendations in cases where take-back U.S. origin sources outside the continental U.S. may be necessary.

THE IAEA'S NONPROLIFERATION MISSION

7. Senator AKAKA. Mr. Longsworth, I am very interested in the IAEA's efforts to prevent the proliferation of nuclear weapons. The IAEA came to play an important role in uncovering and containing Iraq's nuclear program. Now we are looking for the IAEA to play a central role in investigating Iran's nuclear intentions. If our diplomacy with North Korea bears fruit, the IAEA will undoubtedly be active in monitoring and inspecting the elimination of North Korea's nuclear weapons program. What are your plans to assist the IAEA in accomplishing its crucial nonproliferation mission?

Mr. LONGSWORTH. The Office of Defense Nuclear Nonproliferation (NA–20) is one of the U.S. Government's leading supporters of the IAEA and, if confirmed, I intend to further our support of the Agency and its nonproliferation activities. NNSA support to the IAEA includes financial support, personnel, equipment, training, and technical consulting services.

NNSA provides experts from its national laboratories to support the IAEA in a wide range of nonproliferation disciplines. NA–20 made available over 160 U.S. technical experts who volunteered to support the IAEA's WMD inspections in Iraq before the recent conflict. NA–20 also provided expert assistance to facilitate the IAEA's verification of the nuclear material at Tuwaitha last month.

NNSA continues to provide expert advice and technology to assist the IAEA in its role of conducting inspection and monitoring activities in the Democratic Peoples Republic of Korea (DPRK). Should our diplomacy with North Korea bear fruit, the IAEA will be fully prepared to carry out its important those inspections activities. NNSA has also developed and trained the IAEA on tools for measuring plutonium in spent fuel. I anticipate that further high-priority technical support will be needed by the IAEA, should its inspectors be allowed to return to the DPRK. If confirmed, I will ensure that NA–20 is responsive to any such requirements.

Consistent with IAEA concerns, NNSA is also working with U.S. partners in the Nuclear Suppliers Group (NSG) to protect against the diversion of nuclear exports to the DPRK and Iran. NNSA, for example, developed and circulated watch-lists of nuclear-related items that fall below the control list threshold, but which could nevertheless support Iranian or DPRK nuclear weapons development.

NUCLEAR NONPROLIFERATION TREATY

8. Senator AKAKA. Mr. Longsworth, I am worried about the future of the nonproliferation regime. We were concerned about Iraq violating the NPT. Now we are seeking to get North Korea back into the NPT and to hold Iran to its NPT commitments. At the NPT's 1995 Review and Extension Conference, a commitment to sign a Comprehensive Test Ban Treaty by the end of 1996 was one of the key conditions that allowed the gathered nations to agree to the NPT's indefinite extension. The administration's decision to explore new nuclear weapons designs and shorten test site readiness raises questions about U.S. nuclear testing plans. If the United States were to resume nuclear testing, do you believe the nonproliferation regime would be undermined?

Mr. LONGSWORTH. The nuclear nonproliferation regime is strong despite the current compliance challenges it faces in Iraq, Iran and North Korea. At this time, the United States is not developing, testing, or producing any nuclear warheads nor does it have any plans to resume nuclear testing, consistent with its unilateral moratorium on nuclear testing. The administration continues to maintain its unilateral moratorium on nuclear testing and urges other states to do likewise. In light of this moratorium, it would be imprudent for me to respond to hypothetical questions directed at the impact of resumed nuclear testing by the United States on the nonproliferation regime.

[The nomination reference of Paul M. Longsworth follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
April 28, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Paul Morgan Longsworth, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, vice Linton F. Brooks, resigned.

[The biographical sketch of Paul M. Longsworth, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF PAUL M. LONGSWORTH

Paul M. Longsworth was nominated to be Deputy Administrator for Defense Nuclear Nonproliferation at the National Nuclear Security Administration (NNSA) by President George W. Bush on April 28, 2003. The NNSA carries out the national security responsibilities of the Department of Energy (DOE). The NNSA's nonproliferation programs work to detect, prevent, and reverse the proliferation of weapons of mass destruction. The nonproliferation office promotes international nuclear safety and supports programs that ensure the security of nuclear weapons materials in Russia and other countries. The nonproliferation office also supports research and development of detection systems for biological and chemical agents.

Mr. Longsworth is currently the Senior Policy Advisor for National Security and the former Soviet Union to the Secretary of the United States Department of Energy. He is responsible for advising the Secretary on a wide range of programs and issues related to stockpile stewardship and nonproliferation.

Mr. Longsworth has over 16 years of experience in national security, nuclear, and environmental issues. He has served in the executive and legislative branches of the Federal Government and in the private sector. Prior to coming to DOE, Mr. Longsworth served as a professional staff member on the Senate Armed Services Committee, where he was responsible for defense nuclear matters, including: nuclear weapons, radioactive cleanup, fissile materials disposition, and naval nuclear propulsion programs. Mr. Longsworth has also worked for the Senate Environment and Public Works Committee, the Center for Strategic and International Studies, the DOE Office of Science and Technology, and the Advanced Energy and Environmental Systems Division of BDM International Corporation.

Mr. Longsworth hold a Bachelor of Science in Finance-Economics from Wichita State University. He has received many awards of distinction.

Mr. Longsworth resides in Arlington, Virginia, with his wife and two children.

[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 Paul M. Longsworth 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 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.)
Paul Morgan Longsworth.

2. **Position to which nominated:**
Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, U.S. Department of Energy.

3. **Date of nomination:**
April 28, 2003.

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:**
July 1, 1962; Swindon, United Kingdom.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Rebecca Newell Keen Longsworth.

7. **Names and ages of children:**
Parker Townsend Longsworth, Age 5.
Zachary Keen Longsworth, Age 3.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

	Attended	Degree	Graduated
Bellevue East High School, Bellevue, NE	Sep. 1977 to May 1980	Diploma	May 1980
University of Arkansas, Fayetteville, AR	Aug. 1980 to Dec. 1982	None	
Wichita State University, Wichita, KS	Jan. 1983 to Dec. 1985	B.S., Finance	Dec. 20, 1985
American University, Washington, DC	Sep. 1989 to Dec. 1989	None	

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.
Senior Policy Advisory for National Security and the former Soviet Union, Office of the Secretary of Energy, U.S. Department of Energy, Washington, DC, February 2001 to present.
Professional Staff Member, Committee on Armed Services, U.S. Senate, Washington, DC, May 1996 to February 2001.
DOE Legislative Fellow, Committee on Environment and Public Works, U.S. Senate, Washington, DC, April 1995 to May 1996.
Technology Transfer Specialist, Office of Environmental Management, U.S. Department of Energy, Gaithersburg, MD, March 1994 to March 1995.
Program Analyst, Office of Economic Transition, Richland Operations Office, U.S. Department of Energy, Richland, WA, October 1993 to February 1994.
Executive Assistant to the Deputy Assistant Secretary for Technology Development, Office of Environmental Management, U.S. Department of Energy, Washington, DC, October 1991 to October 1993.

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, First Baptist Church, Alexandria, VA.

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.
Member, Executive Committee, Young Republican National Federation (1982–1985).
State Chairman, Kansas Young Republicans (1983–1984).
(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.
$100 to the Republican National Committee, December 2000.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Environmental Fellow, Council on Excellence in Government, 1996.

V. Jerry Blue Scholarship in Entrepreneurship, 1984.

Outstanding Young Men of America.

Eagle Scout.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Article: "Raising the Drinking Age is Not the Answer" (1983), Sunflower Newspaper.

Article: "For the Republican View" (1984), Kansas Student Voice.

Article: "Maximizing Research and development Investment in the Department of Energy's Environmental Cleanup Program," (1996), Journal of Technology Transfer.

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.

I have given several speeches on topics relevant to the position for which I have been nominated; however, as I do not speak from a prepared text, there are no transcripts of such speeches.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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.

PAUL M. LONGSWORTH.

This 14th day of May, 2003.

[The nomination of Paul M. Longsworth was reported to the Senate by Chairman Warner on July 16, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 21, 2003.]

NOMINATIONS OF GEN. RICHARD B. MYERS, USAF, FOR REAPPOINTMENT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND REAPPOINTMENT TO THE GRADE OF GENERAL; AND GEN. PETER PACE, USMC, FOR REAPPOINTMENT AS VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND REAPPOINTMENT TO THE GRADE OF GENERAL

THURSDAY, JULY 24, 2003

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

The committee met, pursuant to notice, at 9:36 a.m. in room SR–325, Caucus Room, Russell Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, McCain, Inhofe, Allard, Sessions, Levin, Reed, Akaka, E. Benjamin Nelson, Clinton, and Pryor.

Committee staff members present: Judith A. Ansley, staff director; Cindy Pearson, assistant chief clerk and security manager; and Gabriella Eisen, nominations clerk.

Majority staff members present: Charles W. Alsup, professional staff member; Ambrose R. Hock, professional staff member; Gregory T. Kiley, professional staff member; Lynn F. Rusten, professional staff member; Scott W. Stucky, general counsel; and Richard F. Walsh, counsel.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Madelyn R. Creedon, minority counsel; Evelyn N. Farkas, professional staff member; Richard W. Fieldhouse, professional staff member; Gerald J. Leeling, minority counsel; and Peter K. Levine, minority counsel.

Staff assistants present: Andrew W. Florell and Sara R. Mareno.

Committee members' assistants present: Christopher J. Paul, assistant to Senator McCain; John A. Bonsell, assistant to Senator Inhofe; James Beauchamp, assistant to Senator Roberts; Arch Galloway II, assistant to Senator Sessions; Frederick M. Downey, assistant to Senator Lieberman; Eric Pierce, assistant to Senator Ben Nelson; Andrew Shapiro, assistant to Senator Clinton; and Terri Glaze, assistant to Senator Pryor.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. Good morning, everyone.

We are here this morning for a very important hearing with the Armed Services Committee on the advice and consent procedures by which the Senate, under its constitutional authority, expresses their collective view on the performance of these two very fine officers for the 2 years they have been in office, and the strong likelihood that that advice and consent will be given for the ensuing 2 years. The nominations of General Richard B. Myers, U.S. Air Force, current Chairman of the Joint Chiefs of Staff, and General Peter Pace, U.S. Marine Corps, the current Vice Chairman, to be reappointed to the grade of General and to continue to serve for a second 2-year term in their respective positions are the subject of today's hearing.

At a time of extraordinary activity for our Armed Forces, we are privileged to have before the committee this morning these nominees who have played such critical roles in the global war on terrorism and in Operation Iraqi Freedom.

General Myers was Vice Chairman of the Joint Chiefs of Staff on September 11, 2001, when the planes hijacked by terrorists slammed into buildings in New York and here in Washington, DC, into the Pentagon. In fact, he was in the building, and was acting Chairman that day when America came under attack.

We all remember it for different reasons, but Senator Levin and I went over and joined you, General Myers, and the Secretary of Defense down in the rooms where the Chiefs make their decisions. We remember that very well.

Less than 3 weeks later, General Myers was confirmed by the Senate as Chairman of the Joint Chiefs of Staff, and was leading the planning efforts for the global war on terrorism. Replacing him as Vice Chairman during that fateful time for our Nation was General Pete Pace, who had already served so ably as Commander of the U.S. Southern Command. Together, they have provided a great team for America and this administration. I am pleased that the President and Secretary of Defense have decided to keep the team together for the coming 2 years, subject to Senate confirmation.

The committee also welcomes the lovely wives of our two officers. Forgive me for not speaking to you when we arrived here, Mary Jo Myers and Lynne Pace.

I ask that in a moment you introduce those lovely ladies and the family members that may be gathered with them.

Families are an essential part of military life, and they play a role more and more now. The Armed Forces are about 60 percent, I think, a married force, compared to years ago in our country when a very small fraction of military men, certainly in World War II and Korea, were married.

Two years ago, when General Myers and General Pace were confirmed as Chairman and Vice Chairman, our Nation had just come under attack. The military was faced with great challenges. The tempo of military operations over the past 2 years has been unprecedented: operations in Afghanistan, a global war against terrorism, Operation Iraqi Freedom, and ongoing commitments around the globe.

While major combat operations in Afghanistan and Iraq have concluded, the danger to U.S. and Coalition Forces continues, and I think that General Abizaid and General Sanchez, and indeed General Myers and General Pace have tried to clarify some misunderstanding with regard to the President's historic remarks made this year in terms of the reality that this war for the small unit soldiers remains very threatening and is taking its toll.

The most challenging phase of these military operations lie ahead, as we attempt to bring peace, security, and democracy to the people of Iraq and Afghanistan. All of us—the American people, Congress, and especially the families of those who continue to serve—are concerned about these challenges, and we look to you two fine professional officers to give that leadership.

The global war on terrorism is far from over. Our forces, Active and Reserve, are the best in the world; but they are spread, in the judgment of many, including this Senator, in a very thin way. We have to address how best to take care of the short-term and the long-term challenges of the standing size of our forces.

As we speak, a possible deployment to Liberia is under consideration, and we will cover that subject today in the course of this hearing, because I have some very grave concerns about this operation, given the facts as we know them now and the changing picture, hour upon hour, in that area of the world. Undoubtedly, there is enormous human suffering, deprivation, and the like. But to inject U.S. forces into that scene requires very careful planning.

As always, the threat from North Korea, another rogue state, looms large on the horizon, and the North Korean situation is very high on the priority of the members on this committee as to what our options are there. We will cover that today.

General Myers and General Pace have superb records of military service which are summarized in the biographies before us, and are already well-known to the committee. I will not elaborate further, other than to say that we are fortunate as a Nation to have such well-qualified professionals for these important positions.

General Myers and General Pace, we thank you for your service, and that of your families—I repeat, that of your families—and for your willingness to continue to lead this Nation and our military.

Senator Levin.

STATEMENT OF SENATOR CARL LEVIN

Senator LEVIN. Thank you, Mr. Chairman. This is an historic event in that we have never before, to my knowledge, held a hearing in which both the Chairman and the Vice Chairman of the Joint Chiefs of Staff testified at the same hearing. It is appropriate that it be held, actually, in this historic room.

I want to extend a very warm welcome, both to General Myers and General Pace, and their spouses and their family members, if there are additional family members here in attendance.

When the committee held its hearing on the nomination of General Myers to be Chairman of the Joint Chiefs of Staff, it was a scant 2 days after the terrorist attacks on New York City and the Pentagon. The hearing on General Pace's nomination to be Vice Chairman followed some 12 days later.

The intervening period since then has witnessed extraordinary events; some of the most extraordinary events, indeed, in our Nation's history. United States and Coalition Forces attacked the Taliban and al Qaeda forces in Afghanistan, commencing on October 7, 2001. As a result of Operation Enduring Freedom, the Taliban regime was removed from power, al Qaeda lost its safe haven, and the transitional government of President Karzai was selected in a traditional Afghan way to lead the country until a permanent government could be elected.

Afghanistan, however, is not yet free from conflict, and some 8,000 U.S. forces remain deployed there, in addition to a like number of allied forces.

U.S. and Coalition Forces launched Operation Iraqi Freedom on March 19 of this year. Coalition Forces liberated Iraq and routed the Iraqi army and security forces with extraordinary speed. But Iraq is far from free from conflict, and approximately 148,000 U.S. forces remain deployed there, with about 12,000 Coalition Forces, mostly British, at this time.

Frequent ambushes, mainly carried out by the Baathist forces loyal to Saddam, are resulting in almost daily casualties to U.S. forces. We all hope that Tuesday's firefight in which Saddam's sons were killed will help to eliminate any belief or fear that Saddam might return.

Our forces in Iraq—a number of whom have been deployed to the Persian Gulf for nearly a year, and most of whom have been there for 6 months—are tired, and with conflicting announcements as to their departure date, they are riding an emotional roller coaster. Hopefully, yesterday's announcement of an Army rotation plan will provide the predictability that they so sorely need.

U.S. forces also remain overseas in long-term deployments, such as to South Korea; in mid-term peacekeeping deployments to the Balkans; and in short-term deployments, such as the Horn of Africa. Potential deployments to places like Liberia remain possible, and possibly dangerous. Our forces, both Active and Reserve, are stretched very thin. This is particularly true of our ground forces, and is exacerbated in certain specialties such as military police, special operators, and civil affairs.

In the face of these challenges and demands, American servicemen and women have demonstrated extraordinary bravery in combat and unparalleled compassion in combat's aftermath.

Senator Warner and I, along with many of our colleagues on this committee, have been privileged to visit our troops in those two nations and elsewhere, and have been enormously proud of them, their dedication, and their professionalism.

Most of that is because of their own personal qualities; but some of that is attributable to leadership, and two truly fine leaders are before us today. The Nation is fortunate that General Myers and General Pace have agreed to continue to serve in the demanding positions of Chairman and Vice Chairman of the Joint Chiefs of Staff. We will need the experience and the outstanding professional judgment that these two officers bring to those assignments. We again are very grateful to them and to their families for their service and dedication to this Nation.

Chairman WARNER. I am about to ask the standard questions, but I am informed that one of our colleagues, the chairman of a committee, has to go to chair his own committee hearing, so I will defer to him at this point.

Senator Inhofe.

Senator INHOFE. I will be very brief. Thank you, Mr. Chairman. I do have to chair a committee hearing in about 18 minutes from now, so there won't be time to get to questions.

Let me just echo what both of these gentlemen have said. I honestly cannot think or believe there is anyone I can think of in the uniformed services that I hold in higher regard than the two of you. You have done a great job. I don't think we are giving you all you need, however, so I would like for the record for you to please analyze where we are in two areas.

There is an article that just came out in Space Technology that quoted General Handy talking about what you had to do to handle the transport and tanker problems that we had, and I felt if something interrupted someplace else in the world at that time, I think we would have had real serious problems. So I would like to have you address that.

Also, I have the standard question that I always ask, and that is regarding both end strength and force structure. Mr. Chairman, I appreciate the opportunity to get to these questions.

Chairman WARNER. Thank you. Will you prepare those questions and then formally——

Senator INHOFE. I will do that, fine.

Chairman WARNER. Senator McCain.

Senator MCCAIN. I have no opening statement, Mr. Chairman.

Chairman WARNER. Senator Nelson.

Senator BEN NELSON. I have no statement, thank you.

Chairman WARNER. The committee has asked both General Myers and General Pace to answer a series of advance policy questions, and they have responded to those questions.

Without objection, I will make the questions and responses part of the record.

I also have certain standard questions we ask of every nominee who appears before the committee. If you will both respond to each question, then we can move on to the policy issues.

First, have you adhered to applicable laws and regulations governing conflicts of interest?

General MYERS. I have.

Chairman WARNER. General Pace.

General PACE. Yes, sir.

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

General MYERS. Yes, sir.

General PACE. Yes, sir.

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

General MYERS. Yes, sir.

General PACE. Yes, sir.

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

General MYERS. Yes, sir.

General PACE. Yes, sir.

Chairman WARNER. If you have any opening remarks, we will give you the opportunity. But before you do so, I wanted to share with each of you, because this is a subject which is very active at the moment, some information that I just received.

I talked to the Deputy Secretary of Defense and to the deputy to Ambassador Bremer about the release of the pictures of Saddam Hussein's two sons. I was advised that at this moment the press, predominantly the Iraqi press, are being given access to photographs of those remains and those photographs will be released. Thank you.

General Myers.

STATEMENT OF GEN. RICHARD B. MYERS, USAF, TO BE CHAIRMAN, JOINT CHIEFS OF STAFF

General MYERS. Mr. Chairman, Senator Levin, other distinguished members of the committee, I do have a short opening statement, and I thank you for the opportunity to appear before you today.

The first thing I would like to do is to thank you for your support of all the men and women in uniform who serve today, and our veterans. I know you are as proud as I am of the work they have been doing and your statements indicated that and we thank you for all of that support.

As you indicated in your remarks, the past 2 years have brought incredible challenges for our Nation. We have united to prevent a recurrence of the horrible attacks of September 11, 2001, and we have fought the threat of global terrorism. We have won major battles in the war on terrorism.

In Afghanistan, as you indicated Senator Levin, we toppled the oppressive Taliban regime. We have disrupted al Qaeda's safe haven and destroyed terrorist training camps. In Iraq, we ended Saddam Hussein's brutal regime in a matter of weeks.

However, we certainly aren't dwelling on past successes. There is clearly much work yet to be done in this war on terrorism. We continue to work toward stability and security in Afghanistan, Iraq, and other places around the globe. To ensure a lasting peace in these countries, we must be aggressive and determined in our actions, and patient and steady in our commitment. It will take time for representative governments to take hold, and it will take time to build the confidence of newly liberated people.

The situation in Iraq today is complex. Saddam Hussein left behind a legacy of fear and corruption, a degraded economy, and a deteriorated infrastructure. This legacy creates a vulnerability which those who lost their status under the old regime attempt to exploit.

Former Baathist ex-soldiers, paramilitary groups, security organizations, criminals, and terrorists from other countries, operating in small cells or at random, seek to perpetuate Saddam Hussein's pattern of brutality and destruction by carrying out attacks on Coalition Forces and on Iraqis who seek peace and freedom.

In addition to confronting these threats, our men and women are helping to accomplish some amazing things in Iraq. More than

30,000 Iraqi police officers are establishing law and order in Iraq. Our forces are providing training to many of them, including ethics training, in addition to day-to-day police work training.

Iraq now has a free press. In fact, more than 100 newspapers are being published. United States forces helped reopen Mosul's independent television station.

One hundred forty-eight courts are now up and running. Military lawyers are advising the Iraqis on how to conduct fair trials. Twenty-seven of 43 banks have begun conducting transactions, and the Iraqi central bank is paying salaries to police, hospital staff, teachers, and utility workers. Coalition Forces are helping to safeguard their vaults.

We have helped deliver over 1 million metric tons of food. Nearly all of Iraq's 1,450 hospitals and clinics are treating patients, and our forces are providing security for some of these. Ninety-five percent of the schools are open, including Baghdad University, and these schools are now being used for education instead of storing weapons. Our forces have helped repair and rebuild some of these schools.

I could go on. The point is that our forces are making a real difference in Iraq. They are providing not only security but also prosperity, freedom of expression, justice, education, and medical care. They are making a very real difference, and they are providing hope for the future.

Our forces understand the importance of their role in this mission, and commanders at every level are confident about the future in Iraq. On the other hand, we know the war on terrorism isn't over. Brave men and women go in harm's way every hour of every day, in Iraq and elsewhere. We remember the families and friends of those who have fallen in our thoughts and prayers.

We are asking a lot of our troops right now, but it is for good reason. Never before in our Nation's history has our very existence and all we stand for been threatened in the way it is being threatened now. Terrorists want to destroy freedom and democracy here in the United States and around the world and I am certain that al Qaeda, as we speak, is planning more terrorist attacks.

One thing you can be sure of: We are committed to fighting this war on terrorism and to protecting American values, the American people, and our homeland, and you can also be sure of one other thing—that we will win.

Again, I think the past few years have brought tremendous successes, and I intend to continue to pursue the three priorities that have been my focus for the past 3 years. Winning the war on terrorism is one of them. Number two is enhancing joint warfighting, and three is transforming our Armed Forces so we can deal with this 21st century threat in the environment we face.

If confirmed, I promise to continue providing you the best military advice I can offer. Anything less would be a disservice to the fighting men and women to whom America owes so much.

When I came before you in confirmation just 2 days after the terrorist attacks of September 11, I pledged to focus on sustaining our quality force and taking care of the heart of our military, our dedicated soldiers, sailors, airmen, marines, Coast Guardsmen, and

DOD civilians. I reiterate that pledge today, and I look forward to answering your questions. Thank you.

Chairman WARNER. Would you be most kind to introduce your family, General?

General MYERS. Mr. Chairman, I have one family member here today—at least that I know of—and that is my wife, Mary Jo. We celebrated our 38th wedding anniversary in June, and I can guarantee you that I would not be sitting at this table if it were not for her support, her critique of performances, which she will be doing later today, and everything that the family needs in the military today.

You are exactly right. Families are part of the military and readiness, and our ability to do our job is dependent upon our families and how they are taken care of.

Chairman WARNER. Thank you very much, Mr. Chairman.

General Pace, perhaps you would start by introducing your family, and then proceed with your statement.

STATEMENT OF GEN. PETER PACE, USMC, TO BE VICE CHAIRMAN, JOINT CHIEFS OF STAFF

General PACE. Mr. Chairman, thank you, sir. Senator Levin, members of the committee, it is my great pleasure to introduce my wife, Lynne. We just celebrated our 32nd anniversary this past April. Our two children are not able to be here today. Our daughter Tiffany is an accountant and our son Peter is a Captain in the United States Marine Corps. We are immensely proud of both of them, and as General Myers has pointed out, and as is true for me, and is true for all of our service members, we cannot do what we do without the unbelievably strong support of our families.

I know for me personally, my wife and two children have made me feel every day that what I do is important and like so many other families, they pretend—and they let me pretend—that the awards I have received and the promotions I have received have been based on my own merit. I know that it is, like with so many other families, because of their support and because of their sacrifice.

We have families right now whose loved ones are serving overseas. They don't know when their son or daughter, or their spouse, is in trouble or in harm's way, so they go through every day thinking the possible worst. The families do, in many ways, sacrifice more than those of us who go overseas to fight our country's battles, and we owe them all a great debt of gratitude.

Chairman WARNER. I appreciate those comments from both of you, because we have a military force today which I refer to, really, as a married force. It's at 60 percent; is that about right, general?

General MYERS. That's about right, sir.

Chairman WARNER. We have seen recently the courage expressed by families in times of grief, in times of, frankly, disagreeing with some of the decisions being made. I think it has been a healthy thing for spouses to speak out in certain instances. So speaking for myself, I welcome it and encourage it.

General PACE. Thank you, sir. I would like to thank you and the committee for the opportunity to appear before you here today, and

especially, and more importantly, for the strong, steadfast, bipartisan support of this committee in supporting all of us in uniform.

It has been my honor since 1 October of 2001 to serve as Vice Chairman, alongside General Myers. If confirmed, I promise that I will continue to strive to provide my best military advice to the leadership of this country.

In providing that best military advice, I will keep in mind that privates to lance corporals to lieutenants and captains, and all those who are in harm's way right now, deserve our very best support and deserve our very best advice to those of you who make decisions.

Again sir, we owe a great debt of gratitude to all our families, and I thank you for this opportunity.

Chairman WARNER. Thank you very much.

I just want to comment. You mentioned the sergeants and the corporals and the like. That has really been the backbone and the strength of our military since the earliest times. We have had that fine tradition of authority being reposed in those in the enlisted ranks.

I know all of us here, I think, have visited Afghanistan, and are about to visit Iraq. We have seen how the sergeants have had enormous responsibility. General, perhaps you could share a story that you told me last night about one sergeant and his role in connection with the location and designation of Saddam Hussein's two sons? That's quite a story.

General MYERS. I would be happy to, Mr. Chairman. It has to do with the first reports from an Iraqi of where the two sons might be, and the first report came into part of the 101st Division. It was one of their military intelligence units. The first report was to a sergeant.

This sergeant gets tens of these kinds of people walking in every day with various reports; so he has to be on his toes, because they can't chase them all down. So they have to sort them out in a way, just like any kind of work like this.

Chairman WARNER. Now, he is the point man to make the first decisions as to where there is and is not credibility?

General MYERS. He makes the first decision. You bet.

His instinct told him, this sounds plausible. So he started the chain of events that led to the events that you know about.

I would tell you, and I don't know for certain, but I know the next people in that chain of command were other noncommissioned officers (NCOs), up to a captain. So probably for the first hour or so decisions were being made by exactly the kind of people General Pace was talking about, who serve us so well.

Chairman WARNER. Thank you for that.

I wanted to accommodate, again, Senator Inhofe, who has to chair another committee hearing.

Senator INHOFE. Thank you, Mr. Chairman. I will not abuse that generous offer. I will only say that I will be submitting the questions for the record. A lot of us may be concerned about the shortage that I have referred to in our tanker and airlift capability. I will specifically be asking some things about the advisability of retiring some 68 of our KC–135Es in light of this shortage; and then wanting to get specifically a question about Guard and Reserve

versus the regular forces, and the blend change that you folks and others have talked about. So I'll just do that for the record and Mr. Chairman, you're very nice to allow me to say this.

Chairman WARNER. Then in the minute I have remaining, I would like to ask for your views on the issue of bringing in additional nations to participate with the coalition force structure today in the security mission. What successes you have had, and what is the likelihood of additional participation?

My understanding is that there are 19 nations that have contributed military forces, which are in one way or another participating in the overall coalition responsibility to bring about security in the confines of the entire Iraq border.

General MYERS. I would be happy to do that, Mr. Chairman. In the overall way of dealing with the security situation in Iraq, internationalizing that capability is very important to us.

We have one international division in there currently being led by the U.K. They have several nations that support them, and those are part of the 19 nations that have committed ground troops to the security situation and to the coalition. There are 15 other nations that will be committing troops, as well.

We have elements of the Second International Division in Iraq as we speak trying to learn what their responsibilities are going to be, and they are being helped by U.S. forces. They are being helped to put their forces together by the North Atlantic Treaty Organization (NATO), because it is a NATO nation, Poland, that will lead the next international division. So that is a total of 34 countries that have pledged troops on the ground, 19 there now, and 15 that will be there.

Ideally we would like more, and we are working with several other countries to try to get them to come in and lead another division. We would certainly like three international divisions here in the near-term if we could get them. We will be working with these other countries that could possibly provide forces.

So it is exactly the right thing to do, and I think we are getting the support because people understand how important it is to win the war on terrorism, to win the war, to finish the stability operations and win the conflict in Iraq, and create a prosperous and stable country there.

Chairman WARNER. Let's define the role of NATO a bit—they have not formally been involved, but they are working, as you say, with the Polish forces. To what extent will you and others, including the Secretary of Defense, be involved in trying to solicit further participation by NATO?

The Secretary, when he appeared before this committee a short time ago outlined that a number of the NATO nations, notably Spain, have contributed forces. It is anticipated that others may do so. But the formalized participation by NATO, can that be more integrated into the overall command and control of this situation, or is the current headquarters and command structure sufficient? Doesn't it require either adjunct or participation by NATO?

General MYERS. Mr. Chairman, to answer that, let me remind people what NATO is involved in today. They are currently involved in Bosnia and Kosovo, both NATO operations. They are also

taking over the interim security assistance force in Kabul, a force of over 5,000.

Chairman WARNER. In Afghanistan.

General MYERS. I'm sorry; Kabul, Afghanistan. They will be responsible for that mission. It will be a NATO mission. They are taking over from the Germans and the Dutch who are leading that mission right now, which of course are both NATO nations.

I think the talk is beginning on what contributions NATO can make to Iraq, besides the contributions they are making today from the individual nations that you mentioned that are making contributions, and the help that they have given the Polish Division in the force generation and the planning. NATO has capability there, and they have helped out Poland and other countries that are joining Poland, in this regard.

I think we just need to keep the door open. Certainly, nobody has closed the door on NATO participation in Iraq, and we just have to keep working on that. But I would just remind people, they are in three major operations right now—well, to include Iraq, four major operations—and they are the lead in three of them. But we would welcome, I think, NATO help.

Chairman WARNER. My last question would relate to Liberia and the decision process now underway by which the President is trying to make an assessment as to the force level and composition that could be put in by the United States to stabilize a very tragic situation in terms of human suffering.

But, on the other hand, in my judgment it is a situation that poses great personal risk to forces such as our forces that could be injected into that very fast-moving and volatile situation there in Monrovia and greater Liberia.

General MYERS. If you will permit me, Mr. Chairman, let me just describe the situation that we currently have in Liberia. It hasn't changed dramatically in the last 24 hours.

We have a situation where you have a leader who has to go. As we know, he is not a good leader, has not done good things for Liberia or, for that matter, has not been helpful to the countries in the region. So President Taylor must leave, and that part is being worked out.

The other issue is the two major rebel groups, the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL). I think the intelligence community would tell us that you are probably not going to get political leadership out of these rebel groups, that they are not a replacement for Taylor. So it is not clear who is going to step forward in a political sense when the situation settles down in Liberia, to take over the political leadership.

In the meantime, you have a humanitarian situation where food, clean water, and medical care is a problem. All the nongovernmental organizations that were in there providing those kinds of capabilities have left because of the security situation. So it is a situation that is, as you have described it, not a pretty situation. It is not going to give way to any instant fix. Whatever the fix is going to be is going to have to be long-term.

Currently, we have the West African nations surrounding that area, to include Nigeria, Ghana, Senegal, and others, that are look-

ing to put a force in there to help stabilize the situation in Liberia. They, of course, have asked for U.S. support, and what the administration is doing right now is trying to determine what the character of that support is going to be.

As a military person I am concerned, like you, that whatever we do, we have a very clear mission, that we understand the mission we are asked to do, that we have an idea of when the mission is going to be over, and that we have sufficient force to deal with the security situation—that we do not go in on a shoestring when we need an adequate force. There are other things we can consider, but those are probably the three main things.

We have looked at all sorts of options. There has been no decision made on this. I think I will just leave it there.

Chairman WARNER. I would also add, for myself, and I draw that from statements made by our President in earlier days, that there be a clear and identifiable strategic interest; security interest, of this country. That to me remains somewhat to be defined in this situation, should the decision be made to go forward.

Can I just draw by way of conclusion from your remarks that you concur, that this is not a risk-free operation, if we were to undertake it?

General MYERS. Mr. Chairman, I don't think any operation like this is risk-free. We have at least three warring factions, the LURD, the MODEL, the two rebel groups, and the government forces themselves. They are all armed. They are not disciplined troops as we know them. There are a lot of young people fighting in these groups. It is potentially a dangerous situation.

So when you go into it, you need to go into it knowing that. It may be that we can go in in terms of support for these Economic Community of West African States (ECOWAS) forces. ECOWAS countries have come forward and volunteered forces. Some of the forces will need some equipping and some training before they go in. So it is a longer-term issue, and it is a matter of months, probably not weeks, for some of those forces. Some of them probably can get in there fairly quickly, but small numbers.

Then eventually I believe Kofi Annan up at the U.N. said this will become a U.N. mission at some point. That all has to be blended into this.

But I will go back to the larger issue. There is a political situation there with the president of a country, a "democracy," and how they deal with President Taylor, and where he goes. This interim government is also important to our security situation. That is a somewhat cloudy picture today.

Chairman WARNER. General Pace, you had experience in your previous command before becoming vice chairman, with Central and South America, do you have any views to add to those of the chairman?

General PACE. Sir, my experience in Somalia is a little more akin to the potential experience in Liberia. I would echo what General Myers just said, that it is potentially a very dangerous situation. If we are asked to do something militarily, we need to make sure we do it with the proper numbers of troops and that we be prepared for the eventualities of having to take military action.

Chairman WARNER. Thank you.

Senator Levin.

Senator LEVIN. Just on that Liberian issue, would you recommend going in unless Taylor is either gone or on his way out as we arrive?

General MYERS. So far, that has been one of the planning assumptions that we made. That otherwise, you get into a situation that General Pace knows only too well, and it would define your mission, and the mission would be quite different if Taylor were to remain there than if he were gone. So one of our planning assumptions is that he will leave, either before or simultaneously with the troops entering, whether they are ECOWAS or U.S. troops, or U.S.-supported ECOWAS troops.

Senator LEVIN. General Myers and General Pace, the United States has 148,000 troops deployed to Iraq. It appears now our presence is going to be required for a long time. General Franks, who was here a few weeks ago, said that he thought the current troop levels would be required in Iraq for the foreseeable future.

Do you agree with General Frank's assessment, General Myers?

General MYERS. General Abizaid, after his confirmation hearing before this committee and after he wound up his work in Tampa, is back in theater. The first thing he did was go to Baghdad and meet with all his commanders, his ground division commanders, and General Sanchez, the Commander of Joint Task Force 7.

Of course, one of the questions he asked right away was, "Do you have the resources to do the job that we are asking you to do?" His commanders agreed that they had the resources to do the job.

I would say for the foreseeable future—it is hard to put a date on it, but I think for the next several months—that I would not anticipate a major shift in the number of forces over there. As we continue to work this situation, and as I indicated, aggressively going after the various elements that are providing a security threat to Coalition Forces and to the Iraqi people, we will have to recalibrate that.

So I would say that General Abizaid won't look beyond next spring. That is about as far as he is looking in terms of force levels.

Senator LEVIN. He will make no judgment either way beyond that at this time?

General MYERS. I don't think anybody is prepared to make a judgment beyond next spring at this point.

Senator LEVIN. Either way?

General MYERS. Either way. But the force rotation schedule that was briefed by General Keane, the acting Chief of Staff of the Army, goes a little bit beyond that. It goes through 2004.

Senator LEVIN. Does that force rotation schedule assume that there will be a third division coming in from some other country?

General MYERS. It doesn't. No, sir, I don't think it assumes that. It does not assume that. If that were to happen, then obviously we would need less U.S. forces.

Senator LEVIN. You have had a conversation, I think, with your counterparts in other countries relative to the prospects for other countries participating in significant numbers; not of countries, but of countries that have significant numbers of troops.

General MYERS. Yes, sir.

Senator LEVIN. Because it is not just the number of countries, but whether they are countries that have large numbers of troops that might make a commitment and so far, we have not been able to obtain the commitment of the Indians, Egyptians, French, Germans, or Pakistanis. There are a number of other countries.

What, in your judgment—from your conversations with military leaders in those countries—would it take for us to obtain commitments from those countries that might be able to provide significant numbers of troops?

General MYERS. Let me first say that between the Office of the Secretary of Defense and the Joint Staff, the unified commanders out there, the Department of State, there is, if you will, a full court press on some of the countries you just mentioned for them to contribute troops.

But it comes down to probably at least three categories.

There is one category where what they want is the United States to come forward and ask them in a way that is acceptable to them. There is another case where they would like Islamic nations in the region to ask them; whether it is the Iraqi governing council that was just stood up or whether it is a Gulf State or Jordan or somebody, to ask for help to bring in another predominantly Muslim country. Then there is a third case where they are looking for the United Nations to ask for help.

So there are at least those three baskets where I think you can put a lot of those countries in, and discussions are ongoing with some of the countries you mentioned. As a matter of fact, as you said, they have large standing forces and for the most part, they would like to do it. One of the things that we continually have to work with is what support do they need from the United States in terms of getting there, in terms of sustainment and so forth, and all those issues will have to be worked. But you can bet that this issue is very high on the priority list, to internationalize this effort as much as possible.

General PACE. If I might answer, the other part of the coalition is the Iraqis themselves, and, sir, about one-half of these 60,000 police that we estimate we need have been recruited. The Iraqi Army estimate of about 40,000 is beginning training. Within the next 10 days, the first battalion begins its training. The militia force that is going to assist with static defense of pipelines and the like, is beginning to stand up.

So the combination—not only of U.S. and other outside Coalition Forces, but the Iraqi people themselves—will be very useful and productive in the future.

Senator LEVIN. Thank you. General Myers, at the press conference yesterday, Deputy Secretary Wolfowitz said that some of our assumptions turned out to be wrong in Iraq. He went on to describe a number of them, including the following: that none of the Iraqi Army units, at least none of any significant size, came over to our side so we could use them as Iraqi forces with us today.

Another one that we assumed incorrectly was that the police would turn out to be helpful to us, but they turned out in the opposite direction, to require a massive overhaul. A third assumption which turned out to be wrong, he pointed out, worst of all was that

the remnants of the Baathists who ran Iraq for 35 years would continue fighting, as they have.

Would you add any additional assumptions to that list which turned out to be wrong?

General MYERS. I think, Senator Levin, that is a fair list. On the police issue, if I may just put a little more detail, I was having dinner in Iraq back in May with some Army and military police who had been working with Iraqi police, and I said, how do they perform? They said, well, they are really quite a different force. They aren't police in the sense that we know police that are out among the populace that are on presence patrols, as we call it. They stayed in their station houses and went out to pick up people for interrogation and bring them back.

I said, well—so it goes back to the opening statement, where it requires a lot of training. As General Pace said, we have about 31,000 police now back on the rolls of the total number needed of 61,000. The 31,000, most of them have been trained and most of them are out and about, but we are only halfway there.

Clearly what we assumed about the police force was incorrect, so we have had to make up for it. In the 100 days that we have been working this, we have been fairly aggressive about that part of the action.

I think one of our assumptions was that we would have the presence of the terrorist organizations like Ansar al-Islam and other foreign fighters come into Iraq. They don't want the coalition to be successful; they don't want a democratic Iraq; they don't want good things for the Iraqi people, so we knew they were going to come in.

I don't know if we made an assumption on this, but it is something we need to keep our eye on. About 3½ weeks ago, we killed around 80 of these individuals who had come in from Syria and were in an encampment. They were not Iraqis, they were foreign fighters from other Arab states. We have to keep our eye on that.

A big unknown out there—and I don't think it probably falls in this assumption category, because I think we assumed there would be issues here—but that is groups that are supported by Iran that are anti-coalition and that want to have undue influence on the Iraqi people. We have to watch that very carefully.

Senator LEVIN. Thank you, Mr. Chairman. Thank you, General Myers.

General PACE. I would just simply add, there were certain things, also, that we planned for that fortunately did not come about. We had to plan for the possibility of an environmental disaster in the northern and southern oil fields, and thanks to the plan that was executed by General Franks and his forces, that did not happen. Refugee flow to the tune of hundreds of thousands, if not millions, did not happen because of the precision of the attack. Starvation did not happen.

So there were certainly things both good and bad that might have happened that did or did not happen, sir.

Chairman WARNER. Senator McCain?

Senator MCCAIN. I would like to thank both of you for your service and your willingness to serve the country, and we are very

proud of the leadership and outstanding service you have rendered to the country.

As you may know, there was a hearing yesterday at the House Committee on Armed Services concerning the leasing proposal for Boeing 767 aircraft. I have several questions concerning that.

General Myers, have you ever heard of an acquisition, a major acquisition, of a weapons system or program that was made without the conduct of analysis of alternatives? Isn't it accepted procedure that an analysis of alternatives should be conducted?

Perhaps, before you answer, I could quote from a letter that you wrote to me saying, "If the Department and Congress decide to proceed with a lease agreement, the Joint Requirements Oversight Council (JROC) supports conducting an analysis of alternatives to address the remaining recapitalization requirement."

General MYERS. Correct, Senator.

I think, as I understand the situation, that the tanker lease proposal—there was some direction or guidance from Congress that they could conduct this differently, perhaps, and were relieved from some of the restrictions of normal acquisition programs in pursuing this approach. That is my understanding.

Senator MCCAIN. In an appropriations bill, certainly not through this committee?

General MYERS. Right.

Senator MCCAIN. But you took the one line in an appropriations bill as relief of a requirement—or somehow an excuse—for not having an analysis of alternatives, which is a fundamental, basic aspect of the determination of a—and this is at least roughly a $30 billion proposal?

General MYERS. I will stick with my letter, sir. I think we are prepared to do that.

Senator MCCAIN. Do you know if there has ever been a formal study of the corrosion problems associated with the KC–135s?

General MYERS. Sir, I don't know if there has been a formal study.

Senator MCCAIN. I don't think so. I think some Air Force generals went down there and looked at planes with corrosion on them, and said, "Fire." I don't think that is appropriate behavior, to be honest with you, because I can find you planes all over the Air Force and the Navy, and the Marine Corps that have corrosion problems, but before we reach those conclusions, we do a study of the overall problem.

General Pace, the Joint Requirements Oversight Council (JROC) plays a critical role in validating major defense acquisition programs, correct?

General PACE. That is true, sir.

Senator MCCAIN. Validating major defense acquisition programs generally requires reviewing programs and analysis of alternatives (AOA). That is the same question I asked General Myers.

General PACE. Yes, sir.

Senator MCCAIN. In fact, and in October of 2001—and I understand that you don't remember every document and every memoranda on which your name appeared. Please don't think that I do.

But I would remind you that in October of 2001, as Chairman of the Joint Requirements Oversight Council, you directed that the

United States Air Force brief on an air refueling AOA. I will be glad to supply you with that memorandum.

It says, "In addition, the Joint Requirements Oversight Council directs the program in return to brief the results of the future air refueling aircraft analysis of alternatives upon its completion."

Do you know if you were ever provided with that?

General PACE. Sir, to the best of my knowledge the Air Force came back at least once, if not twice more.

The problem as presented to the JROC, as I recall, was that we have a 35- to 40-year-old tanker fleet that is key to our strategic ability to deploy and employ our forces. The JROC agreed that those tankers need to be replaced, and we did not determine, nor was it our position to determine, whether they should be leased or bought. We simply said we needed to get on with the decision, and we recommended that a decision be made to replace those aircraft without bias from the JROC as to whether or not leasing or buying would be more appropriate.

Senator MCCAIN. Well, let me ask you again, did you receive an analysis of alternatives, as your memorandum requested?

General PACE. We received a briefing, at least one if not two briefings, on buying versus leasing. The result was that leasing got us more tankers faster. Buying got——

Senator MCCAIN. How does it get you the tankers faster, General Pace?

General PACE. If I remember the numbers, it is something like 68——

Senator MCCAIN. What is it that makes it faster if you lease versus the normal process?

General PACE. I will have to go back and find the briefing, sir. But I recall the briefing summary was that we could get tankers faster by leasing, but it might be more expensive. What the JROC said was——

Senator MCCAIN. How do you get them faster? The production line produces a certain number of airplanes per day, week, or month.

What you are talking about here is that we should—that because we are making this long-term commitment then we—Congress doesn't approve the procurement every year. I guess that is the only thing I can assume. So therefore, we should lease aircraft carriers? I think the Chairman would be very amenable to saying let's lease about 10 carriers over the next 20 or 30 years, because we could get online quicker that way.

I want to tell you that—and my time has expired—you should pay attention to what the General Accounting Office (GAO) had to say yesterday before the House Armed Services Committee, and that is that GAO's cost estimate is $173.5 million per plane, which is about $35 million more than $138.4 million.

There is no one on this planet that believes that at the end of a 6-year lease we are not going to buy the airplanes. No one believes that. So this facade that we are only going to have a lease for 6 years, and then we are going to pay them again for the purchase of it—we are running a $455 billion deficit here.

I don't think you have a stronger advocate for defense spending than me, but it is very hard for me to go back—have you seen the lease yet? Has anyone seen the lease yet?

So what you have done and what the Air Force has done is come over here and ask for the approval—which two of the bodies have, the House Appropriations Committee and the Senate Appropriations Committee—without us ever having seen the lease. Do you think maybe the taxpayers of America deserve to see the lease?

General PACE. Sir, as best I can to try to answer the question, leasing or buying is not within the purview of the JROC. As I recall, the aircraft were available to be converted to tankers on the lease program. To buy, you would have to basically start from scratch and build the airframes.

The presentation we received in the JROC was that not based on dollars and cents, but simply availability of airframes to be converted, versus buying and constructing new airplanes, that you could, in the short-term, get more airplanes more quickly.

Again, we made no distinction between leasing and buying. We went forward and said we need to replace the 35 to 40, and regarding the dollars and cents you went to the civilian side of the house, where they make the decision about whether to buy or lease.

Senator MCCAIN. I thank you, General, and perhaps I am directing my remarks to the wrong person, because it is clear it was a political decision. An entity set up like Enron, by the way, is going to be involved in how they acquire this.

But I think that, as advisers to the President of the United States, that you should be aware, that there has been no study of the corrosion problems of the KC–135. In a dramatic reversal of the previous Air Force stated position that the 135s would have to be replaced beginning in the year 2013. That was a previous Air Force study.

The fact is that we still haven't seen the lease. The GAO, which is a generally reliable source for information, says this is going to cost a heck of a lot more than the Air Force alleges, and I think that this is something that deserves the utmost scrutiny on your part, because I don't believe, unfortunately, that defense dollars are going to be as readily available a few years from now as they are today. It is hard for me to justify increased defense spending when we have a sweetheart deal like this in order to bail out Boeing Aircraft.

I thank you.

Chairman WARNER. The record should reflect, and you are aware of this, Senator, that the Department of the Air Force sent over the standard notification of a new start reprogramming to this committee, as it did to other defense committees of Congress. This committee has not acted. This committee will not act until we have had a hearing, and in consultation with the members, Senator Levin and I propose to set that hearing early in September.

Senator MCCAIN. I thank both the chairman and the ranking member for their cooperation on this issue. I am deeply grateful.

Chairman WARNER. Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman. General Myers and General Pace, I, too, appreciate so much your service in your

present capacity for the last 2 years and look forward to that continuing in the future.

I was looking at the rotation plan that was put together for the Army with the global war on terrorism, and looking at Operation Iraqi Freedom and looking at Enduring Freedom in Bosnia, Kosovo, and the Sinai. I noticed that in the rotation plan it is a little bit sparse as it relates to Reserve or Guard units.

I wonder if, briefly, you could tell me—with respect to all the Services—whether there is a plan to put in place an additional rotation schedule that would involve the Guard and Reserve units? Because they are obviously as disrupted as the regular forces, but in some respects their situation would be unique, since they have, typically, jobs back home and they are on extended deployment.

So is there any movement afoot to come up with a plan for Guard and Reserve units?

General MYERS. I think, Senator Nelson, the short answer is, absolutely. As you noticed in the rotation plan of, if you will, the combat forces, there are two enhanced separate brigades that belong to the Army National Guard that are part of that plan and they will be notified, I believe, in October, and they will have 120 days to train for their mission. They will spend about 6 months in theater, more or less, then come back. We anticipate they will be mobilized for a total of a year.

The two enhanced separate brigades we are talking about have not been mobilized in the last 5 years, and that's why they were picked, because of the kind of capability they have, and also the fact that they haven't been mobilized.

There are other forces that support these combat forces that are being worked on right now. Some of those are obviously going to come from the Reserve because in some cases the combat support and combat service support are only in the Reserve component. So there will be more Reserve Forces that will follow the combat forces.

One of the policy guidance issues that the Secretary gave us is, don't just look at Army combat support, and combat service support. If other Services have those kinds of units, then reach and get them, whether it is active duty or Reserve.

A good case in point would be engineers. All the services have very good combat and regular engineers, and there is no reason we need to ask units that have just gotten back, or Reserve units, if we have active duty units that can fulfill these missions from the Air Force, the Marine Corps or the Navy. So we are looking at that as well.

But back to the basic question. Yes, we have to identify them. I think it's the most important thing we can do, more important than almost anything else we can do—it is a busy force. They know why we are busy, but we have to provide them predictability.

It is important for everybody. It's important for Active-Duty Forces and their families and so forth, as we have seen from all the issues surrounding the Third Infantry Division. But it is perhaps even more important for our Reserve component, because they not only have their families to worry about, they have their employers to worry about. It is important to those employers.

I think employer support has been terrific. We want to keep it that way. Predictability is one of the ways to do that. So as we develop this plan and continue to determine the combat support, and combat service support that is going to support these units, that is going to be a major part of it and that is going on right now.

Senator BEN NELSON. Well, I appreciate that.

If there is any discussion about low morale among the troops, it's not about 120-degree weather, it's not about food, it's not about the living conditions, it's not about combat conditions, it's not about safety issues. It's about "knowing the date that my deployment might terminate," recognizing that it might be extended.

But an endless deployment, an endless commitment, just simply is causing a lot of concern. We are now starting to get letters from family members, asking if we are going to be a family-friendly unit. I do appreciate both of you and your comments about your families, about the family support, and I know you understand that. I may be preaching to the choir. But we all recognize that if the families back home start to get concerned about it, it will have a multiplying effect with our troops.

Anyway, I appreciate that fact. I was going to ask another question as it relates to adding additional countries to internationalize the support in Iraq.

I notice you made reference to NATO and Senator Levin picked up, I think also, on the NATO aspect of what we are doing. Is there any chance of getting NATO to formally agree to providing troops and providing support without France or Germany?

General MYERS. Senator Nelson, I don't think I can answer that accurately, because to my knowledge, we haven't asked that question, yet.

Senator BEN NELSON. Which brings me to another point. Is there a chance that we might ask that question?

General MYERS. Yes, sir. I indicated that I think there is ongoing dialogue with NATO. They have, obviously, shouldered heavy burdens in other parts of Europe and the Balkans, as well as Afghanistan. There have been some preliminary discussions, but not at NATO at large.

I don't think in particular that our perception of how certain countries might react to it would ever stop us from asking that question and working with NATO, if that is the right thing to do. We are just not quite to that point yet. But there is nothing holding us back. There is no prohibition, there is nothing that is stopping us.

Senator BEN NELSON. I understand that timing is everything in negotiations and in discussions, but do you think there will be a terminal point where we might be able to pull the trigger on the question?

General MYERS. I'm sorry?

Senator BEN NELSON. Do you think there will be a terminal point where we can pull the trigger on the question as to whether or not they will be supportive of our efforts? Don't tell me when, but do you think we will be able to ultimately ask them the question, "Will you join with us," and get an answer?

General MYERS. Probably, would be my answer. I just don't want to get ahead of the Secretary of Defense and others that would be

considering this, because obviously there would be a political dimension, not just a military dimension, to doing that.

But as I said, I have heard nothing about anybody saying this is not potentially the right thing to do; that is, to go down this street.

There are, as was mentioned, NATO nations supporting our efforts in Iraq and Afghanistan. There are large deployments. There are finite capabilities, certainly, in NATO. So we'd have to be cognizant and aware of that. But I don't know that there is any other—there is nothing out there that says that we shouldn't do that. There's nobody saying that we shouldn't do that.

Senator BEN NELSON. The internationalization of the troops today amounts to about, what, 10 percent of our troops that are there?

General MYERS. We have 148,000 U.S. forces in there right now, and Coalition Forces are in the neighborhood of 13,000.

Senator BEN NELSON. I appreciate that.

General MYERS. That 13,000 should grow to over 20,000, somewhere between 20,000 and 30,000 here, in the next couple of months. It needs to be higher now.

Senator BEN NELSON. That is the point I am making as well. I appreciate it.

General Myers. Thank you, sir.

Chairman WARNER. Thank you very much, Senator.

Senator Allard.

Senator ALLARD. Mr. Chairman, thank you. Like other members on this committee, I would like to welcome both Chairman Myers and General Pace. I think you are both doing a fine job.

I am thoroughly impressed with the job that our men and women in the field have done during our conflicts, and part of that has been because we have relied on many of our space assets. That has led to a good deal of our success.

General Myers, prior to September 11, I think it was generally agreed that the status of the space programs, that they were a high priority on the list. Since then, we have seen additional commitments as far as funding everything for our on-the-ground conflict in Afghanistan and Iraq.

My question to you is, do you see future problems with the funding and prioritization of our space systems, both white and black programs?

General MYERS. Senator Allard, first of all, let me say we appreciate your support to the space side of the house. It has been tremendous, and your interest in that is appreciated.

On the budget you have already looked at in committee for 2004—there were substantial assets that weren't there in previous budgets that support space assets. Many of the recommendations of the Rumsfeld Commission on how we organize for space have been adopted and are in effect right now.

So I think in terms of properly resourcing space, having the correct organizations to bring space to the warfighter, we have far advanced the ball since I served my tour at U.S. Space Command.

The last conflict, the conflict in Iraq, we reached new heights in the use of space to help enable that warfight. We have crossed many hurdles in the policy and perhaps legal areas that we were

unable to cross in previous conflicts. I can't go into more of that because some of it is highly classified. But we have made great progress in bringing what space can bring to the fight, so the warfighter is confident that he has this capability.

I also think in terms of funding that space is seen in many cases as really being one of the enablers for transformation, and that the funding is fairly robust. If I were back at U.S. Space, if there were a U.S. Space Command now, it's in the new Strategic Command, but I think if you talked to Admiral Ellis, he would tell you that we are on a pretty good track for bringing more space to bear on the fight.

General PACE. If I might add to that, Senator. I went to a meeting, I think it was about a week ago last Thursday. It was chaired by Mr. Teets, the Under Secretary of the Air Force, in his National Reconnaissance Office role.

He had in that meeting about 14 to 16 folks from various agencies in the government pulling together all the programs, looking at them in ways that they can play off each other so that the resources that are available to be spent on space activities are spent in a way that are complementary. I am very encouraged by what I saw and heard at that meeting, sir.

Senator ALLARD. I thank you both for your responses.

General Pace, when you came up for initial confirmation, you expressed support for the Joint Requirements Oversight Council and its role in developing the requirements process for the weapons system used by the combatant commanders.

Would you now recommend any changes in the JROC process, having been in your role for 2 years?

General PACE. Senator, there have been tremendous changes in the last 2 years, not because I have been chairing it, but because the process has had the value of the previous year's experience, growth, and maturing and we have now been able to improve what I inherited, which was a process that was very good at grading the Services' homework.

In other words, if a service came up with an idea, they would bring it to the JROC, prove to us it was a joint capability, and we would then bless it as a system that was worthy of being procured, and that it would fit into the joint fight.

Now, with General Myers' direction and leadership, we have gotten around in front of that and have begun a top-down driven process that says, first of all, here are the capabilities that our country is going to need 15, 20 years from now. Then, these are the operational concepts that feed those capabilities. Then we consider the cross-threading of what each of the Services are doing, for example, in command and control, so that as we look at major combat operations, as we look at stability operations, as we look at strategic deterrents, as we look at homeland security—each of those is a stovepipe-like concept, and then cross-cutting each of those are things like command and control.

So we are looking at putting out in front of the Services the concepts and capabilities that the Nation will need, and they, then, are coming to us to show us how they will fill the gaps in capabilities that we are able to define for them, rather than coming up and just

having a series of good ideas. So it is top-driven as opposed to bottom-up, sir.

Senator ALLARD. Now, I have a question I would like to have one of you answer, if you would. It pertains to the personnel management proposed by Secretary Rumsfeld.

Do you fully support those recommendations, what he is pushing, and would you share with us the reasons why you think the changes need to be implemented?

General MYERS. I do. I think I can speak for all the Joint Chiefs of Staff that we have come over and testified on those changes. I think you are primarily referring to the civilian personnel management changes that are being requested.

Senator ALLARD. That is correct.

General MYERS. The reason I do, and the reason that the Joint Chiefs do and that the military does, is because we just have to increase the flexibility that we have in managing our workforce. We have tremendous flexibility in managing the uniformed members, and a lot less flexibility in how we manage the civilian workforce.

It is important for the security environment that we be able to do some things that we need to do, and to be able to do them quickly. I think it plays into the end strength equation. There are some number of jobs being performed by people in uniform that could be performed by Department of Defense civilians that currently can't be because it is just too cumbersome to try to change. With some of them, it is just too hard to do, so we usually default to the easiest thing and put somebody in uniform in the job or hire a contractor on the job, denying somebody a civil service position.

But the underlying rationale is that in the 21st century, we need new ways to manage our people that are fair, that are consistent, that reward people adequately, that are different from the ways we have done it in the last century. That comes down to flexibility, primarily, and that's why I support it.

General PACE. I also support it, Senator, for the exact reasons that General Myers just mentioned, especially from the standpoint of providing more opportunities to the civilian workforce. I believe that given the flexibility in those proposals, that instead of someone in uniform or instead of a contractor performing the mission, we will be able to hire a civil servant to do it, because they are capable of doing it. But the procedures right now just make it too difficult to go in that direction. We need to get the job done, so we get it done. We get it done by putting a person in uniform or getting a contractor to do it, because there is a certain amount of time within which we must start.

Senator ALLARD. Thank you both for your responses.

General MYERS. Can I tack on one thing Senator Allard, as we were talking about DOD civilian personnel, that is often overlooked in our equation because we are in uniform and we talk about our men and women in uniform? I think it is also important also to talk about the men and women that serve the Department of Defense that don't wear a uniform but wear civilian clothes. They are in Iraq with us. They often face the same hazards that our men and women in uniform do. They do a terrific job.

I think both General Pace and I and all the Joint Chiefs appreciate it probably more than we say; because it is easy to talk about

sailors, soldiers, airmen, marines, Coast Guardsmen, but we also always ought to add DOD civilians, because very often, they are right in the fight with us and are doing a terrific job.

Senator ALLARD. Thank you.

Chairman WARNER. Thank you very much, Senator. Senator Pryor?

Senator PRYOR. Mr. Chairman, I thought that Senator Reed was here first.

Senator REED. No.

Senator PRYOR. Thank you, Mr. Chairman.

I want to first thank you all for your service today. It has been outstanding and I congratulate you on your renominations here and I tend to support those heartily.

General Myers, I would like to ask you a few questions, if I could, about weapons of mass destruction in Iraq. I think that—I hope you take these questions in the spirit in which they are asked, and that is a genuine desire to clear up what has happened in Iraq since we have been over there.

About 4 months ago, you gave a statement to CNN where you said, "We know that the Iraqis have weaponized chemical and biological weapons. They have surface-to-surface missiles that can deliver them. They have aircraft that can deliver them. They have unmanned aerial vehicles (UAVs) that can deliver them and they have artillery that can deliver them, as well."

I was going to ask you specifically about those four delivery mechanisms, about what we have found in Iraq since we have been over there; specifically, have we found surface-to-surface missiles, the aircraft, the UAVs, and the artillery that could have delivered weapons of mass destruction?

General MYERS. We have found surface-to-surface missiles. I don't know that we have found any that had chemical or biological warheads mated to them, but we have found the delivery vehicles.

The documentation for the aircraft—I do not know if we have found the spray tanks that had been tested, but we have pictures of that testing, so that is, I don't think, in dispute. On the UAVs, I think we are going to get into classified areas here. I will be happy to provide for the record, what we have discovered.

There are artillery—we know they have that capability. Just the other day, we found some artillery shells that are for that purpose. They have a different casing for that purpose. Whether or not there were chemicals or biological agents in there, we don't know. We'd have to test that.

But we know—I am very confident that they had the capability in all those delivery means to employ chemical and biological weapons if they'd made that decision to do so.

Senator PRYOR. I do not want to get into classified material in this setting so I am sensitive to that concern.

General MYERS. If you have a question for the record in that regard, I would be happy to answer that in terms of UAVs.

Senator PRYOR. Okay, thank you.

[The information referred to follows:]

[Deleted].

Also, about 2 months ago on the Today Show you said "Given time, given the number of prisoners that we are now interrogating, I am confident that we are going to find weapons of mass destruction."

Do you still have that same degree of confidence today?

General MYERS. I do, and the reason I do was the event yesterday when we came up with Qusay and Uday. The way we found them was an Iraqi citizen coming forward and saying, I know where they are. There may have been even a second source that said, I know where they are.

I think, as has been stated many times, in a large country like Iraq that has practiced denial and deception on this program for a long time, it is well-documented that it is a matter of time before we find the evidence of a program, and most probably, some of the material itself. It is going to take time.

We have what we call the Iraqi Survey Group that is dedicated primarily to this mission. It is over a thousand people under the leadership of Major General Keith Dayton, who is one of the deputies over at the Defense Intelligence Agency. He, along with Dr. David Kay, are leading this effort, and I am confident that the program and some material will eventually be found, but I think it is going to take time.

Senator PRYOR. You mentioned evidence of the program and evidence of weapons of mass destruction (WMD). I recall a number of press reports during our time there in Iraq about the looting of suspected sites of WMD. What impact, in your estimation, did looting have on our ability to locate evidence of the weapons themselves or the evidence of the weapons program?

General MYERS. An excellent question, and I don't think I can give you a precise answer, as we sit here. Most of the looters were after things that had some sort of tangible value. They were not after the weapons of mass destruction. They would have stayed away, but they were after something they could turn into cash or some other use to them or their family.

I would have to go back and ask General Dayton now that they've been working this really hard to see if they think that valuable evidence was lost. We do know that in the war and in the immediate aftermath, that some documentation was lost and some evidence was probably lost.

We also know that there is a lot of evidence yet to go through, that we have stacks and stacks of evidence. We have a lot of people that we have to interrogate and go through that as well. So what percentage was lost and how big an impact, I can't give you a good balance.

Senator PRYOR. One concern I have——

Chairman WARNER. Could I interrupt just a minute, Senator Pryor? That is such an important question that Senator Levin and I are working on, and we will confirm a day, but we will have a briefing to this committee next week by Dr. Kay, who is the civilian head, a former weapons inspector, who is part of the Rumsfeld team now put in Baghdad under Bremer, and he will be joined by General Dayton, who is the military commander of those forces. Significant forces have been assigned to perform the missions to try and get more information regarding the WMD program.

Now, you go ahead and take a little more time. I interrupted you.

Senator PRYOR. Thank you, Mr. Chairman.

One concern I have about the looting and the looters looking for things of value is that something of value could have been the weapons themselves, and they could end up on the black market. They could end up in terrorist hands. Do you share that concern?

General MYERS. I think that is always a concern when you have weapons of mass destruction, that they fall in the wrong hands. After all, that was one of the major reasons for going into Iraq in the first place, to ensure that terrorists didn't get their hands on biological or chemical weapons that we were certain the Iraqis had. So, clearly, if they can get them through other means, that is an issue.

I will tell you, given the forces we have in the country, given the attention we have on this issue, we are attuned to that eventuality.

Senator PRYOR. The last thing I have is not really a question but just something I would like to leave you with, because I think this would be more appropriate in a classified setting. That is it is probably a little too early today to do a "lessons learned" on your search for weapons of mass destruction, but certainly I would hope at some point you and I could visit, possibly with the entire committee, about lessons learned and maybe knowing what we know today, if we could do it all over again, what would we change, if anything, and how we might get to a more sure result in our search for weapons of mass destruction?

General MYERS. I think that is very appropriate. We have been very aggressive on capturing the lessons learned of the major combat operations. There is work starting now on the period after major combat operations ended, on the lessons learned there, as well.

I think that is one of the things that we will do well. We will criticize ourselves where it is appropriate, and we won't waste any time patting ourselves on the back if we did it right, and we will continue that process.

Senator PRYOR. Thank you, Mr. Chairman.

Chairman WARNER. Thank you very much, Senator.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman. Let me, too, congratulate you, General Myers and General Pace, for your service to the Nation and for something else. I think your service is motivated by a deep appreciation of the sacrifice and service of so many young Americans who wear the uniform of the United States and that's what makes the contribution of the uniformed officers to our defense something special, and I thank you for that.

Let me clarify, General Myers, a response that you gave to Senator Levin. You indicated that—at least I thought that I heard you say that there was no coalition division involved in the Army rotation plan. I have information that suggests the 101st Air Assault is scheduled to be replaced next February by a coalition division yet to be named; is that correct?

General MYERS. Yes. I can't remember my response to Senator Levin, but——

Senator REED. I just wanted to clarify.

General PACE. I think the difference at the time, if I may, sir, you are talking about the difference between two divisions and three divisions and the question is whether or not for the foreseeable future—which is the next couple of months—whether or not the three divisions were in there, and I think General Myers said——

Senator REED. We both, for the record, recognize that one yet-to-be-designated, named, and contributed multinational division is on paper scheduled to replace the 101st next spring——

General MYERS. That's correct.

Senator REED. This leads to the second question: This a division-sized unit, so we are not talking about one truck company from Hungary and a signal battalion from someplace else. Who are the likely donors for a division-sized unit that you would, at this point, solicit?

General MYERS. We are in discussions with the country of Turkey. They have a large, very competent army, and we will continue those discussions. They would certainly be able to provide, if they wanted to, a division headquarters and hopefully a couple of brigades.

Pakistan is another country that has a competent army, and we are in discussions with them, and I think you know the situation in India. They certainly could provide a division. They are, again, a competent force and I think that the press pretty well spelled it out, that they are waiting for an invitation, perhaps, that would be backed by the United Nations.

Senator REED. If we do not successfully recruit a multinational division, then we are going to have additional stresses, particularly on the Army. That seems to be obvious, is that correct?

General MYERS. Well, there are some things that are not on that chart, and one of the things that is not on that chart is the potential use of a Marine division, and that is in the thought process and in the planning.

Senator REED. So now we put the stress on the Marine Corps?

General MYERS. Well, another way to put it is that we are trying to spread the predictability of the stress as much as we can; not just U.S. forces, but international forces and not, when you talk about the U.S. forces, not just the United States Army, but the United States Marine Corps and not just, as I had mentioned before, in combat support, combat service support. Not just the Army or Marine Corps support assets, but other services that can provide those.

Senator REED. Let me ask you a related question. You may not have this information, and that is entirely appropriate. Just get it to the committee.

How much are we contributing to these or proposing to contribute to these multinational divisions in terms of donated equipment, logistical support, per diem, or just out-and-out payments?

General MYERS. It depends on the country involved. For some of the countries that don't have the wherewithal—in the Polish division, we have said we will provide the lift to get them there, whether it is our aircraft or whether it's contract lift, to be determined by the situation; and that we will help with sustainment while they

are in there, because many of those forces don't have sustainment capabilities.

Again, that does not necessarily mean that we should think immediately of U.S. forces providing that sustainment. It could be done by a contractor. So we have committed to the Polish division, to some of those countries that don't have those capabilities, we have provided sustainment and we provide lift.

Senator REED. Could you provide the cost, at least for the Polish division? I presume we are paying for this and that it is coming out of American resources, our budget? Your budget, I should say.

General MYERS. Let me provide that for the record. But I think that we will find that cost comes—there are appropriated dollars in that cost. We are continually seeking contributions from international donors, but no money will come from seized or vested Iraqi assets.

[The information referred to follows:]

The Defense Department currently estimates that it will cost the United States $29 million to lift, sustain, and equip the Polish-led Multinational Division that will deploy to Iraq for Phase IV stability operations. The Defense Department will cover $243 million in costs; the State Department will cover $47 million. The troop-contributing nations will all pay their own salaries and other special pays. Future lift and sustainment costs for other coalition or multinational divisions will depend upon specific needs and requirements of those contributing coalition countries.

Senator REED. Just a final question on this line. I notice in the rotation plan that the 3rd Infantry Division is being replaced by elements of the 82nd, both superb divisions, well led by General Blount and General Swannack. But there is a difference between a mechanized infantry division in this type of operation and an airborne light infantry division. The big difference is vehicles.

How are you going to make up the mobility differences in that situation and other situations?

General MYERS. The forces that are going in are being tailored for the mission, and in fact what General Abizaid wants is to go from a heavy force to, if you will, to more infantry or foot soldiers. Obviously, they need mobility, and they will make accommodation for that.

By the same token, as you look at the rotation you will see the 1st Cav Division on there, which is a heavy division. They will probably not go in heavy with their tanks and so forth. They will probably go in a mechanized way, not with a lot of M–1 tanks. So they will be augmented by armored high mobility multi-wheeled vehicles (HMMWVs), and perhaps some other vehicles.

In addition, to give them more infantry with the 1st Cav, the enhanced separate brigades quite likely will be asked to put battalions with the various brigades of the 1st Cav so they have more infantry with them as they go in, to include a civil affairs battalion, as well.

So what General Abizaid is trying to do, and what the Army is helping him do, is to tailor these forces exactly for the task that they have today and the task generally does not call for a very heavy force. But you're quite right, they need the mobility and they will have that.

Senator REED. Is there another round, Mr. Chairman?

Chairman WARNER. Yes, we will have another round. Would you like to take an additional question, Senator?

Senator REED. If I could ask one question.

A few days ago, General Myers, General Pace, a manned portable air defense rocket was fired at a C130, which would be a significant, if it continues, escalation in the threat profile. It begs several questions. One is, is there an estimate—and you might not be able to give it in open session—of the number of these systems that are in the country?

The second question is, is there an estimate of any number of systems that might have been taken out of the country, either smuggled out for sale or simply smuggled out for other purposes?

General MYERS. Sir, we are going to have to ask the intelligence community to provide those estimates. Clearly it was a weapons system they had. I think there have been two confirmed firings at C130s since major combat operations ended and we started operating in Baghdad.

There are several efforts underway to deal with that threat. One is to offer to buy these weapons to get them off the market, as we have done in other cases. Another is to search for them, an active search, around the airports and so forth, and those operations are ongoing.

As you said, it is potentially a very dangerous threat, and we have to deal with it. We can get you the number, the estimates, from the intel community.

Senator REED. Thank you, General Myers, General Pace.

Chairman WARNER. Thank you, Senator. We will now begin a second round.

General, the subject of the Korean Peninsula is of grave concern to me, and I think our President is moving with a policy that is the policy most likely to succeed in bringing about North Korea recognizing that the proliferation of weapons of mass destruction is not in the interest of that country or any other country in that region or any other country in the world, and that to achieve that goal, the multilateral approach is the best.

We have had a lot of expressions of concern by individuals recently, most notably, former Secretary of Defense Perry, a man with whom I was privileged to work very closely in my service on this committee, an individual that I was privileged to travel with officially on a number of occasions.

Subsequent to his retirement from the Department, he continued to pursue efforts to reconcile the differences and to achieve a status quo with North Korea that would enable the fulfillment of the goals that the world holds with regard to nonproliferation of weapons of mass destruction.

That framework that he and President Clinton and others put in place was put in shambles by actions taken by North Korea. Now this President again is trying to reconstruct a policy.

But given the proximity of South Korea, which has to be a partner, and Japan, which would suffer enormous consequences, economically, if somehow a rapid departure of people from North Korea and would suddenly descend on Japan. China, I think, has taken a constructive and active role recently, and we see there is glimmer of hope that at least a tripartite meeting can take place with China, North Korea, and the United States, perhaps as a preliminary to a full multinational meeting.

But putting aside the diplomacy, I have always subscribed to the belief that our diplomacy can be no stronger than the military options to enforce diplomatic decisions, if that becomes necessary. Hopefully, we will not ever see an outbreak of hostilities on the Korean Peninsula again.

Those hostilities are fresh in this Senator's mind for personal reasons of many years ago. You and I have discussed this privately, the consequences of an exchange of conventional weaponry on the South Korean peninsula has horrific dimensions, not only to our own forces but to the civilian populations of South Korea, as well as North Korea, and the military forces that face each other.

Nevertheless, we have to, as best we can, keep the American public and others informed as to what the options are that the Department of Defense is looking at, in consultation with the Department of State, to back up the goals that we have. That goal is simply to provide peace and security for both North Korea and South Korea on that peninsula, and hopefully the optimism that at some point in the future they might reconcile their differences so the two nations can become more closely aligned with each other, whether it is through trade or immigration, or the like.

So just take your time, and give us your views on this.

General MYERS. Well, Chairman Warner, as usual, there is a lot of meat in almost every sentence that you spoke there, so let me just start down it as I was trying to take some notes, here.

You are quite right, if there were to be conflict on the peninsula, there would be a lot of casualties. It is because of the North Korean army, over a million-person army, 70 percent of which is south of Pyongyang, and its artillery which can range Seoul from just above the demilitarized zone (DMZ) on the high ground. So there would be great tragedy, because there would most likely be a lot of casualties. Having said that——

Chairman WARNER. Let me just interrupt, because we as a Nation have seen the casualty rates. We lament every day the loss of a soldier, two soldiers, and the wounding of five or six in Iraq. The same is true with Afghanistan. I remember during that situation, again, we lost many brave individuals.

But my mind is quite fresh with the statistics of World War II, when in the fall of 1944, to give the last three major engagements, the United States alone—I'm not talking about their allies, Britain and France—41,000 casualties killed, wounded and missing in the Battle of the Bulge, which was the last major engagement, major in terms of divisional structures in World War II. That was followed by Iwo Jima, where the Marine Corps, together with the Army, but primarily the Marine Corps, lost over 21,000 killed, wounded, and missing. Then we had Okinawa, with casualties somewhat greater in totality than Iwo Jima.

Now, that was a half-century ago. But in my judgment, the magnitude of those casualty figures of World War II could be replicated in the Korean Peninsula if we saw a full engagement of conventional forces between the North and the South, and our allied position with the South Korean forces. Would I be correct in that?

General MYERS. Chairman Warner, it is always difficult to estimate casualties. But given that North Korea has long-range artillery well dug into the hills that can range the major city of South

Korea, Seoul, I think you would have to assume that there would be a lot of carnage. I don't think we can predict exact numbers. We were never very good at that. But there would be——

Chairman WARNER. Certainly it would be far in excess of what we have been experiencing here in Iraq and in Afghanistan and in situations like that.

General MYERS. It would be a different circumstance. But—and that is where I left off, as I was starting my statement.

The next part though is equally important—that there would never be a doubt about the outcome of this conflict. The reason is because our U.S. forces on the peninsula and the South Korean forces are extremely well-trained and led. We know they often have to deal with a quality of life because of their facilities and so forth being less than desirable, but as we speak, their motto is, "We have to be ready to fight tonight," because of just what you said, about the kind of forces they are arrayed against.

They are ready, and while we talk about Afghanistan and Iraq and we talk about other places U.S. forces are, we can't forget that we have 37,000 U.S. forces on the peninsula that bring security to the peninsula. Given that, the outcome would never be in doubt, that if North Korea were to start a conflict like that, that it would end with the end of that regime, that would not be a question, militarily anyway. That is probably the best deterrence we can have against an eventuality like that.

You mentioned counterproliferation and proliferation of fissile material that we now know—North Korea has admitted to reprocessing fuel rods that came out of their nuclear reactors. They have enough fissile material for 6 to 12 weapons, perhaps. They have claimed they have already processed all those fuel rods, publicly.

I think this is a very serious problem. Here is a country, North Korea, that is the biggest proliferator of missile technology of any country in the world. They are on the list of states that support terrorism. Now you add fissile material with countries out there that we know want fissile material and have cash—it is a very dangerous combination. So that convergence is not good.

Clearly, we can't go into this in this open hearing, about all the military plans and preparations that surround our ability to defend the peninsula and other plans that we might have. But I think it must be said that we are working this issue very hard.

Having said that, diplomacy is the way ahead. Now, I'm getting a little bit outside my lane, but as you said, it looks as if we will have another round of multilateral talks. I think this time they will be multilateral, as opposed to just trilateral. I think that has yet to be determined. But the Chinese government is being helpful here, and certainly we consult with the South Korean government and Japan, as well.

So that is clearly the preferred course here; that somehow diplomatically we can work our way through this issue, which I, like you, view as very serious. The notion or the thought that fissile material could be proliferated to other countries could change our security environment, again in a not-so-nice way.

You mentioned the number of casualties in the Battle of the Bulge, and Iwo Jima. I think, as we talk about this war on terrorism, we haven't had casualties to that number.

But it is interesting to think about how quickly we had 3,000 casualties one September morning. Those 41,000 and those 22,000 were over a little bit longer period of time; but in a matter of about an hour, we had 3,000 Americans and other citizens dead. So it is a different kind of threat that we are dealing with in the war on terrorism.

Chairman WARNER. I am glad you brought that up. Very definitely, we have that September tragedy in mind. It has been a guidepost for our President, who has courageously addressed this worldwide war on terrorism. Every time we must reflect on that loss here in our Nation, right here in the homeland of the United States.

General MYERS. Absolutely. General Pace may have something to say on Korea or the situation.

General PACE. Well, I think General Myers laid it out very well. There is great opportunity for the diplomatic equation here. The United States, South Korea, Japan, China, Russia—to name five very important countries—have an enormous opportunity to work together to convince North Korea that there is a better way to live and to become part of the international community, but I also echo what General Myers has said. If it ever were to come down to a military requirement, there is no doubt in my mind that we are more than ready to execute the current plans and to prevail on any battlefield.

Chairman WARNER. I simply brought up the historical casualty figures because I think the preparation of the American public on all aspects, all dimensions of the contingency is incumbent upon the administration, and indeed Congress, as we approach these decisions working together.

Senator Levin very graciously said that you may take this time, Senator Sessions, so we will go right to you.

Senator SESSIONS. Thank you, Mr. Chairman. I just wanted to take this moment, at the time of your reappointment, to express my tremendous admiration for the work that you have done, for the leadership you have provided, and for the success with which you have led our brave men and women in battle, the efforts that have been undertaken to make this a more secure country. Yes, we are not perfectly secure, but there is no doubt in my mind that under your tenure as leaders of the Joint Chiefs we are much better and much safer today than we were before. I much prefer that the terrorists be worried that we are coming after them than us be sitting here waiting on them to come after us.

You have helped transform our military. I will just submit some written questions on that subject. But I just want to say this is a big deal. We have in fact gone from a Defense Department that was divided to a Defense Department that is one. The different branches work together in a coordinated way.

While I have no doubt we can do better, we are coordinating and working together in unprecedented ways, and it is allowing our men and women to have tremendous success on the battlefield, and placing great stress on enemy soldiers, avoiding enemy civilians or civilians in the country there, and minimizing the threat to themselves. It has just been a tremendous thing.

Yes, we have critics. You will be proposing more changes. There will be challenges and questions by this Congress. But I think you are doing the right thing. All in all, day after day, we are making tremendous progress. No military in the history of the world has done as well, in my view. Change is hard for everybody, but I salute you for it.

I just wanted to take that moment, and you can be certain that this Senator supports your reconfirmation, and is so delighted and honored that you have agreed to serve again. I think it will allow us to complete the Iraqi operation, and continue to help us transform so that we will be able to meet the new challenges that face our country.

Mr. Chairman, thank you for letting me be with you here, and thank you for your leadership. We have some tough times going on right now in the appropriations authorization process for the Armed Services Committee, and your leadership is just remarkable. We appreciate it, we appreciate what you do.

General MYERS. Thank you, Senator.

General PACE. Thank you, Senator.

Chairman WARNER. I want to say that Senator Levin is a working partner in trying to work through these things. It is up to you, now.

Senator LEVIN. Thank you Mr. Chairman.

General Myers, one of the primary goals of Goldwater-Nichols was to ensure the ability of our uniformed military to provide independent military advice to the Secretary of Defense, to the President, and to Congress.

In your response to our prehearing policy questions, you have pledged if confirmed to give us your personal views, even if those views differ from the administration in power. Congress authorized separate staffs for the civilian and military leadership of the services to ensure that senior military officers have the staff support and the advice needed to provide that independent military advice.

We are concerned by recent efforts to combine military and civilian staffs to make the military support staff subordinate to the civilian support staff. My question is, do you currently have the staff support that you need to provide independent military advice to the Secretary of Defense, to the President, and to Congress? What role does a separate and independent staff play in enabling you to provide that advice?

General MYERS. Senator Levin, I think we do have that staff, as it is currently organized. I think it is very important, as we provide our military advice, that it be pure military advice; and that the political issues surrounding military options and so forth be just that, be done by our political masters.

But I think the advice we give has to be untainted by political influence. That is the kind of advice that we try to provide, both General Pace and myself, and the rest of the Joint Chiefs.

I think our staff is well-organized and appropriately organized at the current time to provide that kind of advice. I think that is consistent with the statutes and the way this country and this Congress intends for us to act.

Senator LEVIN. Going back to North Korea, now, let me ask the question this way.

It is clearly in our military and national interest that North Korea not build an arsenal of nuclear weapons, and that we should try to persuade North Korea not do so, and I assume you would agree with that. If not, let me know in your answer to the question, but that is the starting point, which is obvious.

If that effort to prevent North Korea from building an arsenal and from transferring weapons requires that, in return for a complete and verifiable elimination of their nuclear weapons program, that we pledge not to attack North Korea, would that not make good military sense?

General MYERS. I think this starts to get outside my lane. Clearly, as we talked about earlier, conflict on the Korean peninsula is not a pleasant thought, because of the reasons discussed earlier.

But once you start talking about how we might deal with that, what one side might promise to the other—again, that is a little bit outside, well, quite a bit outside my lane.

But one thing we have learned over the last decade is, a little bit over the last decade, is that promises made by the North Korean regime can't be counted on. I think we will need to leave it to the diplomats and to our political leadership to decide what we are willing to give for what we get. I don't think that is necessarily something that, from a military perspective, we probably ought to have driving the process.

Senator LEVIN. That is why the verification part of that question is so important.

General MYERS. Absolutely.

Senator LEVIN. Senator Pryor asked you about the search for weapons of mass destruction in Iraq and you were asked about a statement that you made and that others have made that you are confident that we are going to find weapons of mass destruction in Iraq.

In answer to that, you talked about programs, which is not responsive to the question. The question related to weapons.

General MYERS. I think I said that we would find evidence of a program and of weapons. I believe we will.

Senator LEVIN. Does that mean we're going to—in your judgment we are still going to find weapons of mass destruction?

General MYERS. In my judgment, I think we will. Now, the reason I said programs and weapons is, I think, it is so easy to hide things.

There was a good report done, and I don't know if you have seen it in the committee. It was a classified report, of which portions were declassified, and it talked about an inspector for the Environmental Protection Agency. His job was to find those companies that were supposedly disposing of hazardous waste in appropriate ways, but really weren't. They were bilking the customer, bilking the government by picking up hazardous waste and then depositing it in other places, and we talked about so many tons of material that could be put in 55-gallon drums. You could place these almost anywhere. If you think about the number of 55-gallon drums within a 5-mile radius of where we sit, it is probably thousands, and how difficult it would be to find a few in there that have hazardous waste or, in the case of Iraq, chemical or biological weapons.

So there is always the possibility that the Iraqi regime has, during the war and the aftermath, destroyed a lot of the evidence. We don't know that.

I am telling you my personal conviction based on the intelligence that I read before the war, and what the U.N. inspection teams, both the United Nations Special Commission (UNSCOM) and the United Nations Monitoring, Verification, and Inspection Commission (UNMOVIC), said. Based on all that testimony, I think it is likely that we will find material as well, or traces of material, or evidence of material that existed, and so forth, and the evidence of a program. That is my belief, and I think it will——

Senator LEVIN. Material can include all kinds of things, including precursors, but the specific question relates to weapons of mass destruction and the question is, are you still confident that weapons of mass destruction will be found in Iraq?

General MYERS. Personally, I am confident we will.

Senator LEVIN. Should I keep going?

Chairman WARNER. Sure, take a question or two.

Senator LEVIN. You were, I think, somewhat reluctant to get into the question of troops from other countries. I am a little surprised at that, given our conversations with some of our commanders in the field about how valuable it would be to have forces from other countries, including Germany, France, India, Pakistan, Egypt, and others.

You have indicated what it might take and you put those in three baskets and I think that is very helpful to obtain the consent of nations that have large numbers of troops.

But when it came to the question of whether or not it would be valuable to actually seek the support of NATO which might make that possible, or to seek the support of the U.N. which might make that possible, you, I think, were much more reluctant to be forthcoming in that area. I am somewhat surprised, and I want to press that issue a bit further.

We have 93 percent of the troops there now, roughly, if my math is right. If we succeed in the numbers that you indicated in getting—I believe the figure was 20,000 or so additional troops—that we would still be at about 80 percent of the troops on the ground by the end of the year.

Our troops are stretched. We assume that there will be a third division coming in internationally, as you indicated to Senator Reed's question. It is in everybody's interest, it is in the world's interest—at least the decent countries that care about things like this—that there be stability in the Middle East and stability in Iraq, and that Iraq move towards democracy, as well as stability, so there is a common interest in that.

As you pointed out, NATO knows how to do this. In fact, they have done it in the Balkans and in Afghanistan. So we don't have a problem about NATO knowing how to say yes and how to be supportive, not just of an individual country like Poland but as an entity. The U.N. knows how to say yes, though it is always more complex because there are a lot more countries and there are a lot more political requirements there.

But as you point out, we would expect that the U.N. would take over the operation in Liberia. Our commanders that we talked to

when we were visiting the region under Senator Warner's leadership, many of us were there, and they said that they welcome the troops of countries that have not yet made a commitment, that they would provide valuable military resources to us if they joined us.

So there didn't seem to be any reluctance there, talking to our commanders about the value of troops from, again, Germany, France, India, and so forth.

Do you agree that it would be of value to have German, French, Indian, Pakistani, Egyptian, Turkish forces in Iraq; and that it would be useful to—providing we don't give up the unity of command or clarity of command, that it would be useful to seek the support of NATO and the United Nations in order to make that possible?

General MYERS. Senator Levin, let me clear up one thing right away. I am very bullish on trying to get international forces in there. I think that is really important, for all the reasons that you said. It is something that, in fact, the Joint Staff works on very hard. We have some folks devoting all their time, some great action officers, trying to make that happen.

Senator LEVIN. My question very precisely though is seeking the support of NATO and the U.N. to make that possible.

General MYERS. The only reason I hesitate on those two is because it is going to be a political decision on NATO's part whether they do or not, and we have just begun to think about how NATO formally might be part of that. So those discussions, I think, have started at the highest levels. They haven't trickled down.

Are we opposed to a NATO organization coming into Iraq? No, absolutely not. Clearly not. It would be in our best interest if that were to happen. But all I was trying to indicate is that those discussions, while ongoing, are not complete yet.

Senator LEVIN. I want to ask, do you ever see any finite moment where there might be a request to NATO? There was just a sort of a real hesitation.

General MYERS. Sure. I think there will be.

Senator LEVIN. Will be what?

General MYERS. My answer would be that there would probably be a request to NATO at some point.

Senator LEVIN. You would welcome it?

General MYERS. Sure, absolutely. There has not been an insurmountable problem in all our work with our international partners around the world. Some people hold out command and control as being a big issue. We have always been able to work through the command and control arrangements, and there are ways we can do that that satisfy us, the United States, and that satisfy other countries and their sovereignty, and ensure that in the end we have a good unity of effort, a unity of command. So that will not be a problem, certainly not in our minds.

Senator LEVIN. Would the same thing be true, that we could possibly work that out with the United Nations' support?

General MYERS. It is possible that can be done, as well, certainly.

Senator LEVIN. Former Senator Abraham, now Secretary of Energy Abraham, said we are not planning to develop any new nuclear weapons at all. My final question to you is, are you aware of

any military requirement or any effort to develop a military requirement for a new nuclear weapon?

General MYERS. No, Senator. I am not.

Senator LEVIN. Thank you, Mr. Chairman. Thank you both.

Chairman WARNER. Before recognizing Senator Clinton, who is next, I think it is important that the record, in response to Senator Levin's important question on international participation, contain a clear answer from the Department of Defense, in consultation with the Department of State. Because I think it is a joint responsibility of both departments and the secretaries of both, so I would put a question in at this point and ask the administration to answer it clearly as to what overtures, formal or informal, have been made to, first, the North Atlantic Council with regard to NATO participation; and such responses as the administration can share with us; and what overtures have been made to, specifically, the countries of France, Germany, Turkey, and perhaps others with regard to their willingness to participate with the current Coalition Forces in both Afghanistan and in Iraq, because the questions are important.

I am not certain that in your position you have full knowledge of what may have transpired. Perhaps you do. Perhaps you wish to respond to my question at this time. But I think I want the Secretaries of State and Defense to respond to these important questions by my colleague.

General MYERS. You are right, Mr. Chairman, it is a shared responsibility between the Department of Defense and the Department of State in terms of asking for and getting this support. I think I am aware of most activities that are going on, and there are ongoing dialogues with all those countries that you just mentioned.

General Abizaid recently visited Pakistan. General Jones, our European commander, recently visited Turkey. General Abizaid visited Turkey, as well, and those were some of the topics that were discussed. So on the military level, it is working. I'm going to take a trip to the region. I'm going to Iraq, Afghanistan, India, and Pakistan. That will be among the topics that I cover, as well.

Chairman WARNER. Fine. I think it is important that we continue these, because the internationalization of this force would have the consequence of lessening the exposure of our forces, although in no way are we trying to cut and run in any way, but we must share those burdens, particularly the loss of our wonderful men and women of the Armed Forces, and injury.

It is a national and an international concern. It is not just a private matter, it is an international responsibility. Because if we can achieve the goals in Iraq and allow democracy to take root in that nation, that democracy could spread to other nations. To the extent we can democratize those regions, I think it lessens the chances for terrorism internationally to find havens in which to train, and then to take their terror beyond those training camps to elsewhere in the world.

My understanding with regard to France and Germany is that the heads of State and Government have said conclusively at this time that they are not going to participate in response to certain overtures. But I will leave it up to the Secretaries to respond to those questions definitively.

General MYERS. Can I tag on just a minute and respond to both you and Senator Levin in terms of contributing troops to the situation?

As General Pace mentioned earlier, it is not just the number of troops and the composition of troops on the ground; there are other elements of security that have to be mentioned.

Ambassador Bremer mentioned some to you the other day, because there is a political dimension, and an economic dimension that have to come along with the security dimension, and they all work together to provide the kind of environment we want in Iraq, and for the Iraqi people.

Then General Pace mentioned the new Iraqi Army. It is going to take us a year to get the first 7,500 up online. Then it is going to take us 2 years to get to 40,000. So we will get some, around a division in 1 year and we'll get several divisions in 2 years. But that work is proceeding.

A new thing, a new concept is a civil defense force, which is going to be somewhere between a police force and a military unit, probably made up of young Iraqis who were part of the regular Iraqi Army, because they have already had some training. We hope to have 4,500 of them trained and ready to go with uniforms in August. They can help as far as doing some things that U.S. forces are doing, and releasing us to do things that we are very good at.

Then there is the police force, which was mentioned and we've talked about. It is what the Iraqis are going to do for themselves. It is the political and economic dimensions, which are coming along, and Ambassador Bremer covered that, I think, when he spoke to the Senate the other day; and then, of course, the troops themselves.

Chairman WARNER. Well, that is important, because that new force, I think it's called a corps, is to guard power lines, which are being torn down as a part of looting or terrorism, the broader functions to assist in our convoys as they must go up and down the main arteries, road systems and so forth. So it is, I think, a very innovative and wise step that was initiated by the Secretary of Defense and Ambassador Bremer.

Senator LEVIN. Mr. Chairman, if my colleagues will yield, relative to your questions to the two Secretaries—and I think that is a wise idea—would you be willing to do a number of things?

One, in addition to asking them what overtures have been made, to add what overtures are planned? If no request is going to be made to NATO and the U.N. for support, if they could tell us why that is not going to happen.

Finally, could you add to NATO the U.N. as the other organization that we are asking the questions to, and I would be pleased to send that letter jointly with you, if you would be willing to have that.

Chairman WARNER. We often try to do things in a bipartisan nature, and I think that is an initiative we can do jointly. Now, Senator Clinton, you have been very patient. Thank you very much for joining us at this hearing today.

Senator CLINTON. Thank you Mr. Chairman. I apologize I couldn't get here earlier. We had a hearing on biodefense in another committee.

But I want to thank General Myers and General Pace for your service. You came on board at a very difficult time in our country's history, and I am personally, and I'm sure, on behalf of my constituents, very grateful.

I also want to commend you on the performance in both Afghanistan and in Iraq, and particularly the planning of the mission in Iraq that did limit and minimize the kind of collateral and civilian damage that might have otherwise occurred. I think that is a great tribute to you and to the men and women you are responsible for commanding.

I want to focus for just a minute on Afghanistan. Obviously, our immediate concern, because of the headlines, is the continuing dangerous environment in Iraq and the challenges of rebuilding and reconstructing that devastated nation.

However, as we all know, we do have thousands of U.S. troops in Afghanistan, including from the 10th Mountain Division, from Fort Drum, New York. The assessments I receive are quite mixed.

I am told that the only secure place in the country, depending upon the time of day, is all or part of Kabul; and that we have made alliances with a number of warlords out of necessity, in order to have some effort ongoing to pacify and bring order to certain parts of the country, but that there has been a resurgence of Taliban/al Qaeda activity that is troublesome.

So I would like to ask both of you, what is your assessment of the security situation in Afghanistan? Do we have enough troops, either American and international, to provide significant control? How important are these reports that the Taliban is regrouping? Finally, if you know at this time, what role will the 10th Mountain Division troops continue to play in Afghanistan?

General MYERS. I would be happy to answer, Senator Clinton.

Often it's alleged that we don't pay much attention to Afghanistan, but in fact there has been a lot happening in terms of Afghanistan in trying to continue to make that country more secure.

You are right, we have about 10,000 U.S. forces over there, as part of the Interim Security Assistance Force in Kabul, which is now a German-Dutch mission, but will turn this August 2003 into a NATO mission. There are over 5,000 international forces supporting that.

On top of that, we have somewhere between 2,000 and 3,000 Coalition Forces supporting, in this case, now, the 10th Mountain Division over there. So we have substantial forces.

The security situation in the country—if you map out where most of the incidents are happening, it is in the area along the Afghan and Pakistan border, starting about where Kabul is, the Khyber Pass, and down south all the way to a major incident we had down to the Spin Boldok area which is the border south of the ungoverned areas in Pakistan and the more traveled areas there between Afghanistan and Pakistan in the south-southeast.

That is where the holdouts are. If the Taliban is going to get traction, that is where it is going to be. We know they go back and forth across the border fairly freely, and that is a problem for us. We have gotten complete cooperation from Pakistan in that regard.

The great folks out of Fort Drum, they are going to focus on that area. That is where the Italians are focused. We have an Alpini bri-

gade in there that is a thousand people strong, that is focused in that area, the Gardez, the Khost area, which is the area I am trying to describe.

Do we have enough troops? I think we do have enough troops for the situation right now. What we have tried to do is create these Provincial Reconstruction Teams (PRTs) that are not large, but do bring sort of all the instruments of national power, from security, to aid, to construction to the various communities, and we hope to, in the next couple of months, to have one of those in each of the provinces in the major cities. Some are led by the U.S. One is led by the U.K. Other countries are looking at leading them as well.

These are important ways to continue to show the improvement of the security situation; and bringing hope and real things, like wells that provide clean water, like schools, medical facilities, and so forth. That is the idea of these reconstruction teams.

On top of that, we have trained, I think, now the number is up to over 4,000, 4,500—correct me if I'm wrong—about 4,500 Afghan National Army folks, several companies of whom are out with our forces right now. So we are trying to put an Afghan face on the security picture that the average Afghan sees. By the way, these forces are being received by the Afghan people very well, as a matter of fact.

So there is clearly a lot more to be done. I would have told you, had it not been for the report I read today, that since June we have had a decrease in security incidents, and we actually expected the opposite to happen. Here in the last week they have started to increase again; but it does ebb and flow.

We had a successful operation killing 25 Taliban down in the Spin Boldok area. We will continue to work that. There is also a suspicion that some of the high-value targets that we are after are in that same area. We will continue to have to go after them.

So it is uneven throughout the country. I would say three-quarters of the country is pretty much secure. There is that part on the Afghan-Pakistan border that is not so secure that we have to deal with.

Senator CLINTON. General, I know my time has expired, but another element of this that I would——

Chairman WARNER. Senator, this is your first round, and I think Senator Reed and I would indulge you to have a question or two in addition.

Senator CLINTON. Thank you, Mr. Chairman, because, Mr. Chairman, there is another element to this that I am concerned about, and perhaps we could get a written report or maybe this is more appropriate for a classified briefing.

But I am also hearing reports about the increasing presence of Iranian interests in Afghanistan; and that not only with respect to political, diplomatic, quasi-military presence, but also doing work in the country reconstructing roads, building schools—really planting a flag, at least in western Afghanistan.

I find that concerning, and so it would be very helpful for me to be given some additional information about what we know with respect to Iranian actions and intentions concerning Afghanistan, and then the related issue with respect to Pakistan.

I agree with you that for many of us, we have gotten much more cooperation than we ever thought possible. But I am still concerned about the cross-border movements, and also the level of instability within Pakistan, and the ongoing efforts to destabilize the Musharraf regime.

So again, any updates you can give us on that, just to keep us informed, so we have a better idea of what the real threat-and-risk ratio is—I would appreciate that.

Finally, with thanks to the Chairman, I am also still, along with so many of my colleagues, perplexed—which is a word that General Abizaid used before us—concerning weapons of mass destruction. I would be remiss if I didn't ask both of you, given your cumulative experience, your expertise, as to what is the most reasonable explanation.

I know that the Chairman and I talked on several occasions about our concerns regarding what would happen to our troops when they crossed the Tigris or Euphrates, and the likelihood of the use of chemical weapons, and the necessity of making sure that they had the proper equipment and were as ready as possible.

It is just bewildering, I guess. For those of us who have followed the intelligence reports consistently, now, going back a number of years, it just doesn't make sense. So I would appreciate your take on what happened. How do we answer this question?

There are obvious explanations—it never was as much as we thought it was and our intelligence was just off by 90 degrees. It was there, it was destroyed, it is still concealed, or worst of all options, it has been privatized, in all or part, which is what I fear most.

But I would appreciate your expert assessment briefly on that question.

General MYERS. Senator Clinton, let me go back to Pakistan for just a minute. I think it is worthy to note that of the senior al Qaeda leadership that we have captured—using "we" very broadly—most of them have been captured by the Pakistanis or with Pakistani help, not insignificant. Two, WMD. Clearly, UNSCOM, the U.N. inspection regime before the last one, the recent inspection regime and their reports, the U.N. Security Council resolution—there was no doubt that Iraq not only had a program, but had material, and they hadn't accounted for it. It is my belief that we are going to find good evidence of a program, and it is also my belief that we are probably going to find material, as well. It is quite possible.

We certainly went into combat on March 19th of this year thinking that we were going to be subject to chemical and perhaps biological attack, and that is why our soldiers and our marines and everybody on the ground there, and the air crews, were prepared for it. They fought in their protective gear which is, having exercised in that gear before, it is not something you do voluntarily, because it is a little bit cumbersome and it is extremely hot. While the temperatures were only in the 1980s and 1990s, this was quite a burden on our forces. But the commands made that decision based on our knowledge of the threat at the time.

So why haven't we found it? Well, first of all, it has been about 100 days since the end of major combat operations and I think, I

have always stated—and my belief is—that it is going to take some time. This is a regime that has practiced denial and deception. They were at the graduate level in denial and deception. Witness the reports the other day about one of their nuclear scientists that was told to go bury some centrifuge parts under his rose bush. Now, if he had not come forward and said, "they told me to bury these parts under this rose bush," it is unlikely we would have uncovered them.

I think the same thing is true. They have compartmented this so well, and we know they took parts of their program, their documentation, perhaps the material, and they spread it out in a land the size of California. So it is going to take time. It is going to take the same thing that got us the two sons. It is going to take Iraqis coming forward saying, here it is, or here is what I know.

We have a very large organization, the Iraqi Survey Group, led by General Dayton, with guidance from Dr. Kay, and they are progressing down that road. We are going to have to wait and see, in the end. But my personal belief is we will still find the evidence.

I share your concern that the worst of all outcomes and the reason we went in there is that we did not want weapons of mass destruction to fall into terrorist hands, and we have to be very alert to that. I think we have the intelligence apparatus and forces and people working this so hard that we are going to try to keep that from happening. That is clearly a danger.

Chairman WARNER. The line of questioning by the Senator from New York with regard to Afghanistan is a very important part of this record. I think we should also have initiated by the Senator from New York, the latest report on our continuing emphasis on trying to apprehend bin Laden and Sheikh Omar, the two leaders.

In our conversations, that is, you and I, General Pace—I frequently bring this up in a private context, but I think you should emphasize today there has been no diminution in our effort to try and apprehend those two individuals, who in all probability, are holed up in a piece of geography in this world unlike anything else in terms of its inaccessibility to us.

General MYERS. Mr. Chairman, that's right. We continue worldwide to go after the leaders of al Qaeda, any members of al Qaeda we can find, but the leadership is of great interest to us and those efforts have not stopped, clearly.

Chairman WARNER. Thank you.

Do you have something to add?

General PACE. No sir, thank you.

Chairman WARNER. Senator Reed. Thank you for your patience.

Senator REED. Thank you very much, Mr. Chairman. As Senator Clinton has mentioned, the 10th Mountain Division gives me the opportunity to say they are also great soldiers led by a great commander, Buster Hagenback.

I would like to return to the situation in North Korea which the Chairman opened up. To me, it is the most grievous threat we face. As General Myers pointed out this is a regime that has shown in the past their willingness to proliferate. They have declared publicly that they are processing nuclear rods.

Ironically, we conducted a preemptive attack against a nation that had very little military capacity relative to North Korea, and

that was stoutly denying that they had weapons of mass destruction and to date we haven't found any.

The war plans for North Korea are classified, naturally, but the public sources I've seen—and they are dated, I'll admit that—suggest that we would need upwards of 200,000 or more troops to conduct the operation. Because they are dated, I would assume we probably could get that number down a bit; given our situational awareness, precision weapons, communications superiority. But still we are talking at least, my estimate would be 100,000 or more troops.

Given the deployments today, where are we going to get those troops without cutting back our effort in Iraq or Afghanistan?

General MYERS. Senator Reed, without going into the classified parts of the plan, one of our responsibilities to the Secretary of Defense is to ensure that as we use our forces around the world on the global war on terrorism, in the Balkans or wherever it is we are called upon to use them, that we continually assess our ability to fulfill the defense strategy and the capabilities that are outlined in the Quadrennial Defense Review (QDR) and in our national military strategy, our international strategy, and our national security strategy.

Clearly, one of the major parts of that is our ability to defend the peninsula, as we talked about earlier. So as we developed the rotation plan, we looked very carefully at our ability to respond to a situation on the peninsula, a North Korean attack, which would be a worst-case sort of situation. We have designed into the Army's rotation plan the kinds of units, and the particular timing to make sure that we maintain the capability to fulfill the war plans as they are being written right now by General LaPorte over in Korea.

Senator REED. Mr. Chairman, because of the nature of this problem, I think it would be very useful if, in a classified setting, if we had a brief on the plan and a lay down of the numbers, because I think our responsibility is to ensure that we can conduct the battle, but we sure as heck have to make sure you have the forces; and not just the forces but the critical items, the airlift, high-value items that are always——

General MYERS. Sure, all the enablers that you need, you bet. That is something we look at. We assess this periodically; because we have to remember, we are in a global war, and we think it is part of the Joint Chiefs of Staff responsibility to look at our force laydown—can we do what we have said we are going to do in our National strategy and our defense strategy and then where is it we have risk, what risk are we willing to accept, and how we mitigate it.

Senator REED. I think it comes down, as you point out, General, to what risk are you running, and that is a judgment that you have to make, but I think it is something we should be aware of, and I believe, only in the context of a detailed lay down of the numbers.

General MYERS. We'd certainly have to do that in a classified setting.

Senator REED. Indeed.

General PACE. To help just a little bit on that, we have about 220,000 U.S. forces in the Gulf region right now out of a force of about 1.4 million. As the chairman has pointed out, we war game

ourselves constantly on forces available versus potential employment.

Of interest also, you mentioned some of the high-value things we have, of which we have limited numbers. Because the war in Iraq, the major battle, is completed, a lot of those reconnaissance-type assets we use to find major formations have been able to return to the United States, and are undergoing reconstitution.

So in some ways, we have a better position today because of the results of the war in Iraq.

Senator REED. I think, all of those factors would be useful to get a more detailed evaluation.

General PACE. Yes, sir.

Chairman WARNER. Senator, I will consult with Senator Levin, but I think we will ask the Department, particularly the JCS, to give us the usual briefing with regard to advising Congress just short of the war plans, which is an area which the Congress and executive branch has traditionally recognized that that situation is shared in a limited way.

Senator REED. Thank you, Mr. Chairman, I appreciate that.

A final question—prior to the initiation of hostilities in Iraq, Secretary Rumsfeld indicated that he had bullet-proof evidence that there were al Qaeda elements within Iraq. I think most commentators recognize that there were certain elements in the Kurdish area that might have had allegiances through Iran to Iraq, but the implication, obviously, of the Secretary's comments was that within the control of the Saddam Hussein regime, there were al Qaeda elements. Have you found any of those elements?

General MYERS. The elements that we know have a direct connection to al-Qaeda are the Ansar al-Islam elements that I think you were referring to because they were up there in northeastern Iraq before the Iraqi conflict began. They were in the process of developing poisons, for sure. We found evidence of that.

Senator REED. But General, that was an area that was controlled by the Kurds, who are nominally our allies?

General MYERS. No, that was not controlled by the Kurds. It was controlled by the Ansar al-Islam and other people in that area that favored them. The Kurdish forces had tried to take that area over several times and were repulsed and lost a lot of forces.

Senator REED. I stand corrected. Was it controlled by Saddam Hussein's forces?

General MYERS. That is a question that I haven't seen answered satisfactorily. We do know, and I am worried about the classification of this, but maybe it's not as important as there is no more Iraqi regime, we do know that the Iraqi intelligence service had people involved back and forth. We do know that. We also know today that Ansar al-Islam is active inside Iraq. We know that, and we know that they have perhaps several hundred people. We rounded up seven of them in Baghdad the other day. It is one of the things, when you talk about a security situation, you have to kind of treat them a little differently than you do the remnants of the Iraqi regime, because they are likely to fight in a little more sophisticated way and a little more aggressively.

Senator REED. To your knowledge, were they in Baghdad prior to our military operations?

General MYERS. I don't know, sir.

Senator REED. Thank you.

General MYERS. What we do know prior to military operations was that one of the leaders of Ansar al-Islam was in Baghdad for medical treatment and had gone there from time to time. We know that.

Senator REED. Thank you, General.

Chairman WARNER. Colleagues, it is the intention of the chairman to wrap this up, but I am going to remain to do so.

Does the Senator from New York wish to ask an additional question before I do the wrap-up?

Senator CLINTON. Mr. Chairman, if I can just add one more concern to the questioning about Afghanistan.

Chairman WARNER. Yes, of course.

Senator CLINTON. A July 9 front page article in The Washington Post reported that poppy cultivation levels in Afghanistan appear to be back at 1999 levels, the highest level ever reached before the Taliban banned the poppy cultivation.

In this article, it pointed to the lack of a rule of law, and even that the wheat donations by the international community could, perversely, be fueling this recent upsurge.

Today's Christian Science Monitor reports that the resurgence of the poppy plants could unravel the relationships between warlords and the U.S. military.

I know that in your written answers to our prehearing policy questions you assert that, despite some progress, we have a ways to go in Afghanistan. So I think we also need some additional information about how the U.S. military and related assets could be undertaking a counterdrug and stability mission to not just address the threat posed by the increased poppy cultivation, but all the lawlessness that will flow from it.

Once again, we will be back into a situation where we have warlords, we have smugglers, we have all kinds of challenges in trying to bring back law and order. We know how difficult it is. We have not won the drug war in the United States. We have done a lot to try to help Colombia. We have a long way to go there. Is there some way that we can, so to speak, nip this in the bud before it gets full-blown and we face an additional security challenge, on top of everything else we're confronting?

General MYERS. Senator Clinton, you are quite right, this is a problem inside Afghanistan. It has been a problem that has been addressed primarily by Britain. They have been the ones that have had the lead on this.

It is a complex problem. There is an economic dimension to it. There is the warlord dimension to it. Certainly, we know where these products go, and they go up into Europe, and that is a great concern. So it is one that has to be dealt with by the international community.

We are addressing it on several fronts. But the U.S. military at this point has not been one of the primary tools to use on this particular issue, it has been the Brits.

Chairman WARNER. Thank you very much, Senator.

Gentlemen, I will conclude with a couple of questions here.

The conference between the House and the Senate on the defense authorization bill has before it a variety of proposals concerning modifying the end strengths of the Army, Navy, Air Force, and Marine Corps. Has anything developed in the course of events here recently which modifies the positions that each of you have taken in previous testimony, the testimony of the Secretary of Defense on those issues, that should be taken into consideration by the conference at this time before, hopefully, the conference report can be put together and acted upon by both Houses in the course of the coming weeks?

General MYERS. I will start, and then I will turn it over to General Pace.

I think the Secretary said that he is not necessarily against end strengths—I can't put words in his mouth, but not necessarily against end strength increases, but I think we all share the concern that——

Chairman WARNER. We have always had a long tradition in this committee, when each of you were confirmed, to ask for your personal views, and I fully respect your allegiance to the Secretary as a civilian control of our military, but I think your personal views would be of great advantage to Congress.

General MYERS. I'm going to give you those, and I share the view that we should not be opposed to the issue of end strength increase. We have to look at this carefully.

We talked about it earlier. One of the things we have to do is to make sure if we have somebody in uniform, that they are doing what somebody in uniform should be doing; and that we don't have people in uniform doing what others could do, civilians and so forth.

You can see all sorts of numbers, but there are several tens of thousands that could be—the jobs they are doing could be done by civilians, and we are looking at that, as a matter of fact, in lots of the support areas. That's one thing that has to happen.

The next thing, when we talk about end strength, is we need to rebalance our active duty and our Reserve component mix, and part of the force is in particularly high personnel tempo and operations tempo, because we don't have that mix right, so that rebalancing is a piece of it. When we talk about end strength increases and our commitments, we also need to look at our commitments, the other part of that equation, and are we in places where we have a vital national security interest? Given that we are in a war on terrorism, should we reduce our commitments in other places?

There has been an effort by the Department to end our commitment in the Sinai. We have been partially successful there. On and on it goes. It is very difficult to get out of. We have been in the Balkans now—somebody walked up today and said, we have been in the Balkans 8 years. Well, I just hadn't thought about it that way, but since 1995 we have been in the Balkans in varying numbers, and generally they have been decreasing, but we have very significant forces in the Balkans.

The question is, of all those commitments, which ones could we stop doing, get others to do to help the end strength, inform the end strength equation?

The other thing I would say is, and we talked about it at length, is the internationalization of our efforts. We are doing that in places like Afghanistan and in Iraq. As time goes on, we are going to bring on more Afghan National Army, Afghan police, Afghan border patrol. In Iraq, we have talked about the Iraqis we are trying to bring on board, all of which I think informs us about where we are.

Then one thing that goes through my mind is that the most expensive thing we can do is bring on a person on active duty in end strength. The personnel cost and the medical and all that is 60 percent of our budget. It is a very expensive thing to do. It takes time, there is lag time to get them on board, and then of course, there is the legacy of the budget impact in the outyears with this large a force.

So I think we need to look at those other things I just mentioned before we come to the conclusion that an end strength increase is needed. That is my personal belief.

Chairman WARNER. General Pace, do you have views?

General PACE. I would add if I may, Senator, that in addition to the scrubbing of the 3,000 billets, give or take, that we think are being performed by military that might be done by others and in addition to the active Reserve component mix that General Myers has mentioned, we also need to complete the process that we are going through right now of our scrub of our war plans.

We have just shown ourselves convincingly that the war plan that was on the shelf for Iraq and the war plan that was executed used about 60 percent of the force that we thought we needed for the war plan that had been on the shelf. We are going through the same kinds of analyses right now for Korea and elsewhere in the world, and as we do that and we absorb the lessons that we have learned on precision use of weapons and the speed with which we employ our forces, we are finding out we can in fact have overwhelming combat power with fewer numbers of individual soldiers and marines on the ground. So I believe we have more work to do there before we can come forward and say we need more troops, sir.

Chairman WARNER. A vote has been called and I must depart, but I'm going to ask several questions for the record and then one last one here.

The phrase that "the United States is stretched very thin in terms of its Armed Forces"—that is causing real concern for families on the rotation issues, on the ability to recruit adequately for active, Reserve, and Guard components. I would like to have you address those issues in a written response at your earliest convenience.

[The information referred to follows:]

To reduce the stresses on our forces and families, the Services, Joint Staff, and the Secretary of Defense have developed an Operation Iraqi Freedom force rotation policy. The intent of the policy is to provide a measure of certainty and stability for our deploying soldiers. Eventually, these rotational schedules should permit the Services to return to their force deployment goals.

We are aggressively working to ensure families have the support they need during these stressful times. The family support professional and volunteer staffs are making every effort to reach out to the spouses, children, and parents of our members. Military families come together in times like these. This is part of the military's true strength. Even though our operational tempo over the past several years has

been high, it has not negatively impacted our active duty recruiting efforts. As military activity continues in association with Operation Iraqi Freedom and the global war on terrorism, it is still too early to tell whether these operations will have a measurable long-term impact on recruiting. However, all of the Services are currently at or above their fiscal year-to-date recruiting goals. Recruit quality also continues to hold steady above the Department's benchmarks of 90 percent high school graduates and 60 percent scoring in the top half on the Armed Forces Qualification Test.

Currently, the Reserve components as a whole are achieving 96 percent of their recruiting objective. Recruit quality is comparable with past years. Individually, all Reserve components except the Army National Guard and the Army Reserve are exceeding recruiting objectives. The Army Reserve has shown significant improvement in recruitment in the second quarter and is currently achieving 98 percent of its objectives. While the Army National Guard is experiencing some challenges in meeting its large recruiting objective, it remains within acceptable limits of its required end strength. The Department is closely monitoring the recruiting efforts of the Army National Guard and is working with them to overcome the challenges they are currently facing.

Second, this committee has had, I think, a remarkable record in supporting the use of unmanned vehicles. We have gone through another very important chapter of utilization of such vehicles here in both Afghanistan and Iraq.

Again, your views on the momentum with which those programs should be moving forward and the support that is being offered by Congress.

Also, the concept of using our forces jointly. It has been a magnificent chapter in both the Afghan and the Iraqi campaigns. Where are we in the desired goals for achieving jointness? Are we there, is more needed to be done, and how can Congress facilitate that?

Lastly, as we sit here going through the whole world and so forth, the publicity being given to this, I think, extraordinarily successful operation of locating and then securing the sons of Saddam Hussein. The critics or—I don't mean to do that in a pejorative sense, but some people are asking, could not this operation have been conducted in such a manner as to give every opportunity to capture them alive, hoping that we would receive a good deal of information from them?

Now, drawing on my own limited experience, and as I look at the facts that are before us, and General Myers, you and I discussed this in some detail last night, it seems to me the on-scene commanders acted with prudence and professionalism.

They made a conscientious effort to take them alive. That brought harm to our own forces, where we experienced four wounded. They repeated the attempt, and then came under fire again.

Then it was after that that the utilization of such ordnance resulted in the deaths of all but, I think, one inside; and then that person I think had an opportunity, the young son to survive, but he, as I understand it, exercised force by shooting at our forces.

Now, I'm going to ask General Pace to lead off in the response, because you spent so much of your professional career with ground force elements. What is your professional judgment, based on the facts as you know them today, of how this operation was conducted, and what response should be given to the people who raise legitimately the question, could it have been done in another way? Touch on the fact that, I think some of us were surprised to learn

that there was a little bit of a fortification within this house, of the living spaces.

I mean, clearly, long before this operation was undertaken, someone made the decision to fortify a part of this house, and we are now learning that other of the houses in Iraq were similarly fortified, giving rise to the assumption that Saddam Hussein anticipated events like this could unfold, and that those trying to hide themselves from the Coalition Forces could perhaps survive better in some modification to the house that enabled a fortified structure.

Also, having watched the search for Noriega, I remember Senator Nunn, then Chairman, and I was ranking member, we went to Panama and watched the Army as they pursued Noriega. He had safe houses and other facilities where he evaded us for some period of time.

We know that as part of the fortification in Iraq, they did have an underground tunnel to exit some distance away from this house and then be able to escape. This will be debated, but right now it is a hot debate out there, and I think it is important that this hearing have your views, General Pace and those of General Myers on that question.

General PACE. Mr. Chairman, not surprisingly, you have touched on each of the important parts of that operation.

Chairman WARNER. I came through some of the training that you've had, although my career is far more modest in comparison to yours.

General PACE. Sir, everything I have read and everything I have been told tells me that the commanders on the ground acted exactly correctly in this situation. They did in fact, as you pointed out, offer the opportunity for those inside the building to surrender. They thought they had the opportunity to capture or kill Saddam's two sons; but until the operation was complete, and until confirmation, they did not know with 100 percent certainty what they had.

They did offer the opportunity to surrender, as you pointed out. They made more than one attempt to enter the building and to offer the opportunity to surrender. Some of our soldiers were wounded in those operations.

Clearly, with the amount of fire coming back at them from inside the building, force was appropriate and should be used, and was used. As you pointed out, there is no way of knowing whether or not there might have been tunnels or other routes of escape.

The question that I would pose to anyone who might ask, why is it we would kill them, is what question would you be asking if they somehow managed to escape? I think that given the battle as it unfolded over 3-plus hours of combat—the restraint that was shown initially to afford them the opportunity to surrender, and the power that was used appropriately, to protect our own sons and daughters who were going into combat, was exactly what those commanders should have done.

Chairman WARNER. When you briefed me last night, General Myers, you showed me how that house was co-located with other private dwellings around it, so we had the concern of other occupants in their respective houses.

A second part of that question is, we have been handed the wire stories and other information that these pictures have now—are in

the public domain worldwide. Last night when I was on a national television show, I was asked the question about whether or not these pictures should be released. I didn't presume that I would be able to make that decision last night; but I did say it would be my hope and expectation when the decision to release them or not release them was made, it would be done with the careful analysis of how best such a decision would protect our forces, the Coalition Forces, against further death and wounding that we are experiencing every day, and I hope that was predicated in that decision.

General, can you quickly answer it? They are holding the vote, so we have to depart.

General MYERS. Well, sir, I think as we discussed last night in your office, the issue of how and when to release those pictures was carefully considered by Ambassador Bremer, General Sanchez, General Abizaid, and the folks on the ground in Iraq, and they used their best judgment and the recommendations they got from the people that counseled them on how to do that.

Clearly, I think we have done it in a dignified way where we don't denigrate the bodies and we don't allow any other atrocities to happen to those particular bodies, and I think it was done appropriately.

Chairman WARNER. Well, it sends a strong message to those still in hiding, be it Saddam Hussein or others, that morale is good among our forces and they are able to conduct the toughest of operations, and if you wish to have the fate that the others experienced, the two sons, stand by.

General MYERS. Absolutely right, sir.

Chairman WARNER. We have concluded this hearing and before I hit the gavel, I would note that in just a few years this room will be 100 years old, and many hearings have been held in it, but this has been among the more important, if I might say, because we are looking at the future of our Nation and, indeed, the free world, which is marked by uncertainties of a magnitude really never experienced before in contemporary history.

We are fortunate to have men and women like yourselves wearing the uniform of our country, working with your counterparts in uniform in other countries, taking the risks to themselves and their families to ensure that freedom, as we love it here in the United States, can be protected not only here at home, but to the extent we can, in conjunction with our allies, be provided beyond our shores.

Thank you, gentlemen.

General Myers. Thank you, Mr. Chairman.

Chairman WARNER. The committee stands adjourned.

[Whereupon, at 12:29 p.m. the committee adjourned.]

[Prepared questions submitted to Gen. Richard B. Myers, USAF, by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. You previously have answered the committee's policy questions on the reforms brought about by the Goldwater-Nichols Act in connection with your nomi-

nations to be Commander, U.S. Space Command, Vice Chairman of the Joint Chiefs of Staff, and Chairman of the Joint Chiefs of Staff.

Has your view of the importance, implementation, and practice of these reforms changed since you testified before the committee at your most recent confirmation hearing on September 13, 2001?

Answer. No. My fundamental view has not changed. The Goldwater-Nichols Act was a watershed event for needed defense reform. Overall, the reforms have clearly strengthened the warfighting capabilities of our combatant commands while maintaining appropriate civilian control over the military. In terms of enhancing the effectiveness of military operations, the performance of the Armed Forces in Operations Desert Shield, Desert Storm, Enduring Freedom, and Iraqi Freedom demonstrates the results of implementing those reforms.

Question. Do you foresee the need for additional modifications of Goldwater-Nichols in light of the changing environment? If so, what areas do you believe it might be appropriate to address in these modifications?

Answer. Clearly our fight in the global war against terrorism and our need to work with many agencies outside DOD as well as with our coalition partners is creating a much different security environment from the one that drove defense reform in 1986. For these reasons and others, I have directed my staff to form a working group to identify suggested changes to enhance the effectiveness and efficiency of selected processes that allow me to carry out my duties as described in Title 10. I look forward to receiving their recommendations and those of others working on potential ways Goldwater-Nichols might be adapted to our new environment.

DUTIES

Question. What recommendations, if any, do you have for changes in the duties and functions of the Chairman of the Joint Chiefs of Staff as laid out in Title 10, United States Code, and in regulations of the Department of Defense pertaining to functions of the Chairman of the Joint Chiefs of Staff?

Answer. I serve as the principal military advisor to the President of the United States, Secretary of Defense, and National Security Council as established by Title 10. I think the Goldwater-Nichols Act has provided the appropriate language to facilitate my primary function. However, in the post-September 11 environment my role has taken on greater significance in the fight against terrorism in that I am the senior military officer who maintains a total global perspective for many issues that cross the boundaries of combatant commander areas of responsibilities (AORs). This perspective is also critical for defense of the homeland, and therefore I think it would be appropriate to formally document my new role as principal military advisor to the Homeland Security Council.

RELATIONSHIPS

Question. Section 151(b) of Title 10, United States Code, provides 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. Other sections of law and traditional practice, however, establish important relationships between the Chairman and other officials.

Please identify any changes in the relationships the Chairman and Joint Chiefs of Staff have experienced with the following officials since your last confirmation hearing:

The Deputy Secretary of Defense.

Answer. Under existing directives, the Deputy Secretary of Defense has been delegated full power and authority to act for the Secretary of Defense on any matters that the Secretary is authorized to act. I have not noticed any changes in the relationship between the Chairman and the Joint Chiefs of Staff with the Deputy Secretary of Defense since my last confirmation hearing.

Question. The Under Secretaries of Defense.

Answer. Title 10, United States Code, and current DOD directives establish the Under Secretaries of Defense as the principal staff assistants and advisors to the Secretary regarding matters related to their functional areas. Since my last confirmation hearing, the only changes in the relationship between the Chairman and the Joint Chiefs of Staff and the Under Secretaries of Defense has been associated with Unified Command Plan changes and the SecDef's recent establishment of the Under Secretary of Defense for Intelligence. As specified in UCP 2 CHG 2, as with other communications between the POTUS, SecDef and combatant commanders, communications between under secretaries and combatant commanders should be transmitted through the Chairman of the Joint Chiefs of Staff.

I have worked closely with OSD, the Joint Staff and USSTRATCOM to delineate the roles and responsibilities of each entity to carry out the intent of the POTUS-approved Unified Command Plan.

Question. The Assistant Secretaries of Defense (ASDs).

Answer. The SecDef has created a new Assistant Secretary for Networks & Information Integration who reports directly to the Deputy Secretary of Defense. He has also created a new ASD for Homeland Defense who reports to USD (Policy). I have not noticed any changes in the relationship between the Chairman and the Joint Chiefs of Staff with the Assistant Secretaries of Defense since my last confirmation hearing.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. I have not noticed any changes in the relationship between the Chairman and the Joint Chiefs of Staff with the Vice Chairman of the Joint Chiefs of Staff since my last confirmation hearing.

Question. The Secretaries of the Military Departments.

Answer. I have not noticed any changes in the relationship between the Chairman and the Joint Chiefs of Staff with the Secretaries of the Military Departments since my last confirmation hearing. However, the Under Secretary of the Air Force now acts as the Executive Agent for Space Program procurement.

Question. The Chiefs of Staff of the Services.

Answer. I have not noticed any changes in the relationship between the Chairman and the Joint Chiefs of Staff since my last confirmation hearing.

Question. The combatant commanders.

Answer. Since my last confirmation hearing, the only changes in the relationship between the Chairman and the Joint Chiefs of Staff and the combatant commanders have been associated with Unified Command Plan changes.

UCP 2 created USNORTHCOM. USNORTHCOM's missions include homeland defense and providing assistance to U.S. civil authorities.

UCP 2 CHG 1 disestablished USSPACECOM and established the new USSTRATCOM. UCP 2 CHG 2 assigned USSTRATCOM with the emerging missions of Global Missile Defense, Global Strike, DOD Information Operations, and Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (C^4ISR).

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that you would confront if confirmed for a second term of office as Chairman of the Joint Chiefs of Staff?

Answer. I see two major challenges for the near term. First, we must maintain our current commitments while being prepared to respond to others. Second, we have the challenge of transforming our Armed Forces to become a force well positioned to face the threats of the 21st century.

Our greatest challenge will be to meet the near-term demands in winning the war on terrorism while simultaneously transforming the force to meet future challenges. Demands on the force today will continue to stress our ability to maintain readiness. We must set clear priorities for force management and ensuring the institutional health of the force. We must also continue to balance recapitalization of existing capabilities in the near-term with the demands of modernization and transformation that ensure our military superiority in the mid- to longer-term.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. I have set three strategic priorities: winning the global war on terrorism, enhancing joint warfighting, and transforming the force.

As we fight the war on terrorism, we continue to improve our ability to conduct joint and combined operations, integrating all elements of national power, and employing intelligence in ways that reduce our response time and allow us to attack time sensitive/time critical targets.

To enhance joint warfighting, we are integrating lessons learned in the WOT, improving our adaptive planning processes, and making organizational refinements. Joint doctrine that encompass not only military forces, but their complementary interagency partners as well, ensures unity of effort and increases the synergy required for success. The joint operational concepts developed during the war on terrorism and refined through experimentation will lead us to new capabilities and a transformed joint force.

Our capabilities-based approach requires that we define the strategic landscape and identify the types of transformed capabilities the Armed Forces need to project military power globally. The operational environments our forces will face are such that a wide variety of robust force mixes may be used to achieve the same strategic

objectives. Our primary responsibility in this arena is to actively explore all possible mixes and employ the best combinations based on the situations at hand. To support this approach, we will continue to invest in our current capabilities while simultaneously investigating new technologies that will ensure our global primacy.

Across the force, many units have an inordinately high tempo of operations (OPTEMPO) and personnel tempo (PERSTEMPO). As a result, we are reviewing the mix of Active and Reserve component forces to ensure the right mix for future operations.

Additionally, as we develop our rotation plan for the WOT, we hope to add predictability for our forces, to improve morale as well as readiness.

We continue to refine the roles and relationships of organizations like U.S. Northern Command and U.S. Strategic Command. As this process continues we will also redesign our joint deployment and mobilization processes to support the application and sustainment of decisive force.

These priorities and their associated tasks will be more fully defined in our future National Military Strategy, the Joint Vision and the Joint Operations Concepts documents when they are completed.

PRIORITIES

Question. In your responses to the committee's advance policy questions in connection with your last confirmation, you identified your initial priorities as joint warfighting, modernization and transformation, making the JROC more strategically focused, better defining the military's role in homeland security, finding ways to enhance Joint Forces Command's (USJFCOM) role in experimentation and transformation, sustaining our quality force, and taking care of people.

How would you describe your progress to date in attaining each of your priority goals?

Answer. We have continued to make real, sustainable progress in attaining my priorities. Our progress in the global war on terrorism continues unabated toward the singular goal of victory. Overseas, our ongoing successful operations in Afghanistan, Iraq and around the world continue to pay dividends in weakening terrorist organizations. With respect to Homeland Defense, we established United States Northern Command with the mission to deter, prevent, and defeat threats and aggression aimed at the U.S. We have made progress, but much work remains ahead.

The U.S. Armed Forces' ability to conduct Joint Warfare is better today than any time in our history, but challenges remain. Key to improving our joint warfighting is the development of the Joint Operations Concept to provide an overarching linkage between strategy and capabilities. We will continue to improve joint warfighting by learning from previous operations like Operation Iraqi Freedom (OIF).

OIF demonstrated the importance of improved C^4ISR capabilities to joint operations and warfighting. Improving the warfighter's knowledge of the battle space and increasing the speed of decisionmaking has increased success and saved lives. DOD is committed to investing in transformational command and control programs. I greatly appreciate this committee's continued support for these critical programs.

We continue our transformation throughout the military. With the institution of the new Joint Capabilities Integration and Development System, we have moved the Joint Requirements Oversight Council from a requirements-based to a capabilities-based process.

USJFCOM continues to play an important role in transformation. We modified the UCP to provide USJFCOM with the responsibility to support the development and integration of fully interoperable systems and capability. We followed that last year by providing the resources necessary to implement these new responsibilities.

Question. If confirmed, what would be your priorities for your second term as chairman?

Answer. My priorities for a second term will continue to focus on winning the war on terrorism, improving joint warfighting, and transforming our Nation's military to face the dangers of the 21st century while taking care of the men and women serving in the Armed Forces.

TRANSFORMATION

Question. If confirmed, you would continue to play an important role in the process of transforming the Armed Forces to meet new and emerging threats.

With the benefit of almost 2 years in office, please describe the progress that the Department, including the Joint Chiefs of Staff and the Joint Staff, has made in transforming the Armed Forces?

Answer. Future Joint Force: We are transforming the U.S. Armed Forces into a truly joint force that is dominant across the range of military operations. To guide

our efforts, we published the Joint Warfighting and Crisis Resolution in the 21st century perspective on how the joint force will operate in the future, establishing the precedent on which joint force development will progress. This includes a redefined range of military operations that covers warfighting and peacetime operations alike.

Operations Concept: Against this perspective, we are developing the Joint Operations Concepts (JOpsC). It provides the operational context for the transformation of the Armed Forces of the United States by linking strategic guidance with the integrated application of Joint Force capabilities.

Joint Experimentation: Under Joint Staff and OSD guidance and Transformation Planning Guidance (TPG) direction, JFCOM has implemented a robust joint experimentation campaign plan that runs through 2005. This plan incorporates lessons learned, post war defense assessment, and emerging service and joint concepts. From this experimentation effort, specific recommendations for joint force improvement are being submitted for JROC approval and implementation.

Joint Training: We have automated the Joint Training System through the development and fielding of the Joint Training Information Management System. This permits full implementation of key business practices linking strategy to joint training and exercise programs.

War Planning: Transforming war planning is a work in progress. For example, we have streamlined the plans review and approval staffing process to ensure plans are relevant and current. The OSD and the Joint Planning and Execution Community are conducting parallel plan review in order to complete the review process more quickly. The first round of this streamlined review process in being completed now. Historically the plan review process took 6 months, and we have transformed it to a 6-week process. We believe our ongoing efforts will enable us to initiate a new deliberate plan, voice guidance, conduct analysis and approve it in less than 10 months, where in the past it has taken 2 years.

Joint Professional Military Education: Many changes have been made to educate our force on what it means to be Joint since Operation Desert Storm. Joint operations in Afghanistan and in Iraq highlighted the need to readdress what is being taught in all the military schoolhouses. One new initiative at National Defense University (NDU) is designing what we anticipate will be a 1-week course for newly selected three-star flag and general officers. This course, once fully fielded, will give our senior leaders needed insights into the demands of the Joint Force Commander. Additionally, we changed the CAPSTONE program to address Joint Warfighting at the Operational level for our one-stars.

Question. What are your goals regarding transformation in the future?

Answer. Capabilities-based Force: Using the joint operating and functional concepts, we will complete transformation to a capabilities-based force that is better prepared to respond to asymmetrical threats and crises worldwide.

Translating Experimentation to Capabilities: The recommendations that come out of the joint experimentation efforts will focus on being "Born Joint," so that integration is incorporated from conception of the relevant ideas, regardless of the service, command, or agency providing the capability.

Doctrine: We have started to implement a joint doctrine consolidation effort. Over the next 5 to 7 years we have a proactive plan to reduce the number of joint doctrine publications. This will promote jointness and transformation by integrating joint mission areas, grouping functional doctrine together and eliminating inconsistencies and redundancies.

Training: We are continuing to provide dynamic, capabilities-based training for the Department in support of national security requirements across the full spectrum of service, joint, interagency, intergovernmental, and multinational operations.

Joint Professional Military Education (JPME): We desire to increase the number of officers who are able to participate in JPME by increasing the exposure of all officers to JPME over the course of their careers. We also intend to tailor the JPME level II program in-residence, and use distributed learning technology in order to make JPME II attendance more accessible. To achieve this objective, we require legislation to eliminate the requirements for JPME II to be taught only at an NDU school, and for the curriculum at JFSC to be at least 3 months in duration.

For our Reserve Components, we initiated a course of JPME encompassing a mix of distributed learning and resident instruction. Once complete, we expect a throughput of approximately 1,500 reservists and Guardsman per year. On the Non-Commissioned Officer (NCO) side, we also see an ever-increasing amount of Senior NCOs assigned to Joint Headquarters. We will continue to aggressively improve JPME for NCOs.

War Planning: We are revising the deliberate planning process to complete planning from initiation to approval in 10 months. In today's uncertain security environ-

ment we need to be able to develop war plans that are flexible, and adaptable to specific changes from the initial planning assumptions, and do it more quickly.

Military Culture: The biggest challenge to transforming the military is changing the existing culture. That means that our junior personnel must think differently from day one. Instead of a service-centric focus, they must have a joint-centric focus. We are reviewing all levels of military education, including that of our noncommissioned officers to facilitate this cultural change.

Question. What is the role of Special Operations Forces (SOF) in the overall transformation vision?

Answer. Operation Iraqi Freedom demonstrated the overall maturation of U.S. Special Operations Forces, especially SOF integration with precision airpower. SOF, conventional ground, air, and maritime operations occurred simultaneously in space and in time frequently with conventional forces under SOF command and control. The transformation lesson learned is to continue to expand our Joint Training Exercises integrating SOF, conventional and coalition SOF.

Question. Specifically, what do you believe transformation should mean for the special operations community in terms of missions, training, equipment, or in any other aspect?

Answer. In future missions, we will rely more on Special Operations Command (SOCOM) to look globally. SOF transformation requires continued progress in providing the necessary equipment and training to stay ahead of the threat. As technology spreads, even a local terrorist group can obtain secure wireless communications, global positioning systems, and other tools that were unique to military powers only a few years ago. For SOF to continue pressing the fight against these groups, their own tools must continue to mature and become more transportable, survivable, and effective.

Question. What, if any, special role can SOCOM's development and acquisition capability play in service and DOD efforts?

Answer. SOF will continue its important role in development and acquisition. Many items now in common use among conventional forces began as SOF-specific requirements.

EXPANDED ROLES OF U.S. SPECIAL OPERATIONS COMMAND

Question. The Secretary of Defense recently announced that U.S. SOCOM would take on additional, expanded responsibilities in the global war on terrorism, as a supported combatant commander, in addition to its more traditional role as a supporting combatant commander.

In your view, what types of missions should U.S. SOCOM conduct as a supported combatant commander?

Answer. U.S. SOCOM should serve as supported combatant commander for campaigns against those terrorist organizations whose cells, support networks, or activities are spread across several geographic combatant commander (GCC) boundaries. This will allow U.S. SOCOM to synchronize military operations against these groups, while using the GCC's regional experience and expertise to plan and conduct specific operations. It is important to resource SOCOM for these new roles as reflected in 2004 budget proposals.

For some missions, the Secretary may direct Commander, U.S. SOCOM to exercise command over special operations overseas, as allowed under USC Title 10. This will generally occur when the GCC is unable to provide the necessary command and control capability or when the mission parameters (available time, national risk, political sensitivity) make this command relationship desirable.

AFGHANISTAN

Question. Given the current level of instability in Afghanistan, do you believe that the U.S. troop contribution is appropriate in terms of size and composition?

Answer. Despite many achievements by the coalition and the Afghan government, Afghanistan is challenged by recent increases in violence and internal political tensions. DOD, OMB, and DOS are currently reexamining policies and resources required to address the changing conditions. As for our troop size and composition, U.S. and coalition, they are as requested by the Central Command (CENTCOM) Commander and I believe adequate for the tasks at hand.

Question. What, if any, types of military assistance would you recommend in addition to current efforts?

Answer. Our current efforts are about right. Although we have a ways to go in Afghanistan, we are making great strides. We are planning to increase the number of Provincial Reconstruction Teams (PRTs) to eight, which will provide one PRT in each province. I expect release of this Planning Order within the next few days.

The size of the Afghan National Army (ANA) will increase to 7,200 by January 2004 and to 10,000 by June 2004. By accelerating the training of the ANA, and increasing the number of PRTs, we will be able to transfer more of the security responsibilities to the Afghan government, thereby reducing the demand on U.S./Coalition Forces.

CENTCOM has dedicated forces with the mission of locating high value targets. They have also developed a Reward Program, offering rewards for enemy personnel on the Black List. CJTF 180 is conducting operations in the vicinity of the Pakistani border to interdict infiltration/exfiltration routes that we believe al Qaeda/Taliban forces use. Killing, or capturing, remaining al Qaeda/Taliban forces remains a high priority mission for our forces in Afghanistan.

STATUS OF THE ARMED FORCES

Question. Ongoing operations in Iraq, Afghanistan, the Balkans, and the Horn of Africa, coupled with deployments to places such as South Korea and a potential deployment to Liberia, place enormous pressures on the active and Reserve components.

In your view, how is the overall morale of forces at present, particularly with regards to those units and individuals those who have been deployed for an extended period of time or have been deployed numerous times in recent years?

Answer. Overall, morale remains good and will improve when we formalize the rotation policy. Individual service members will continue to express concerns about the equity of the rotation policy and we will address those concerns. My assessment is that there is not a significant morale issue in the Armed Forces.

Current global force requirements will remain steady, or increase modestly, and as such we are developing a rotational plan in support of OIF. This rotational plan will facilitate our ongoing operation in support of OIF, sustain our all-volunteer force, and defend our homeland, while maintaining the capability to rapidly respond to unexpected requirements.

Leveraging our Total Force, this rotational plan maximizes the employment of mostly Active component (Army and USMC) to OIF while the Reserve components conduct other global requirements. By establishing theater tour length policy of up to 12 months, we will ultimately meet respective services' OPTEMPO deployment goals. This rotation allows the Marine Corps to reconstitute their force and maintain the capability to respond to emerging requirements. Increased use of coalition support from one Multi-National Division (United Kingdom) to three Multi-National Divisions will greatly assist and help lessen out troop requirements in support of OIF.

Question. What plans do you have to address the stress this high operational tempo places on our forces and their families?

Answer. We are aggressively working to ensure families have the support they need during these stressful times. Further, the family support professional and volunteer staffs are making every effort to reach out to the spouses, children and parents of our service members. Military families come together in times like these. This is part of the military's true strength.

JOINT OFFICER MANAGEMENT

Question. Provisions of law in Title 10, United States Code, regarding such matters as management policies for joint specialty officers, promotion objectives for joint officers, joint professional military education, and joint duty assignments have been in effect for over 15 years. Among other factors, changes in the size and composition of the officer corps, in the career patterns of officers, in operational requirements, and in the personnel requirements of the combatant commanders in successfully pursuing joint warfare have resulted in proposed legislative changes to existing law in this area.

Based on your extensive experience in the joint arena, what legislative changes, if any, would you recommend in joint officer management (JOM) and joint professional military education?

Answer. Our recent experience in OEF/OIF reveals that we require flexibility to ensure joint officer management and joint professional military education to meet the realities of today's military environment. In particular, we need to update JOM to award appropriate joint duty credit for joint experience officers receive when serving in high OPTEMPO environments.

In March 2003, the Department forwarded the report of the congressionally directed Independent Study of Joint Officer Management and Joint Professional Military Education. The completed report made several recommendations regarding changes needed to update JOM/JPME. We are preparing legislation incorporating

these recommendations. In addition, we are developing a strategic plan to help shape JOM to meet our future joint requirements.

SPACE CAPABILITIES AND TRANSFORMATION

Question. Space assets have played a crucial role in recent military successes, and future space assets such as space based radar could transform how the military operates.

Are you satisfied that such space programs have strong support within the Department of Defense and the Services, and are appropriately resourced?

Answer. Space systems and programs enjoy strong support from the Services, the Office of the Secretary of Defense, and the intelligence community. I believe that the programs included in the budget are resourced adequately. The full depth and breadth of space capabilities required to support the new defense strategy is still under study.

On the intelligence side, the Department and the intelligence community are engaged in a thorough, joint, end-to-end review of space and airborne collection systems known as the Transformational Air and Space Project (TSAP). This effort provides the space and airborne direction for the future and answers questions of numbers and types of systems, ISR architecture, and future resource requirements.

INTELLIGENCE, SURVEILLANCE AND RECONNAISSANCE SUPPORT (ISR)

Question. Are you satisfied with the level and quality of intelligence, surveillance, and reconnaissance support for U.S. forces? If not, what further steps would you recommend to improve ISR support?

Answer. Intelligence, Surveillance, and Reconnaissance (ISR) assets provide daily support to U.S. forces in all theaters, providing crucial and timely information to warfighters and other intelligence agencies. The current satisfaction with ISR support, however, is tempered by an aging platform baseline, and high OPTEMPO and PERSTEMPO demands on platforms and personnel. We are developing follow-on ISR programs that bring more capabilities to defeat emerging threats and offer more options to warfare commanders, such as persistent surveillance. I intend to maintain the emphasis to create a more flexible and adaptable collection capability to continue to support warfighters and decision makers.

CLOSE AIR SUPPORT

Question. In Operation Enduring Freedom, there was some criticism of the procedures by which close air support (CAS) was provided; some cases involved fratricide and others involved allegations that available aircraft were not being efficiently used.

What steps were taken to improve CAS prior to Operation Iraqi Freedom, and what was the impact of these steps?

Answer. The Army and Air Force warfighter staff talks held after OEF established the dialog for addressing OIF specific and some enduring CAS issues. This led to the acceleration of the Terminal Attack Control Program (TACP) modernization effort, the establishment of a very robust Air Ground System, pushing TACP assets down to the lowest level to include coalition allies, and the establishment of a robust Air Coordination Element (ACE) at CFLCC and Army V Corps Air Support Operations Center (ASOC).

We outfitted A–10s with targeting pods capable of day/night, laser, infrared, and night vision goggle employment. The pod enables standoff from the target to identify enemy and friendly forces, which gave the aircraft more time over the target area and increased survivability. During the sand storm, targeting pod equipped A–10s were able to "see through" the sand to distinguish friendly and enemy forces and increase the effectiveness of the attack. We also reduced the amount of command and control nodes to increase responsiveness to forces on the ground. Finally, all ground attack aircraft were equipped to use GPS-guided bombs to attack enemy positions very accurately in all weather.

Overall, we significantly improved Joint CAS Operations from OEF to OIF, to the degree that we seamlessly provided CAS regardless of service. For example, we had Air Force CAS for marines, and Australian CAS for Army and Marine Ground Forces.

Question. What areas remain to be addressed in the conduct of CAS?

Answer. We will focus on increasing joint CAS training. Additional improvements include, but are not limited to, providing SATCOM radios to forces on the ground to increase communications capabilities and the outfitting of all A–10s with targeting pods to limit collateral damage, reduce fratricide, and provide instant positive battle damage assessment.

STRATEGIC LIFT

Question. The Mobility Requirements Study for Fiscal Year 2005 was conducted with the assumption of the previous National Military Strategy of two Major Theater War (2–MTW). For strategic airlift, the study identified a requirement for 54.5 million ton-miles a day, with available airlift at the time falling well short. Steps have been taken to improve our capability since then by continuing the C–17 production line and initiating two C–5 upgrade programs.

Based on your experience of the last 2 years, how do you assess our current strategic airlift capability?

Answer. The need to conduct the war on terror on several fronts simultaneously, changes in how we deploy forces, new defense planning guidance (DPG) (including homeland defense), Army transformation, and the proliferation of anti-access weapons signal potentially significant changes in the combatant commanders' requirement for strategic lift. Under MRS–05, 54.5 MTM/D was the minimum for a moderate risk solution, but we are planning to conduct another full scale Mobility Requirements Study to further clarify strategic lift requirements.

PRECISION-GUIDED MUNITIONS

Question. With an ever-increasing percentage of air-launched ordnance being precision-guided, do you believe there is a need to re-visit the inventory objectives for precision-guided ordnance?

Answer. In response to the increased demand for guided weapons, and to rebuild supplies depleted first in Afghanistan and then Iraq, Joint Direct Attack Munition kit and laser guided bomb production have increased significantly. As part of our ongoing operational planning process, we are currently reevaluating our war plans. We will closely monitor inventories of precision munitions, adjust them as appropriate, and with the assistance of Congress fund them at an appropriate rate.

INFORMATION OPERATIONS

Question. Information operations and information warfare will likely have an increasing role in 21st century warfare. To date, the role of information operations in contemporary military operations has not been readily apparent.

What role do you envision for information operations in future U.S. military operations?

Answer. Information operations are maturing rapidly across DOD as a whole and within each individual Service. We are committed to fully integrating information operations (IO) into the Joint Force Commanders' toolkit on a par with air, land, maritime, space, and special operations. Information operations are comprised of five core military capabilities: Computer Network Operations, Electronic Warfare, Psychological Operations, Military Deception and Operations Security. The Joint Force Commander employs these core capabilities in an integrated, coordinated manner across the full range of military operations to better achieve his objectives. Recent operations have highlighted the importance of each of these core capabilities and IO in Operation Iraqi Freedom was more effective than ever before. We are addressing the limitations and shortfalls that must be fixed.

Question. What concerns do you have regarding the conduct of extensive information operations?

Answer. My primary concern is that the mission area receives required support, both in terms of resources and tailored intelligence. The IO mission area is relatively new, when compared to other established military operations. As such, it is in danger of not competing well for scarce resources. In terms of intelligence support, IO has some non-traditional requirements that we must scrutinize and prioritize along with our other intelligence requirements.

BLUE FORCE TRACKING

Question. General Tommy Franks, former Commander, U.S. CENTCOM, recently stated before this committee that multiple, non-interoperable blue force tracking systems were a problem during Operation Iraqi Freedom, contributing to some confusion on the battlefield and complicating efforts to avoid friendly fire incidents. The U.S. Army has one such system, which they shared with U.S. Marine Corps units. U.S. SOCOM uses different systems. Our coalition partners had no such capability.

What steps would you recommend to rapidly ensure effective blue force tracking of all friendly forces on the battlefield—unconventional, conventional, and coalition?

Answer. In his testimony, General Franks also described the "unprecedented situational awareness" during OIF. This "SA" was in fact enabled by the integration of these various blue force tracking systems (BFT) within a common picture. The issue

wasn't our inability to integrate the tracks; rather, that this integrated view of blue tracks was not always available at the lowest echelon—the shooter at the point of the engagement decision.

In the near-term, our emphasis is on developing interoperable systems that ensure this integrated BFT picture is distributed to the shooter. The Joint Blue Force Situational Awareness (JBFSA) Advanced Concept Technology Demonstration (ACTD) is already in progress, and addresses this exact issue. The ACTD will demonstrate, by end of fiscal year 2004, an integrated architecture of existing BFT capabilities that includes dissemination and display of a consistent blue force picture to the U.S. and coalition shooter. In the longer-term, the U.S. Army, as the Department's JBFSA Lead Service, will assist USJFCOM, the joint force integrator, in guiding the efficient acquisition of this transformational capability.

ARMY TRANSFORMATION

Question. Secretary Rumsfeld has established transformation of the Armed Forces to meet 21st century threats as one of the Department's highest priorities and has stated that only weapons systems that are truly transformational should be acquired.

How would you assess the level of risk to our forces of foregoing or curtailing current acquisition programs in favor of future transformation?

Answer. We have been very careful to balance the risk in trade-offs today to fund the necessary capability advances for tomorrow. There has always been tension within the defense establishment between readiness today and readiness tomorrow. Given the performance of our forces in Afghanistan and Iraq, I feel that the Services have the balance about right.

But even with these successes, we must evaluate lesson learned from each of these events and constantly look at our procedures and emerging technologies. Long term, we are taking the view that we should focus on transformational programs where these make sense.

To pay for transformation to the Objective Force, the Army has taken an acceptable level of risk in the modernization and recapitalization of the current force. Fielding Stryker Brigade Combat Teams fills an immediate capabilities gap identified by the combatant commanders—allowing the Army to pursue transformation objectives and priorities while meeting current warfighting requirements.

Question. Can we afford this risk given the current level of global threats?

Answer. Given the current level of global threats, we can't afford not to. Operation Iraqi Freedom demonstrated that transformational programs that provide speed, precision, improved battlefield command and control, persistence and remote sensing are exactly the capabilities we need.

REBALANCING FORCES

Question. In a memorandum of July 9, 2003, the Secretary of Defense directed action by the Services, the Joint Staff and OSD aimed at achieving better balance in the capabilities of the active and Reserve components. The Secretary noted that the Department "needs to promote judicious and prudent use of the Reserve components with force rebalancing initiatives that reduce strain through the efficient application of manpower and technological solution based on a disciplined force requirements process."

What do you consider to be the principal problems that the Secretary of Defense is attempting to address in his memorandum?

Answer. The Secretary emphasized the need for continuous improvement in assigned roles and responsibilities, functions and capabilities between the Active and Reserve components that allow us to swiftly respond to meet the Nation's military requirements. As we transform the military to deal with future uncertainties and the needs to defend our territories, we must ensure the RC capabilities are properly realigned to meet this challenge. I believe the Secretary's vision is to balance capabilities between the Active and Reserve component so that our force would be available on-demand, agile, and more responsive to deal with any future threat, without overextending any specific segment of our RC forces.

Question. What do you consider to be the biggest obstacles to achieving the goals that the Secretary of Defense has set forth in his memorandum?

Answer. I believe the Secretary's tasks are realistic and achievable. Homeland security, global terrorism, and regional uncertainties will be the determining factors on how difficult our tasks will be. The rebalancing of active and Reserve capabilities require that we look at all available options and the resources required. We will work with the Services and the Department in the evaluation of manpower avail-

ability, management techniques—including contractor support, and technical applications to ensure our forces remain agile, responsive, and ready.

The timeframe for achieving those goals will be challenging. However, in light of the significant changes we have experienced in global requirements since the end of the Cold War, it is appropriate to review our force alignment and make changes where needed as soon as practical.

U.S. FORCES IN KOREA

Question. Living and working conditions for many military personnel stationed in Korea fall far below acceptable standards. The current and previous Commanders, U.S. Forces Korea (USFK), have publicly called for significantly enhanced pay and compensation for personnel assigned to Korea to address these factors.

In your judgment, what steps, if any, need to be taken to improve living and working conditions and the attractiveness of military assignments for career personnel in Korea?

Answer. The former Chief of Staff of the Army chartered a Tiger Team that included Joint Staff and OSD representatives to look at conditions in Korea. The Team took an in-depth look at living and working conditions, special pay, increasing accompanied tours and military construction (MILCON).

Many living and working conditions in Korea are substandard. This adversely impacts morale, retention, and readiness. USFK currently has 41 installations to maintain. As part of the Korea Land Partnership Plan, USFK plans to reduce that number down to 21 installations. Along with that base realignment will come improved living and working conditions. The USFK Commander, as part of the current and future defense strategy review, is aggressively working the MILCON issues to ensure we take proper care of our service members.

With regards to special pay we have made significant progress with the authorization of assignment incentive pay. The Senate Report for the National Defense Authorization Act (NDAA) for Fiscal Year 2004 includes provisions for an assignment incentive pay ($100 per month) specifically for Korea. Additionally, we are hopeful that the House and Senate will enact provisions for the Fiscal Year 2004 NDAA, authorizing officers an overseas tour extension incentive identical to what we currently offer enlisted personnel.

With respect to unaccompanied tours, the NDAA for Fiscal Year 2003 requested the Under Secretary of Defense for Personnel and Readiness to report on a plan to increase accompanied tours in Korea from 10 percent to 25 percent. Increasing the number of accompanied tours in Korea will require a substantial infrastructure (family housing, medical care facilities, childcare facilities and other facilities required to support the increase in command sponsored dependents) investment.

NATIONAL MILITARY STRATEGY

Question. What aspects of the National Military Strategy, if any, require modification or clarification as a result of changed world events since issuance of the Strategy in 2001?

Answer. In 2001, the Secretary of Defense published the Quadrennial Defense Review, which promulgated a new Defense Strategy. The Defense Strategy directed the Armed Forces to adopt a capabilities-based approach for force planning and force development given that the U.S. faces dangerous adversaries and the certainty that these adversaries will continuously adapt their capabilities in ways that will challenge us even more in the future. This document, released in the immediate aftermath of September 11 provides the foundation for the new National Military Strategy.

The National Military Strategy will describe our concept for employing military force to achieve prescribed objectives in this dangerous and uncertain environment. Moreover, the strategy will describe the capabilities the Armed Forces must possess to succeed today and in the future incorporating the lessons learned in the war on terrorism.

This draft strategy continues to reflect our highest priorities: winning the war on terrorism, enhancing joint warfighting, and transforming the joint force. It builds on the new National Security Strategy and supporting strategies that have been released since September 11 and positions the Armed Forces to conduct preventive and preemptive operations in defense of the United States and its global interests.

COLOMBIA

Question. U.S. military personnel have been involved in the training and equipping of Colombian military forces involved in counterdrug operations. U.S. military

personnel, however, do not participate in or accompany Colombian counterdrug or counterinsurgency forces on field operations in Colombia.

Do you favor continuation of this limited role for U.S. military personnel in Colombia?

Answer. Yes. U.S. policy for Colombia is clear that we will assist the Colombian Government to regain control over its territory but that the Colombian Government is ultimately responsible for resolving its own conflict. Our forces are doing an outstanding job of training and assisting the Colombian military and police without deploying on combat operations with them. I do not believe that allowing U.S. military personnel to accompany Colombian security forces would have a strategic impact. Additionally, the Colombian military is not asking for this type of assistance and is a properly trained and competent force.

EXCESS INFRASTRUCTURE

Question. How high a priority do you place on the closure of excess Department of Defense installations and why?

Answer. In an environment where resources are scarce, we must eliminate excess physical capacity to allow for increased defense capability focused on 'jointness.' I strongly support needed infrastructure reductions facilitated by BRAC 2005.

Question. How do you respond to arguments that initiation of a new round of base realignment and closure should be postponed until the requirements of the global war on terrorism come into better focus?

Answer. In the wake of September 11, it is more important than ever to avoid expending resources on excess capacity. The authority to realign and close bases we no longer need is an essential element of ensuring the right mix of bases and forces within our warfighting strategy as we transform to meet the security challenges of the 21st century.

READINESS REPORTING SYSTEM

Question. You previously have indicated that expansion and refinement of the Global Status of Resources and Training System was necessary and that a comprehensive readiness reporting system is necessary.

What progress have you made in improving the readiness reporting within the Department?

Answer. The Defense Readiness Reporting System (DRRS) will meet the comprehensive readiness reporting requirements. A development contract has been awarded on the DRRS. The system is on-track to achieve Initial Operating Capability (IOC) by the end of fiscal year 2004 and Full Operating Capability (FOC) by fiscal year 2007.

The Chairman's Readiness System (CRS) will continue to provide timely and accurate macro-level readiness information until the DRRS reaches FOC. The Joint Staff also makes discrete changes to the CRS as required to better capture readiness data, decrease the reporting burden, and more closely align the CRS with the DRRS vision.

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, 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 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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

END STRENGTH

1. Senator INHOFE. General Myers, regarding our troops, Monday the New York Times ran an article concerning the current strength and size of our military. The article stated that of the Army's 33 total active duty brigades, 21 are overseas with 16 of them in Iraq. I believe three of the brigades are in a training status, which leaves only nine to cover the rest of world. The article also stated that Secretary Rumsfeld had sent a memorandum to the service secretaries and to you requesting you "rebalance" the active and Reserve components. Can you comment on the current balance or blend of active duty, Reserve, and Guard Forces, the end strength of our military, specifically does the end strength adequately address our worldwide commitments, and any proposed changes that will ease the burden on our Armed Forces?

General MYERS. To meet the emerging challenges of the future global security environment, the United States will require a more flexible, responsive, and capable military force. This force must be able to rapidly respond to crisis situations anywhere in the world and bring to bear an arsenal of the world's most advanced and interoperable warfighting capabilities. We are examining our current and future military force structure to ascertain whether adjustments are need to ensure our military capability remains unequaled in the world. Changes to end strength and/or the active/Reserve component balance are possible but many other options are also being considered.

TANKER AIRCRAFT

2. Senator INHOFE. General Myers, I recently read an article concerning the shortage of transport and tanker aircraft. The article stated that General John Handy, the Chief of the United States Transportation Command, was forced to devise a new method to deliver supplies to Iraq because of a shortage of transport and tanker aircraft. Obviously we were able to get the required supplies to Iraq, but I am concerned that the shortage of transport and tanker aircraft will continue to grow and that we are not addressing the issue. Is there a current shortage of transport and tanker aircraft?

General MYERS. Currently, we do not fully meet the 54.5 million ton miles per day, the minimum requirements for a moderate risk solution as set forth in Mobility Requirements Study 2005. General Handy's method of delivery was predicated on the need to conduct the war on terror on several fronts simultaneously, and reflected recent changes in how we deploy forces. New defense planning guidance, transformation, and the proliferation of anti-access weapons signal potentially significant changes in the combatant commanders' requirements for airlift and air refueling capability. We are planning to conduct another full scale Mobility Requirements Study to clarify our transport and tanker aircraft requirements.

3. Senator INHOFE. General Myers, can you specifically address the Air Force's desire to retire 68 KC–135Es when there seems to be a shortage of tanker aircraft?

General MYERS. The retirement of the 68 KC–135Es, as directed in the President's budget for fiscal year 2004, which are less capable than the other tankers, will allow the Air National Guard to pay for the sustainment of the aircraft and will result in a slight decrease in offload capability, the Air Force will be able to mitigate this by re-distributing aircrew and maintenance personnel throughout the remaining KC–135Rs. This will allow the Air Force to better utilize all KC–135 aircraft.

4. Senator INHOFE. General Myers, I understand the Air Force is looking at leasing 100 Boeing 767s, but what are the long-term plans for replacing the KC–135? Wouldn't the Air Force need more than 100 Boeing 767s?

General MYERS. One hundred KC–767s are only the beginning of a long-term plan to recapitalize the entire tanker fleet. The planned Mobility Requirements Study and follow-on studies will help us determine the precise level of tanker capability we will need in the future. This effort will likely span the next few decades due to fiscal matters and production rates of suitable replacement aircraft.

QUESTION SUBMITTED BY SENATOR CARL LEVIN

GUANTANAMO BAY DETAINEES

5. Senator LEVIN. General Myers, the Department of Defense announced on July 23, 2003, that an Australian detainee, who is being held at Guantanamo Bay, if charged, would not be subject to the death penalty and his conversations with his defense counsel would not be subject to monitoring. Britain's attorney general announced a similar result with respect to two British detainees on July 22, 2003, after meetings at the Pentagon. While it may be that these decisions are the result of a careful review of the particular circumstances in these three cases, the fact that these decisions apply to the citizens of the two nations that participated from day one with troops on the ground in Afghanistan, creates the impression that their citizens are receiving favorable treatment. Can you tell us if these three detainees are being given favorable treatment because Australia and Great Britain were part of the U.S.-led coalition in Afghanistan, or will similar treatment be afforded to all detainees without regard to their nationality?

General MYERS. The President recently determined that six detainees at Guantanamo are subject to his military order of 13 Nov 2001. This determination is not a decision that any of the six detainees will necessarily be charged or stand trial, only that if tried, the detainee will be tried before a military commission. Two of those six detainees are British, and one is Australian. Shortly after the President's determination, the White House issued a statement that military commissions against U.K. or Australian nationals would not commence pending discussions between legal experts of each nation. Since then, the Office of General Counsel of the Department of Defense has held numerous discussions with both British and Australian officials, and more are scheduled. While I am generally aware that many of the issues raised by the U.K. and Australia have been discussed, the Joint Staff has not been involved in these discussions, and any decisions on issues raised during these discussions or relating to commission procedures or charges will be made at the OSD level.

QUESTIONS SUBMITTED BY SENATOR JACK REED

BASIC RESEARCH

6. Senator REED. General Myers, what role does the Department of Defense's basic research (6.1) program play in your vision of our Nation's military?

General MYERS. The DOD Basic Research (6.1) program generates new knowledge and understanding in science and engineering fields that underpin national defense. It stimulates development of new technology, which is the foundation for enhancing capabilities of military systems and for making them easier and less expensive to manufacture, operate, and maintain. Technological advances are key to fielding a military that is prepared to fight and win this Nation's battles today and in the future.

7. Senator REED. General Myers, what level of investment do you feel is appropriate for this type of research given other near-term priorities?

General MYERS. The breakthroughs used to maintain our technological edge and achieve our transformation goals have come through a stable and robust investment in basic research. The basic research portfolio allows warfighters today and tomorrow to have superior and affordable technology options to meet their missions, and to give them transformational war-winning capabilities. Technologies such as stealth aircraft, the Global Positioning System, night vision devices, precision-guided munitions, and vastly more capable information management systems are the results of the Department's investment in basic research. The technological advantage our Armed Forces enjoy today is a legacy of decades of investment in basic resesrch.

8. Senator REED. General Myers, how will you measure the effectiveness of investment in these programs in supporting our Nation's warfighters?

General MYERS. Measuring the outputs of basic research is one of the more difficult metrics in science and technology. We already measure the numbers of graduate students supported, and the number of patents and publications. What is more difficult to measure is the long-term impact of basic research on future systems. For instance, when the Navy conducted basic research on atomic clocks in the 1960s, the Department did not realize that one of the outputs would be the Global Positioning Systems. These discoveries are vital to continued military dominance and provide the opportunity for continued transformation.

TECHNOLOGY TRANSITION

9. Senator REED. General Myers, how effectively does the Department of Defense transition promising technologies from science and technology programs into fielded systems?

General MYERS. The recent success of our forces on the battlefield attests to the superiority in technology achieved by the Department of Defense in transforming science and technology programs into fielded capabilities. The interaction of organizations responsible for defining military requirements, identifying technical solutions and fielding combat-ready systems has produced the best military in the world. As good as we are, we aim to be better. Working closely with individual military departments, the Joint Staff established its joint capabilities based requirements process. The Director, Defense Research and Engineering restructured his science and technology coordination group to parallel the joint requirements structure, producing a streamlined laboratory-to-battlefield connection. The Under Secretary of Defense (Acquisition, Technology, and Logistics) provides a variety of programs such as Quick Reaction Special Projects and Advanced Concept Technology Demonstrations to speed cutting edge technology to joint warfighters faster than traditional procurement processes. I am convinced that we transition new technology to the battlefield faster than ever before.

10. Senator REED. General Myers, what can be done from the perspective of operators to improve the speed and efficiency of technology development and transition?

General MYERS. We are building on our technology transition successes and anticipate even greater efficiency in the future. Ensuring that our science and technology investments are aligned with operational requirements yields efficiency of effort. Developing new acquisition processes to ease access for a diversity of defense technology providers gives us challenging and refreshing new solutions. As we aim to be efficient with requirement-driven technology development, we need also to be receptive to leap-ahead opportunities that might not be envisioned by warriors. The drive to be responsive to emergent military requirements and to shorten the timeline between test bench and battlefield is being vigorously pursued in all arenas related to transition: designing, testing, demonstrating, procuring, and sustaining capabilities for frontline fighters. We are without peer in rapidly transitioning the best technologies to fielded systems.

MILITARY SERVICES SCIENCE AND TECHNOLOGY PROGRAMS

11. Senator REED. General Myers, the level of investment in science and technology by each of our military services has not kept pace with their overall budget increases. Do you think that the military services should be investing more in science and technology?

General MYERS. A strong science and technology program is required to provide options for responding to a full range of military challenges both today, and into the uncertain future. I think it is important to look at science and technology across the Department, under the current administration the budget request for science and technology has recently grown over 25 percent, which represents a significant commitment to science and technology. It is the Department's goal to grow the science and technology investment to 3 percent of the total defense budget.

12. Senator REED. General Myers, how should the value of those investments be compared with investments in procurement and current operations?

General MYERS. Output metrics are important for all categories of investments and the Department is in fact working hard to develop output oriented metrics that include science and technology. At the end of the day, however, decisions require thoughtful, yet subjective input from experts in science and technology, as well as from military leaders on what is most important for the Department of Defense.

QUESTIONS SUBMITTED BY SENATOR DANIEL K. AKAKA

OPERATION NOBLE EAGLE

13. Senator AKAKA. General Myers, I would like to get your thoughts on a mission we don't hear much about any more, Operation Noble Eagle. As I understand it, one of the primary objectives of the operation is to deter possible air attacks like those of September 11. Is my understanding correct that we are attempting to dissuade

potential attackers from September 11th-like attacks with airliners or other planes used as bombs or missiles?

General MYERS. Yes sir. Operation Noble Eagle plays a vital role in homeland defense. It is a visible and constant reminder of the ability and resolve of the United States to defend itself against those who would seek to repeat September 11-like attacks on our homeland.

14. Senator AKAKA. General Myers, in your military judgment, is our current practice of launching combat air patrols and keeping fighter jets on alert effective in achieving this objective? If so, is this the most effective way to accomplish this deterrent? Have you considered any other alternatives or do you have any recommendations?

General MYERS. The Department of Defense works closely with the Federal Aviation Administration and the Department of Homeland Security to ensure we provide the best deterrent possible within our current force posture. The use of military air patrols and alert fighters, Temporary Flight Restriction airspace, and the increased airline and airport security measures implemented by the Department of Homeland Security provide a significant, overt deterrent to potential attackers. Other efforts, such as the interagency-developed and staffed National Capital Region Coordination Center and the Department of Defense-led National Capital Region Integrated Air Defense System are clear signs we are working to integrate both law enforcement and interagency partners into the air defense community. Finally, we have made tremendous improvements with the Department of Homeland Security, and its many agencies such as Immigration and Customs Enforcement and the United States Secret Service, in the sharing of information and ability to enhance the effective execution of each other's missions.

15. Senator AKAKA. General Myers, how long do you think this mission will continue, and how long, in your judgment, do you think that it should?

General MYERS. This mission will remain until the threat it counters is gone. Operation Noble Eagle will be incorporated into NORAD's Concept Plan 3310–02, U.S./Canadian bilateral air defense plan. As the threat evolves, the name of the mission might change but the protection provided by Operation Noble Eagle to the homeland will continue as long as necessary.

16. Senator AKAKA. General Myers, I understand that Operation Noble Eagle missions are flown by the Air Force, and that a large number of the sorties are actually flown by the Reserve and National Guard. Are you exploring options to relieve some of the burden on the Air Force for this mission?

General MYERS. The distribution of missions and the associated unit Operations TEMPO is a very real concern. However, the historic mission of the Air Force Reserve and National Guard is the defense of the United States. By giving the homeland defense mission primarily to the Air Force Guard and Reserve, we free active duty Air Force, Marine, and Navy air units for deployment overseas in support of our national objectives.

RANGE SPACE

17. Senator AKAKA. General Myers, there seems to be continuing pressures to grow on our military ranges, demand is increasing for range space, and supply is increasingly challenged as urbanization and other factors limit our range activities. While a partial solution may be an increased reliance on automation, simulation, and constructive environments, we will continue to need large plots of land to support live fire training, testing, and evaluation. Therefore, although these diverging trends may be manageable in the short-term, a long-term strategic solution appears to be required. At least part of the solution may lie in improved management of our existing range space by increasing joint use, but also by better integrating test and training ranges. What steps are you taking to develop a viable, long-range plan to address these challenges, and what changes are necessary to ensure its success?

General MYERS. The pressures and challenges of infringement on our existing range infrastructure are certainly increasing. In a world of unconstrained requirements and finite resources, the Department of Defense recognizes that we must find flexible and creative solutions to continue to test and train our joint forces effectively. Computers, models, and simulators are already heavily in use, but can only teach so much. Combat often involves realities that cannot be simulated. The availability of usable range spaces is clearly critical to maintaining military training proficiency. We also realize that we cannot easily expand or duplicate these capabilities

elsewhere to satisfy emerging needs. To that end, DOD has aggressively sought measures to optimize the use of our ranges. DOD is studying the problem as part of the Sustainable Ranges Initiative, which involves identifying range requirements, documenting capabilities and shortfalls, and examining utilization as one aspect of a comprehensive solution to long-term preservation of our Nation's test and training capabilities.

Many of our premier test ranges, like Eglin AFB, are heavily involved in service and joint training activities. Eglin AFB supports a wide range of weapons systems and ordnance testing, while simultaneously sustaining a spectrum of Air Force, sister and joint training and experimentation needs. This trend towards increasing collaboration will continue. From a strategic standpoint, joint training and experimentation capabilities are also of increasing importance to our Nation's defense. The Joint National Training Capability, a new DOD initiative to meet today's joint force training needs will stress the development and implementation of joint training/exercise capabilities at many premier ranges. This and similar DOD efforts are leading the way to integrated range use.

Where appropriate, training or testing areas designed for one service can also accommodate the needs of others. However, joint use will not fully satisfy service-unique training requirements. Scheduling, utilization, and availability issues must also be considered. As an example, much of our land is managed for sustainable long-term use, which means range managers must consider the land's "carrying capacity" for training. This is not just an environmental concern. Realistic training often calls for well-vegetated and non-degraded landscapes, and terrain representative of field conditions. Overuse of the terrain can degrade this realism, as well as compromise DOD environmental stewardship obligations.

DEPLOYMENT PROCESS

18. Senator AKAKA. General Myers, please provide additional details on the plans DOD has to improve the deployment process, the rationale to support these changes, and a timeline for their implementation.

General MYERS. As the Joint Deployment Process Owner (JDPO), United States Joint Forces Command is leading the effort to make the joint deployment planning and mobilization process more efficient. We will participate fully with USJFCOM on these efforts.

A revision of the requirements review procedure is under way, and will result in improved processes and automated tools to monitor availability of forces and validate the combatant commanders' requests for forces. In the near-term, a "Quickwins" Tiger Team formed under the supervision of the JDPO will propose immediate actions learned from the Operation Iraqi Freedom deployment. In the mid-/far-term, the JDPO and the Joint Logistic Transformation Center, in conjunction with the Joint Staff, will lead the effort to re-engineer the deployment process. Collectively, new emerging technologies, once integrated into the deployment process, will offer the force provider an enhanced capability to more efficiently and effectively manage the total force deployment, to include the activation of the Reserves.

Regarding mobilization, JDPO is developing a more agile, responsive process to mobilize Reserve component forces and individuals through changes in service and joint doctrine, policy, and law. In the near-term, USJFCOM will use the "Quickwins" strategy to garner short-term improvements in the mobilization process. In the long-term, USJFCOM will develop new concepts for mobilization more suited to the future environment and linked to the Joint Deployment Process. This will be collaborative effort that includes coordination with the Reserve Component Leadership and the Reserve Forces Policy Board.

[The nomination reference of Gen. Richard B. Myers, USAF, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 18, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named United States Air Force officer for reappointment as the Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while

assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 152:

To be General

Gen. Richard B. Myers, 0000.

[The biographical sketch of Gen. Richard B. Myers, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF SERVICE CAREER OF GEN. RICHARD B. MYERS, USAF

Date and place of birth: 1 March 1942; Kansas City, MO.

Years of active service: Over 38 years as of 5 June 2003.

Schools attended and degrees: Kansas St Univ, BS, 1965; Auburn Univ AL, MA, 1977; Air Command and Staff College, 1977; Army War College, 1981.

Joint specialty officer: Yes.

Aeronautical rating: Command Pilot.

Major permanent duty assignments:

	From	To
USAFR, Not on Active Duty	Feb 65	Jun 65
Stu Ofcr, Undergrad Plt Tng, 3576 Stu Sq, ATC, Vance AFB OK	Jun 65	Dec 66
Plt, Tac Ftr, F–4D, 417 TFSq, USAFE, Ramstein AB GE	Dec 66	Jul 68
Plt, Tac Ftr, F–4D, 417 TFSq, TAC, Mt Home AFB ID	Jul 68	May 69
Stu, USAF Opnl Tng Crs, F–4E, 436 TFSq, TAC, Homestead AFB FL	May 69	Dec 69
Acft Comdr, F–4D, 13 TFSq, PACAF, Udorn RTAFB TH	Dec 69	Nov 70
Acft Comdr, F–4C, 80 TFSq, PACAF, Yokota AB JA	Dec 70	Mar 71
Acft Comdr, F–4C, Specl Tactics, 67 TFSq, PACAF, Kadena AB JA	Mar 71	Mar 73
Flt Comdr, F–4C, Specl Tactics, 67 TFSq, PACAF, Kadena AB JA	Mar 73	Sep 73
Ftr Wpns Instr, F–4, 414 FWSq, TAC, Nellis AFB NV	Sep 73	Apr 75
Flt Comdr, F–4, 414 FWSq, TAC, Nellis AFB NV	May 75	Aug 76
Stu, Air Comd & Staff College, AU, Maxwell AFB AL	Aug 76	Jun 77
Air OpS Ofcr, Opnl Test & Eval Div, AF/XOORE, Hq USAF, Pentagon DC	Jul 77	Jul 80
Stu, U.S. Army War College, Hq Comd, Carlisle Barracks, PA	Jul 80	Jun 81
Ch, wpns & Tactics Div, 4 TFSq, TAC, Seymour-Johnson AFB NC	Jun 81	Oct 81
Ops Ofcr, D/Ops, 355 TFSq, TAC, Seymour-Johnson AFB NC	Oct 81	Jun 82
Comdr, 335 TFSq, TAC, Seymour-Johnson AFB NC	Jun 82	Jan 84
Dep Dir, Pers Plans & Sys, DCS/Pers, Hq TAC, Langley AFB VA	Jan 84	Oct 84
Inspection Team Ch, Hq TAC/IGD, Langley AFB VA	Oct 84	Sep 85
Comdt, USAF Ftr Wpns Sch, TAC, Nellis AFB NV	Sep 85	Aug 86
Comdr, 325 TTWg, TAC, Tyndall AFB FL	Sep 86	Jun 87
Comdr, 1 TFWg, TAC, Langley AFB VA	Jun 87	Feb 89
Asst DCS/Plans, Hq TAC, Langley AFB VA	Feb 89	Jun 89
Inspector General, Hq TAC, Langley AFB VA	Jun 89	Jan 90
DCS/Plans, TAC; Dep Dir, Plans; & DCS/Plans, LANT, Langley AFB VA	Jan 90	Jun 90
DCS/Requirements, Hq TAC, Langley AFB VA	Jun 90	Dec 91
Dir, Ftr, Comdr Cntrl & Wpns prgms, SAF/AQ, Pentagon DC	Dec 91	Nov 93
Comdr, U.S. Forces JA; Comdr, 5 AF, PACAF; Comdr, USAFS JA; & Comdr, WESTPACNORTH Air Def Rgn, Yokota AB JA	Nov 93	Jun 96
Asst to CJCS, Joint Staff, Pentagon, Washington, DC	Jul 96	Jul 97
Comdr, Pacific Air Forces; and Air Component Commander, United States Pacific Command, Hickam AFB, HI	Jul 97	Aug 98
USCINCSPACE; CINCNORAD; AFSPC/CC; and DOD Manager for Manned Space Flight Support Operations, Peterson AFB, CO	Aug 98	Mar 00
Vice Chairman, Joint Chiefs of Staff, Pentagon, Washington, DC	Mar 00	Oct 01
Chairman, Joint Chiefs of Staff, Pentagon, Washington, DC	Oct 01	Present

Promotions:

	Effective Date
Second Lieutenant	3 Feb 65
First Lieutenant	5 Dec 66

	Effective Date
Captain	13 Jun 68
Major	1 Sep 76
Lieutenant Colonel	1 Dec 79
Colonel	1 Sep 84
Brigadier General	1 Apr 90
Major General	1 Sep 92
Lieutenant General	12 Nov 93
General	1 Sep 97

Decorations:

Defense Distinguished Service Medal with two Bronze Oak Leaf Clusters
Distinguished Service Medal
Legion of Merit
Distinguished Flying Cross with one Bronze Oak Leaf Cluster
Meritorious Service Medal with three Bronze Oak Leaf Clusters
Air Medal with three Silver Oak Leaf Clusters and three Bronze Oak Leaf Clusters
Air Force Commendation Medal

Summary of Joint Assignments:

Assignments	Dates	Grade
Chairman, Joint Chiefs of Staff, Pentagon, Washington DC	Oct 01–Present	Gen.
Vice Chairman, Joint Chiefs of Staff, Pentagon, Washington DC	Mar 00–Oct 01	Gen.
USCINCSPACE; CINCNORAD; AFSPC/CC; and DOD Manager for Manned Space Flight Support Operations, Peterson AFB, CO.	Aug 98–Mar 00	Gen.
Assistant to Chairman, Joint Chiefs of Staff, Joint Staff, Pentagon, Washington, DC	Jul 96–Jul 97	Lt. Gen.
Comdr, U.S. Forces Japan; Comdr, 5th AF, PACAF; Comdr, U.S. Air Forces Japan; & Comdr, WESTPACNORTH Air Defense Region, Yokota AB JA.	Nov 93–Jun 96	Lt. Gen.
Air Ops Officer,[1] Operational Test & Eval Div, Directorate of Ops & Readiness, Dep Chief of Staff, Ops, Programs & Readiness, Pentagon DC.	Jul 77–Jul 80	Lt. Col. Major

[1] Joint Equivalent

[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 Gen. Richard B. Myers, USAF in connection with his nomination follows:]

CHAIRMAN OF THE JOINT CHIEFS OF STAFF
Washington, DC, 10 June 2003.

Hon. JOHN W. WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my re-nomination to the position of Chairman of the Joint Chiefs of Staff, Pentagon, Washington, DC. It supplements Standard Form 278, "Executive Branch Personnel Public Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I nor any member of my immediate family will invest in any entity that would create a conflict of interest with my government duties. I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best

of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been re-nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

RICHARD B. MYERS,
Chairman of the Joint Chiefs of Staff.

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 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.)
Richard Bowman Myers.

2. **Position to which nominated:**
Chairman of the Joint Chiefs of Staff.

3. **Date of nomination:**
18 June 2003.

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:**
1 March 1942; Kansas City, Missouri.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Mary Jo Myers (Rupp).

7. **Names and ages of children:**
Nicole M. Little, 32.
Erin L. Voto, 30.
Richard B. Myers, Jr., 24.

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.
Vice President, Myers Brothers of Kansas City (Non-active position with family-owned business).

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Armed Forces Benefit Association.
The Army and Air Force Mutual Aid Association.
Air Force Association.
Kansas State University Alumni Association.
U.S. Army War College Alumni Association.
Sigma Alpha Epsilon (Fraternal).
The Retired Officers Association.
Vietnam Veterans of America.
Veterans of Foreign Wars of the United States.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and 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.

Ira Eaker Fellow, Air Force Association.
1991 Alumni Fellow Award, College of Engineering, Kansas State University.
Kansas State University, Engineering Hall of Fame.
General Thomas D. White Space Award.
General James V. Hartinger Space Award.
Canadian Meritorious Service Cross.
Medal of the French Legion of Honor and French National Legion of Honor.
American Academy of Achievement Award.
Distinguished Kansan of the Year.
USAF's Gray Eagle 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 Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to the questions in 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.

RICHARD B. MYERS.

This 10th day of June, 2003.

[The nomination of Gen. Richard B. Myers, USAF, was reported to the Senate by Chairman Warner on July 30, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 31, 2003.]

[Prepared questions submitted to Gen. Peter Pace, USMC, by Chairman Warner prior to the hearing with answers supplied follows:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. You previously have answered the committee's policy questions on the reforms brought about by the Goldwater-Nichols Act in connection with your nomi-

nations to be Commander, U.S. Southern Command and Vice Chairman of the Joint Chiefs of Staff.

Has your view of the importance, implementation, and practice of these reforms changed since you testified before the committee at your most recent confirmation hearing on September 25, 2001?

Answer. My fundamental view of the Goldwater-Nichols Act remains unchanged. Overall, the implementation and practice of the reforms have clearly strengthened the warfighting capabilities of our combatant commands while maintaining civilian control over the military. I believe that when the history books are written on Operation Iraqi Freedom, they will note that this was the first time that the military services truly fought jointly, rather than simply deconflict their actions on the battlefield. That joint fight was key to our success.

Question. Do you foresee the need for additional modifications of Goldwater-Nichols in light of the changing environment? If so, what areas do you believe it might be appropriate to address in these modifications?

Answer. The global war against terrorism has highlighted our need to work more closely within the interagency process, as well as with our coalition partners. The Joint Staff is currently identifying methods that will allow the CJCS and me to carry out our duties as described in Title 10 more effectively and efficiently. The Center for Strategic and International Studies is conducting an independent study of Goldwater-Nichols, and the Department of Defense is conducting an Organizational Study, led by Mr. "Pete" Aldridge. I look forward to reviewing the suggestions and recommendations these efforts will produce.

DUTIES

Question. What recommendations, if any, do you have for changes in the duties and functions of the Vice Chairman of the Joint Chiefs of Staff as laid out in Title 10, United States Code, and in regulations of the Department of Defense pertaining to functions of the Vice Chairman of the Joint Chiefs of Staff?

Answer. I believe that I serve a critical role for our Nation's defense as the Chairman of the Joint Requirements Oversight Council (JROC), and as the Chairman's representative to the National Security Council Deputies Committee. Further, I am the designated officer to perform the duties of the Chairman should he be absent or unable to perform his duties as established by Title 10. In all of these functions, it is both my legal responsibility and moral obligation to provide my best military advice to the President, the Secretary of Defense, and the National Security Council. The Goldwater-Nichols Act has provided the appropriate language to create my position. I advocate keeping the position and duties of Vice Chairman of the Joint Chiefs of Staff in tact.

VICE CHAIRMAN'S TERM OF OFFICE

Question. Requirements for appointment as Vice Chairman of the Joint Chiefs of Staff and limitations on the length of time an officer may serve in that capacity, including renewable 2 year terms under certain conditions, are set forth in Section 154 of Title 10, United States Code.

What are your personal views about the sufficiency of the provisions of existing law regarding the office of Vice Chairman of the Joint Chiefs of Staff as set forth in Section 154?

Answer. Recently, the Department of Defense proposed legislation to provide for 2 year terms for both the CJCS and the VCJCS and that the President could reappoint the CJCS and the VCJCS as he deems necessary. The current limitation of two additional terms would be removed under this proposal. I support this proposal as it provides the President increased flexibility in managing the most senior levels of his military advisors, and takes greater advantage of the military expertise and experience accumulated during previous terms.

RELATIONSHIPS

Question. Please identify any changes you have observed since your last confirmation in the relationships between the Vice Chairman of the Joint Chiefs of Staff and the following officials.

The Deputy Secretary of Defense.

Answer. Under existing directives, the Deputy Secretary of Defense has been delegated full power and authority to act for the Secretary of Defense on any matters that the Secretary is authorized to act. Because of our close association and coordination in numerous briefings, particularly those involving the global war on terrorism, I am proud to report that the relationship between the Vice Chairman and the Deputy Secretary of Defense has grown even stronger over these past 2 years.

Question. The Under Secretaries of Defense.

Answer. Title 10, United States Code, and current DOD directives establish the Under Secretaries of Defense as the principal staff assistants and advisors to the Secretary regarding matters related to their functional areas. Recently, the Secretary established the Under Secretary of Defense for Intelligence. Aside from this new position, I have not noticed any changes in the relationship of the Vice Chairman of the Joint Chiefs of Staff with the Under Secretaries of Defense since my last confirmation hearing.

Question. The Assistant Secretaries of Defense.

Answer. The Secretary of Defense has created a new Assistant Secretary for Networks & Information Integration who reports directly to the Deputy Secretary of Defense. He has also created a new ASD for Homeland Defense who reports to USD (Policy). Aside from these new positions, I have not noticed any changes in the relationship of the Vice Chairman of the Joint Chiefs of Staff with the Assistant Secretaries of Defense since my last confirmation hearing.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. I have great respect and admiration for General Myers and the job he has done as Chairman of the Joint Chiefs of Staff. I am proud to serve as his Vice Chairman, and we enjoy a close, and closely coordinated relationship, not only between our offices, but between us and the Secretary and Deputy Secretary of Defense. This represents a continuation of the very effective relationship between the Chairman of the Joint Chiefs of Staff and the Vice Chairman of the Joint Chiefs of Staff since my last confirmation hearing.

Question. The Secretaries of the Military Departments.

Answer. The Under Secretary of the Air Force now acts as the Executive Agent for Space Program procurement, which is especially important to the Vice Chairman in the Vice Chairman's role as Chairman of the JROC. Aside from this, I have not noticed any changes in the relationship of the Vice Chairman of the Joint Chiefs of Staff with the Secretaries of the Military Departments since my last confirmation hearing.

Question. The Chiefs of Staff of the Services.

Answer. I have not noticed any changes in the relationship of the Vice Chairman of the Joint Chiefs of Staff and the Chiefs of Staff of the Services since my last confirmation hearing.

Question. The combatant commanders.

Answer. The President-approved Unified Command Plan created U.S. Northern Command and redefined the roles and responsibilities of U.S. Strategic Command. Both of these new command entities have enhanced the overall ability of the Armed Forces and the Department of Defense. Aside from these welcomed additions, I have not noticed any changes in the relationship of the Vice Chairman of the Joint Chiefs of Staff with the combatant commanders since my last confirmation hearing.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that you would confront if confirmed for a second term of office as Vice Chairman of the Joint Chiefs of Staff?

Answer. In my view, there are two major challenges. First, there is the challenge of maintaining the extent and breadth of our current commitments while being prepared to respond to others. Simultaneously, we have the challenge of transforming our Armed Forces to become a force well positioned to face the demands of the 21st century.

The United States is well positioned to meet these challenges. We must continue our warfighting efforts; transform the force in a way that makes joint warfighting second nature; and streamline the strategic landscape.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. The Joint Staff has a long history of anticipating, planning and executing plans that address these issues. Over the past year we have undertaken an Operational Availability Study to assess our force needs and deployment timelines in the context of our military strategy.

As we look forward, we will continue to execute seminar war games in support of our global commitments, such as Prominent Hammer and Elaborate Crossbow. These and other efforts clearly have shaped our current operational thinking and planning as we work with the combatant commanders to prepare for the future.

We are also using Operation Iraqi Freedom as an opportunity to evaluate basing opportunities against the backdrop of the new strategic situation. The Services are also reviewing their rotation policies to optimize their readiness and ability to re-

spond globally. All of these efforts are being done through the lens of our new strategy.

We will continue to capitalize on our lessons learned from recent operations.

We must also continue on the road to transformation. Over time, we will use our recently implemented capabilities-based methodology, to establish a common baseline for analyzing future capabilities and identifying and filling capability gaps.

TRANSFORMATION

Question. If confirmed, you would continue to play an important role in the process of transforming the Armed Forces to meet new and emerging threats.

With the benefit of almost 2 years in office, please discuss the progress that the Department has made in transforming the Armed Forces?

Answer. One area of transformational progress that I am particularly proud of as the Chairman of the JROC is the Operational Availability Study. Simply put, this has been an iterative process of asking ourselves and our combatant commanders how much of our warfighting capability is needed, and how quickly is it needed at a particular place to support the various war plans. By reviewing the plans in this way, we have been able to tee up decision points for the Secretary of Defense that have transformed the way we plan, preposition, and mobilize our current force. It also will have significant impact on how we equip our forces for future joint warfighting requirements.

Question. What are your goals regarding transformation in the future?

Answer. I believe that transformation is as much a mind set as it is the acquisition of new equipment or the implementation of new doctrine. My goal is to help grow a generation of warfighters who are both firmly established in their service culture and strengths, and equally as comfortable applying that knowledge in the joint arena. The approach to future transformation should incorporate the latest technological capabilities, but should also include the ability to think differently about what we already have.

JOINT OFFICER MANAGEMENT

Question. Provisions of law in Title 10, United States Code, regarding such matters as management policies for joint specialty officers, promotion objectives for joint officers, joint professional military education, and joint duty assignments have been in effect for over 15 years. Among other factors, changes in the size and composition of the officer corps, in the career patterns of officers, in operational requirements, and in the personnel requirements of the combatant commanders in successfully pursuing joint warfare have resulted in proposed legislative changes to existing law.

Based on your extensive experience in the joint arena, what legislative changes, if any, would you recommend in joint officer management and joint professional military education?

Answer. While the intent of JOM portion of the Goldwater-Nichols Act remains valid, the requirement for JSOs has changed as the Department has gained experience in joint operations. The combatant commanders tell us they need officers well grounded in their functional skills and service competencies, not simply joint specialists. We believe the combatant commanders are in the best position to identify their JSO requirements, and the current numerical JSO quotas limit their desired flexibility.

In March 2003, the Department forwarded the report of the congressionally directed Independent Study of Joint Officer Management and Joint Professional Military Education. The completed report made several recommendations regarding changes needed to update JOM/JPME. We are developing a strategic plan to help shape JOM to meet our future joint requirements.

Question. What legislative changes, if any, regarding the management of general and flag officers would you recommend?

Answer. The general and flag officer (G/FO) management changes delineated in the Defense Transformational Act of 2003 will improve the efficiency and effectiveness of the Department of Defense. The Department's goal is to design a transformational G/FO management system that provides flexibility to the President, the Secretary of Defense, and the military departments in order to respond to rapidly changing situations. The enhanced ability to manage G/FO job tenure and career length will improve responsiveness to the evolving requirements of the 21st century and continue to attract, develop, and retain talented, experienced general and flag officers.

JOINT REQUIREMENTS

Question. With the establishment of U.S. Joint Forces Command, it was envisioned that the Commander, U.S. Joint Forces Command, would represent the requirements and interests of combatant commander in the overall defense requirements and acquisition process.

In your view, has the Commander, U.S. Joint Forces Command, been able to satisfactorily represent the requirements and needs of combatant commanders to the Joint Requirements Oversight Council and the military services?

Answer. Yes. For example, in June of this year the Chairman issued the Joint Capabilities Integration and Development System (JCIDS) Instruction, CJCSI 3170.01C. JCIDS enumerates the procedures of the Joint Requirements Oversight Council (JROC). The JROC supports the Department by identifying, assessing and prioritizing joint military capability needs. JCIDS moves the JROC from a requirements-based to a capabilities-based process—a change specifically designed to better develop up-front integrated joint warfighting capability for the combatant commanders, and specifically enabling the interaction you envision for Joint Forces Command. In particular, under JCIDs, Commander, Joint Forces Command, leads the Command and Control Functional Capabilities Board (FCB), which is the principal organ for representing the joint and interoperable qualities so essential for effective command and control in the future.

Question. Are combatant commanders able to identify critical joint warfighting requirements and quickly acquire needed capabilities?

Answer. Combatant commanders identify joint warfighting requirements well. The new JCIDS process improves their participation and strengthens their voices in moving requirements forward and developing solutions. Every Functional Capabilities Board (FCB) includes expanded combatant commander representation, giving them improved insight and new leverage. Advanced Capabilities Technology Demonstration (ACTD), is one of the Department's means of testing and quickly fielding promising systems. This new process strengthens and empowers the combatant commanders in quickly fielding solutions to their warfighting needs.

Question. What suggestions, if any, do you have for improving the requirements and acquisition process to ensure that combatant commanders are able to quickly acquire needed joint warfighting capabilities?

Answer. In addition to ACTDs, the Department has a number of other methods for quickly fielding our best ideas, including the Joint Test and Evaluation Program that is used to assess the military utility of new capabilities and mature advanced technologies. This program, initiated at the Congress' behest, employed and evaluated 11 initiatives in Operation Iraqi Freedom. My suggestion for improving the process would simply be to continue the course with these new methods of fielding our new ideas and promising systems.

DEFENSE PLANNING

Question. The Office of the Secretary of Defense recently announced the overhaul of the Planning, Programming, and Budgeting System and adopted a 2-year planning cycle. The Planning, Programming, Budgeting and Execution (PPBE) system will ". . . get more integrity into the whole system, much more efficiency, much more clarity, and much more credibility," according to the Comptroller.

What do you see as the Joint Staff's role in this new system?

Answer. The Joint Staff's role is unchanged. The chairman will continue to meet his statutory obligations by issuing Program Appraisal and Program Recommendation memoranda and participating actively in development of the Defense Planning Guidance and in annual OSD program and budget reviews.

Question. Will the new Planning, Programming, and Budgeting and Execution (PPBE) system be more responsive to the requirements of the combatant commanders than the old system?

Answer. Yes. The new Joint Capabilities Integration and Development System (JCIDS) supports the Defense Department's aim of providing equipment that is used throughout each of America's armed services and that best meets the needs of the combatant commanders. The new JCIDS process directly feeds the PPBE, serving as a tool for combatant commanders to make timely inputs to the PPBE system for follow-on programmatic actions. JCIDS not only better incorporates the combatant commanders capability concerns early in the process, it also helps combine these needs with the joint concepts and architectures they have already identified. Additionally, it provides them a seat on the Functional Capabilities Board that reviews issues in a joint manner across the Department.

Question. Do you believe the Joint Forces Command should have a more active role in the PPBE? If so, how should they be included in the process? If not, why not?

Answer. The Commander, U.S. Joint Forces Command, Admiral Giambastiani, has aggressively set about accomplishing the broadened mission he was given under change two to the Unified Command Plan. He has reinvigorated Joint Forces Command's ties to the planning, programming, budgeting, and execution functionaries in Washington, and as such is playing a very active role in PPBE.

JOINT REQUIREMENTS OVERSIGHT COUNCIL (JROC)

Question. In your response to the committee's advanced policy questions from your last confirmation, you indicated an intent to strengthen the JROC's strategic focus with the goals of enhancing the JROC's influence of requirements integration through the development of operational concepts and architectures; integrating U.S. Joint Forces Command joint experimentation efforts into the JROC process; and shifting the JROC's focus to future joint warfighting requirements while still addressing current commander in chief priorities.

How would you assess your success to date in achieving these goals?

Answer. We are on the right path and have recently taken several steps to ensure the JROC process is better focused on capabilities needs—a top down, strategy based approach. A lot of work has gone into this already and more remains to be done. We are developing a Joint Operations Concept to provide an overarching linkage between strategy and capabilities. The combatant commanders are providing four underpinning Joint Operating Concepts. We have aligned our Joint Warfighting Capability Assessment Teams into five functional areas—each of which will have its own associated functional concept. Finally, we have laid out a plan for reviewing and refining these concepts as the combatant commanders and Functional Concept teams bring them forward.

Question. Has your vision for the role and priorities of the JROC changed since 2001?

Answer. The requirements generation process needed to change. The old requirements generation process too-often produced stove-piped solutions that were platform-centric and overly threat-based. We found we needed to provide betters tools, to allow for more objective analysis. The recently approved Joint Capabilities Integration and Development System (JCIDS) process addresses these shortcomings. JCIDS transforms requirements generation from a threat and system-based requirement process to a capability-based process, and provides a more focused and complete functional needs analysis to JROC decisionmakers.

Question. Are you satisfied that the requirements process has been applied appropriately to missile defense programs?

Answer. I am satisfied that the requirements process has been applied appropriately to missile defense programs. The Unified Command Plan 02, Change 2 Terms of Reference designates U.S. Strategic Command as the advocate for all combatant commanders' desired missile defense and missile warning characteristics and capabilities. Admiral Ellis, Commander of Strategic Command, is executing that responsibility in coordination with the Chairman of the Joint Chiefs and the Joint Requirements Oversight Council (JROC). This complies with recent congressional changes mandating that the JROC review MDA programs.

Question. How do you see the role of the JROC evolving as the Department moves toward spiral development and a capabilities based acquisition system?

Answer. We feel we now have the process about right with the implementation of the new JCIDS. A specific feature of JCIDS is to avoid making capabilities needs determination a "100 percent" solution at the start, and to take advantage of the beneficial flexibility of spiral development.

RELIANCE ON RESERVE COMPONENT

Question. The men and women of the Reserve component have performed superbly in meeting the diverse challenge of the global war on terrorism. There is uncertainty, however, about the potential adverse effects on recruiting, retention, and morale of continuing mobilization of Guard and Reserve personnel.

What is your assessment of the impact of continuing Guard and Reserve deployments on the readiness and attractiveness of service in the Guard and Reserve?

Answer. The prolonged demand on the Guard and Reserve is a very serious concern, and we are working hard to deal with this issue. The Reserve component continues to perform exceptionally well and has proven to be a major contributor to our force structure. To maintain current levels of responsiveness, we must continue to ensure our personnel receive strong support from their civilian employers and their

families. We are evaluating several measures that will reduce the strain on the Guard and Reserve Forces while continuing to maintain responsiveness and flexibility.

Question. What missions do you consider appropriate for permanent assignment to the Reserve component?

Answer. Although there are unique functions performed specifically by the Reserve compoment, the majority of Guard and Reserve members participate and provide support across the spectrum as an integral part of the Total Force. We are conducting studies to look at realigning active and Reserve component capabilities to better match the defense strategy. Specifically, we are reviewing a wide range of capabilities including those that predominantly reside in the Reserve component, from capabilities currently in high-demand for ongoing operations, to those that are not frequently mobilized. We are also studying the capabilities required for homeland security, and those that are critical to post-hostilities operations.

END STRENGTH OF ACTIVE DUTY FORCES

Question. In light of the manpower demands of Operation Iraqi Freedom, do you consider the level of active duty authorized end strength proposed in the fiscal year 2004 budget to be sufficient for today's missions?

Answer. Yes. We can be justifiably proud of the actions of both active duty and Reserve component personnel who have successfully accomplished their assigned missions during Operations Iraqi Freedom, Enduring Freedom, and Noble Eagle. The President's partial mobilization of the Reserve components has allowed us to meet a short-term spike in requirements for security forces, intelligence, and communications skills. I truly believe in the Total Force concept. These specific requirements, while not indefinite, will likely continue in the near term to support homeland defense, antiterrorism, and force protection. I believe the long-term solution is not increasing the authorized end strength, but rather looking at the current force mix, and realigning to meet the anticipated needs of the future.

Question. How do you assess the progress made to date by the Services in finding ways to reduce the numbers of military personnel performing support functions that can better be performed by civilian employees or contractors?

Answer. I believe the Services are making great strides in identify functions requiring military skills, and those that could be performed by civilian employees or contractors. This is an ongoing effort, with an initial review of more than 300,000 military billets being considered for conversion. To date, close to 50,000 military billets have been identified for conversion, but we expect this number to increase as we continue the review.

Question. What manpower savings can be achieved through reductions in overseas presence, application of technology, and changes in roles and missions?

Answer. We are taking a comprehensive look at missions, technology, basing, and required force structure to determine the optimal location of our military forces to meet any challenge. As these reviews are currently in their early stages, we do not have any projections on manpower savings.

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, 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 Vice 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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JACK REED

ROLE OF JROC IN ENSURING INTEROPERABILITY

1. Senator REED. General Pace, what role does the Joint Requirements Oversight Council (JROC) play in ensuring that future military information and communications systems are completely interoperable?

General PACE. The JROC has traditionally played a key role in ensuring future information and communications systems are interoperable. For the JROC, the Joint Staff Command Control Communication and Computer System Directorate (J6) certifies interoperability and supportability requirements of military information and communication systems to ensure they conform with policy, doctrine, and applicable interoperability standards for joint Information Technology (IT) and National Security Systems (NSS). As part of the review process, J6 requests assessment from the Services, Defense Information Systems Agency (DISA), and other DOD agencies.

2. Senator REED. General Pace, how does the JROC influence the research and development community and contractors to ensure that future systems are joint and interoperable?

General PACE. The JROC validates the Joint Warfighting Capability Objectives (JWCOs) representing some of the most critical capabilities for maintaining the warfighting advantages of U.S. forces. These JWCOs form the basis for the Joint Warfighting Science and Technology Plan supporting the development of technology options for joint warfighting capabilities. The Joint Warfighting Capability Assessment teams, now part of the newly formed Functional Capabilities Boards (FCBs), interact closely with defense science and technology representatives as to channel expertise in scientific disciplines to the FCBs. The Science and Technology Program provides the JROC with an effective basis for leveraging our Nation's research and development community.

Under the new Joint Capabilities Integration and Development System (JCIDS) process, the JROC will expand its influence within the research and development community. The JROC will conduct broader review of materiel capability proposals independent of Acquisition Category (ACAT). There will also be better linkage to the acquisition process by engaging the acquisition agency earlier in the process as capabilities are being developed. The establishment of five Functional Capabilities Boards with their expanded membership of combatant commanders, OSD, defense agencies, and industry and the alignment of the Science and Technology Program to the FCB portfolios will increase and enhance the JROC's influence on the research and development community.

QUESTION SUBMITTED BY SENATOR DANIEL K. AKAKA

WAR GAMES

3. Senator AKAKA. General Pace, your written testimony discusses the contributions of war games such as Prominent Hammer and Elaborate Crossbow. Can you please provide a description of these war games, as well as the main insights you have gained from them?

General PACE. Joint Staff seminar games, such as Prominent Hammer (PH) and Elaborate Crossbow (EC), are conducted at the request of the Chairman of the Joint Chiefs of Staff or the Director of the Joint Staff. These assessment activities address complex issues not easily resolved through normal staff actions and that involve many disparate equity-holders. Seminar gaming provides an excellent environment for senior leaders to explore innovative processes, address difficult issues, and consider potential second order effects.

Joint Staff seminar games typically take a phased approach to analyzing a problem or issue. The first phase usually involves an action officer-level workshop to look at aspects of an area of interest and identify key issues needing resolution. The second phase is often a general officer/flag officer seminar in which these key issues are presented to senior leadership for shaping and decision.

The recently conducted PH and EC series of seminars provided insight into the interrelationships of various global operations and their projected impact on our force posture. These wargames also helped assess force availability for conducting additional contingency operations. These wargames provided an effective forum for senior military and DOD civilian leaders to understand complex issues and provide the best military advice to the Chairman Joint Chiefs of Staff and the Secretary of Defense. Specific results of these wargames are classified at the SECRET level.

[The nomination reference of Gen. Peter Pace, USMC, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 18, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named Marine Corps officer for reappointment as the Vice Chairman of the Joint Chiefs of Staff and appointment 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

Gen. Peter Pace, 0000.

[The biographical sketch of Gen. Peter Pace, USMC, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN. PETER PACE, USMC

General Peter Pace is the Vice Chairman of the Joint Chiefs of Staff. In this capacity, he is a member of the Joint Chiefs of Staff and the Nation's second highest ranking military officer. General Pace is the sixth officer to hold the position and the first Marine.

As the Vice Chairman, General Pace serves as the Chairman of the Joint Requirements Oversight Council, Vice Chairman of the Defense Acquisition Board, and as a member of the National Security Council Deputies Committee and the Nuclear Weapons Council. In addition, he acts for the Chairman in all aspects of the Planning, Programming and Budgeting System to include participating in meetings of the Defense Resources Board.

General Pace received his commission in June 1967, following graduation from the United States Naval Academy. He also holds a Master's Degree in Business Administration from George Washington University and attended Harvard University for the Senior Executives in National and International Security program.

Upon completion of The Basic School, Quantico, VA, in 1968, he was assigned to the 2d Battalion, 5th Marines, 1st Marine Division in the Republic of Vietnam, serving first as a Rifle Platoon Leader and subsequently as Assistant Operations Officer.

Returning from overseas in March 1969, he reported to Marine Barracks, Washington, DC. During this tour, he served as Head, Infantry Writer Unit, Marine Corps Institute; Platoon Leader, Guard Company; Security Detachment Commander, Camp David; White House Social Aide; and Platoon Leader, Special Ceremonial Platoon. He was promoted to Captain in April 1971. In September 1971, General Pace attended the Infantry Officers' Advanced Course at Fort Benning, GA. Returning overseas in October 1972, he was assigned to the Security Element, Marine Aircraft Group 15, 1st Marine Aircraft Wing, Nam Phong, Thailand, where he served as Operations Officer and then Executive Officer.

On October 1973, he was assigned to Headquarters Marine Corps, Washington, DC, for duty as the Assistant Majors' Monitor. During October 1976, he reported to the 1st Marine Division, Camp Pendleton, CA, where he served as Operations Officer, 2d Battalion, 5th Marines; Executive Officer, 3d Battalion, 5th Marines; and Division Staff Secretary. He was promoted to Major in November 1977. In August 1979, he reported to the Marine Corps Command and Staff College as a student.

Upon completion of school in June 1980, he was assigned duty as Commanding Officer, Marine Corps Recruiting Station, Buffalo, NY. While in this assignment, he was promoted to Lieutenant Colonel in October 1982. Reassigned to the 1st Marine Division, Camp Pendleton, General Pace served from June 1983 until June 1985 as Commanding Officer, 2d Battalion, 1st Marines. In June 1985, he was selected to attend the National War College in Washington, DC.

After graduation the following June, he was assigned to the Combined/Joint Staff in Seoul, Korea. He served as Chief, Ground Forces Branch until April 1987, when he became Executive Officer to the Assistant Chief of Staff, C/J/G3, United Nations Command/Combined Forces Command/United States Forces Korea/Eighth United States Army.

General Pace returned to Marine Barracks in Washington, DC, in August 1988 for duty as Commanding Officer. He was promoted to Colonel in October 1988. In August 1991, he was assigned duty as Chief of Staff, 2d Marine Division, Camp Lejeune. During February 1992, he was assigned duty as Assistant Division Commander. He was advanced to Brigadier General on April 6, 1992, and was assigned duty as the President, Marine Corps University/Commanding General, Marine Corps Schools, Marine Corps Combat Development Command, Quantico, VA, on July 13, 1992. While serving in this capacity, he also served as Deputy Commander, Marine Forces, Somalia, from December 1992–February 1993, and as the Deputy Commander, Joint Task Force—Somalia from October 1993–March 1994. General Pace was advanced to Major General on June 21, 1994, and was assigned as the Deputy Commander/Chief of Staff, U.S. Forces, Japan. He was promoted to Lieutenant General and assigned as the Director for Operations (J–3), Joint Staff, Washington, DC, on August 5, 1996.

General Pace served as the Commander, U.S. Marine Corps Forces, Atlantic/Europe/South from 23 November 1997 to 8 September 2000. He was promoted to General and assumed duties as the Commander in Chief, United States Southern Command on 8 September 2000 until 30 September 2001.

General Pace's personal decorations include: Defense Distinguished Service Medal, with two oak leaf clusters; Defense Superior Service Medal; the Legion of Merit; Bronze Star Medal with Combat V; the Defense Meritorious Service Medal; Meritorious Service Medal with gold star; Navy Commendation Medal with Combat "V"; Navy Achievement Medal with gold star; and the Combat Action Ribbon.

[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 Gen. Peter Pace, USMC, in connection with his nomination follows:]

THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF,
Washington, DC, 17 June 2003.

Hon. JOHN W. WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Vice Chairman of the Joint Chiefs of Staff. It supplements Standard Form 278 (SF 278), "Executive Personnel Financial Disclosure Report," which has already been provided to the Committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my SF 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I nor any member of my immediate family will invest in any entity that would create a conflict of interest with my government duties. I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation. I trust that the following information is satisfactory for the committee.

Very Respectfully,

PETER PACE,
GENERAL, UNITED STATES MARINE CORPS
Vice Chairman of the Joint Chiefs of Staff.

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 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.)
Peter Pace.

2. **Position to which nominated:**
Vice Chairman of the Joint Chiefs of Staff.

3. **Date of nomination:**
18 June 2003.

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:**
5 November 1945; Brooklyn, New York.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to former Lynne Ann Holden.

7. **Names and ages of children:**
Peter Pace, Jr; 26 (26 Oct. 1976).
Tiffany Marie Pace; 24 (21 Aug. 1978).

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.
Member, Military Officers Association of America (formerly TROA).
Member, Honorable Order of Kentucky Colonels.
Member, Naval Academy Alumni Association.
Member, National War College Alumni Association.
Member, Board of Directors, Marine Corps—Law Enforcement Foundation.

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?

I do so agree.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

I do so agree.

[The nominee responded to the questions in 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 the information provided therein is, to the best of my knowledge, current, accurate, and complete.

PETER PACE.

This 17th day of June, 2003.

[The nomination of Gen. Peter Pace, USMC, was reported to the Senate by Chairman Warner on July 30, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 31, 2003.]

NOMINATIONS OF GEN PETER J. SCHOOMAKER (RET.), USA, FOR APPOINTMENT AS CHIEF OF STAFF, UNITED STATES ARMY AND APPOINTMENT TO THE GRADE OF GENERAL; AND LTG BRYAN D. BROWN, USA, FOR APPOINTMENT AS COMMANDER, UNITED STATES SPECIAL OPERATIONS COMMAND AND APPOINTMENT TO THE GRADE OF GENERAL

TUESDAY, JULY 29, 2003

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

The committee met, pursuant to notice, at 9:34 a.m, room SR–222, Russell Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, Roberts, Sessions, Talent, Chambliss, Levin, Reed, Akaka, E. Benjamin Nelson, Dayton, and Clinton.

Committee staff members present: Judith A. Ansley, staff director; and Gabriella Eisen, nominations clerk.

Majority staff members present: Charles W. Alsup, professional staff member; Ambrose R. Hock, professional staff member; Gregory T. Kiley, professional staff member; Patricia L. Lewis, professional staff member; Scott W. Stucky, general counsel; and Richard F. Walsh, counsel.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Daniel J. Cox, Jr., professional staff member; Evelyn N. Farkas, professional staff member; Maren R. Leed, professional staff member; Gerald J. Leeling, minority counsel; Peter K. Levine, minority counsel; and Mary Louise Wagner, professional staff member.

Staff assistant present: Andrew W. Florell.

Committee members' assistants present: John A. Bonsell, assistant to Senator Inhofe; James Beauchamp, assistant to Senator Roberts; Arch Galloway II, assistant to Senator Sessions; Lindsey R. Neas, assistant to Senator Talent; Clyde A. Taylor IV, assistant to Senator Chambliss; Frederick M. Downey, assistant to Senator Lieberman; Elizabeth King, assistant to Senator Reed; Davelyn Noelani Kalipi, assistant to Senator Akaka; William K. Sutey, as-

sistant to Senator Bill Nelson; Eric Pierce, assistant to Senator Ben Nelson; and Andrew Shapiro, assistant to Senator Clinton.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. Good morning, everyone. The committee will come to order. This is an Army day. I note the presence of General Gordon Sullivan, President of the Association of the United States Army, and thank you for your consultation.

Last night, I was privileged to join former Secretary of the Army John Marsh in making presentations together, and he just wished to say with his usual humility that he takes full credit for both of these nominations. He was privileged to serve with you in his capacity as Secretary of the Army for many years.

All of us here in the committee are extremely pleased that we have before the committee this morning General Peter Schoomaker, the nominee to be the 35th Chief of Staff of the United States Army, and Lieutenant General Bryan D. Brown, United States Army, the nominee to be Commander, United States Special Operations Command (SOCOM). I understand General Brown will be introduced by Senator Roberts.

We welcome the nominees and their families, and I ask at this moment would each of you introduce your family members. General Schoomaker.

General SCHOOMAKER. Sir, thank you very much. I have my wife, Cindy with me here today, whom you've met, and my godfather here, General Sullivan. [Laughter.]

Chairman WARNER. General Brown.

General BROWN. Sir, I'd like to introduce my family, starting with Sergeant Bryan McCoy II of the 504th Infantry from the 82nd Airborne Division, recently returned from Afghanistan a couple of weeks ago, and my daughter, his wife, Shannon. They're also the parents of a little 20-month-old Green Beret in training. My other son-in-law, Captain Kevin Leahy, is also an Afghan veteran from the Fifth Special Forces Group, and my other daughter, Tracey, and then my wife of 33 years, my high school sweetheart and my best friend, who is a great military wife, consummate volunteer, does all the stuff that service wives do so well, and that's my wife, Penny.

Chairman WARNER. Well, thank you both, and I thank the families for making arrangements to join us this morning. This is a very important moment in the history of the United States of America and in the respective careers of these two outstanding officers. But in this committee we always recognize that family support is critical to the success of those individuals who wear the uniform of the United States, whether it's in the private's rank or the four-star rank. We thank you for your role in providing that foundation, which contributes to the greatness of our military.

General Schoomaker is distinguished in being called back from retirement to serve in this critically important post. The ranks of our military retired officers are filled with men and women of enormous ability and, if confirmed, you will join such distinguished Army officers as General Maxwell Taylor, General Lyman Lemnitzer, General Andrew Goodpaster, General George C. Mar-

shall, and General Douglas MacArthur in reentering the active-duty ranks to fill key positions.

General Schoomaker's active duty career extended over 31 years, and culminated in his service as Commander, United States Special Operations Command from 1997 to 2000. Prior to his service in that capacity, the General commanded the United States Army Special Operations Command, Joint Special Operations Command, and the First Special Forces Operational Detachment. He was actively involved in the Desert One hostage rescue attempt in Iran in 1980, as well as combat operations in Grenada, Panama, the first Persian Gulf War, and the Balkans.

General, we congratulate you on your nomination, and thank you for your willingness to step aside from what was a very challenging private career to once again accept the call to service.

General Brown, welcome to you and your family, and congratulations on your nomination. General Brown is currently the Deputy Commander, United States Special Operations Command. He, too, has had a distinguished career in the Special Operations Forces. Like General Schoomaker, he commanded the United States Army Special Operations Command and Joint Special Operations Command. In his career, he also held positions of leadership in the 101st Airborne Division (Air Assault), Special Operations Command, and First Infantry Division.

General Brown joined the Army as an infantryman, rising to the rank of Sergeant E–5, and earning a spot on a Special Forces A Team. Following Officer Candidate School, he trained as a helicopter pilot and subsequently served in Vietnam. He participated in Operation Urgent Fury, the invasion of Grenada, in October 1983, and he commanded a battalion of the 160th Special Operations Aviation Regiment during Operation Desert Storm.

Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom have been revolutionary in the use of Special Operations Forces. In my view, this is the wave of the future. Senator Levin and I and a number of other members of this committee, in our trips to Afghanistan over some years now—we have made two trips together, as well as to the Iraqi theater—recognize the enormous, incalculable contributions made by the Special Operations Forces in these two operations.

General Brown, I congratulate you on your distinguished career, and on your selection to this important position at a critical time for the Special Operations Command.

Senator Levin.

STATEMENT OF SENATOR CARL LEVIN

Senator LEVIN. Thank you very much, Mr. Chairman. This hearing this morning indeed is a very significant one, involving as it does the nomination of General Schoomaker to be the Chief of Staff of the United States Army, which also involves being a member of the Joint Chiefs of Staff, and the nomination of General Brown to be Commander, U.S. Special Operations Command, which is one of nine combatant commands, and one which has been given a special role in the war on terrorism.

I want to join Senator Warner in extending a warm welcome to both of you and to your families. Special thanks to your families

for their support. You are both very well-qualified indeed for the positions to which you have been nominated. We thank you for returning to active duty, General Schoomaker, and for your continued willingness to serve, General Brown.

General Schoomaker will take charge of the Army at a very critical juncture. He has noted in his responses to the committee's prehearing policy questions that it is an Army at war. After performing brilliantly in the war in Iraq, it is the Army that is now principally tasked with winning the peace. Moreover, it is doing all of these tasks associated with nation-building in Iraq while also fighting against a continuing insurgency in Iraq.

It takes an incredibly well-trained, disciplined, and motivated force to wage peace on the one hand by offering the helping hand of friendship to the majority of Iraqis, while on the other hand waging war against the minority who would disrupt that peace.

At the same time, the Army is bearing the brunt of the continuing effort to stabilize and rebuild Afghanistan, to help keep the peace in Bosnia, Kosovo, the Sinai, and other areas, to contain the threat of North Korea, while at the same time preparing to execute other missions in support of a national military strategy.

General Schoomaker's challenge, and the challenge for the administration and Congress, is to ensure that this Army does not lose its edge or break under the strain. The All-Volunteer Army has been a huge success. It is primarily the quality of the men and women of the Army, and secondarily the superb training, equipment, and leadership that they are provided, that sets this Army apart from any other in the world. We must do everything necessary to ensure that they and their families continue to receive the moral and physical support that they need and deserve.

General Schoomaker, we will be looking to you for advice on the critical questions of the day, as we in Congress do our part in support of our soldiers—questions such as: Is the Army large enough to meet its commitments in this new strategic environment?

Your predecessor, General Shinseki, in his retirement address, warned about a 12-division strategy and a 10-division force, and about the Army's organizational structure, the roles, missions, and force mix between the active and Reserve components. Is the right balance there between current readiness and future readiness ensured by modernization and transformation? Given the reality of limited resources, how should we prioritize among the requirements to recapitalize the current force, field the interim forces, Stryker Brigade Combat Teams, and develop the Future Combat Systems of the future Objective Force?

General Brown, you come to us well-prepared to take this new responsibility, having served for the last year or so as the second in command of the Special Operations Command, and prior to that as the Commander of the Army component of the Special Operations Command, the U.S. Army Special Operations Command, and as the Commander of the Joint Special Operations Command.

General Brown is going to take the helm of the command at a pivotal time, as the Special Operations Command assumes an expanded role in the global war on terrorism, and completes preparations to conduct operations anywhere in the world as a supported rather than supporting command. These changes were prompted in

no small part by the extraordinary performance of Special Operations Forces (SOF) in Afghanistan, where small teams of special operators joined efforts with Afghan allies and called in U.S. air power to achieve tremendous results.

Similarly, in Iraq, special operators patrol vast amounts of territory in Western Iraq to prevent the use of long-range missiles against Iraq's neighbors, including Israel, and joined forces with the Kurds in Northern Iraq to pin down Iraqi Army units. At the present time, in both Afghanistan and Iraq, special operators are carrying out operations to find and apprehend Osama bin Laden and Saddam Hussein and other high-value targets, and civil affairs and psychological operations personnel are heavily engaged in stability operations.

This means, however, that our Special Operations Forces, both active and Reserve, are also stretched thin. The responsibility that has been given to the command by the Secretary of Defense is great. It is important that the command's efforts be directed by cogent policy and executed according to clear guidelines, subject to the authority of the Department of Defense, the President, and Congress.

Having created the Special Operations Command with the Nunn-Cohen amendment to the Goldwater-Nichols Defense Reorganization Act, this committee shares the responsibility for the success of Special Operations in fighting terrorists and in executing their other title 10 responsibilities. General Brown, we're looking to you to tell us how you plan to approach this new expanded mission for your command and what actions are underway to ease the pressure on the forces that will be under your command. Again, I thank you both, congratulate you both, and look forward to this hearing.

Chairman WARNER. Senator Roberts.

Senator ROBERTS. Thank you, Mr. Chairman. I would observe that the high road of humility is not often bothered by heavy traffic in Washington, but it is indeed a humbling experience for me and a personal pleasure and a privilege to introduce to the committee the President's nominee to lead the Special Operations Command, Lieutenant General Doug Brown. I join you, sir, and also Senator Levin in welcoming what has to be an all-American family. I'm also, indeed, honored to be here in the presence of General Sullivan, whom I know personally. His son and my son were fraternity brothers at Manhattan, Kansas, home of the ever-optimistic and fighting Wildcats——[Laughter.]

—and there's a base right next door to Manhattan called Fort Riley that is near and dear to the hearts of these gentlemen, I'm honored also to be here in support of General Schoomaker, who has rewritten the MacArthur adage when he addressed the Joint Session of Congress, that is, old soldiers never die, they just serve their country again and again and again, in outstanding fashion. There's no fade away in regards to General Schoomaker.

General Brown's background is an ideal match for leading America's quiet professionals. He came into the Army in 1967 as a private in the infantry. On completion of Airborne School and the Special Forces qualification course, he served on a Special Forces A Team. His combat tours include Vietnam and Grenada, Desert Storm, and others. He was also, perhaps most importantly, assist-

ant Division Commander of the First Infantry Division at Fort Riley, Kansas.

He is the Deputy Commander of SOCOM, and previously commanded the Joint Special Operations Command at Fort Bragg. He is the right man at the right time, having been intimately involved in the military component of our war on terrorism and expanding role of SOCOM, and that role will expand and has in that effort in the months and years to come. As SOCOM missions are planned and executed, Doug Brown will not be asking our special operators to face risks and challenges he himself has not faced in service to our Nation.

As this committee knows perhaps more so than any other in Congress, the family of the soldier, the sailor, the airman and the marine serves and sacrifices right alongside the service member through distant tours of duty, lengthy deployments, and the unknown hazards of duty. The Brown family is no exception. In fact, they are a remarkable example of service to the country in so many ways.

Penny Brown is with us today, and we thank you for your service and leadership. Doug's eldest daughter, Tracey Leahy, teaches school here in Fairfax County, and her husband, Captain Kevin Leahy, was wounded in Afghanistan while serving with the Fifth Special Forces Group. He's doing just fine.

Doug and Penny's younger daughter, Shannon McCoy, works at Pope Air Force Base in North Carolina. Her husband, Sergeant Bryan McCoy, just returned from a 7-month tour in Afghanistan, serving with the 82nd Airborne Division.

Mr. Chairman, that's incredible service. America's national security is clearly a family affair. Mr. Chairman, I not only endorse General Brown as SOCOM Commander, I also endorse his family. They have to be an all-American family in what they stand for.

I asked Penny, when they paid me a courtesy call, "How do you put up with these guys, Doug, Kevin, and Bryan." She said simply, "We just love them." I think that says it all. I'm very humbled and very privileged to endorse all of these nominations.

Chairman WARNER. Senator, we thank you for your very heartfelt observations. I'm certain that the Brown family appreciate your remarks, as well as this committee.

Given the importance of this occasion, the chair will be happy to recognize other members who might wish to say a word by way of opening statement before we proceed to the matter of routine questions, and then into the presentation of statements.

Senator Sessions.

Senator SESSIONS. Mr. Chairman, I would just like to say that I had a good meeting with General Schoomaker, and have heard reports from quite a number of people who served with him and know him, and they give him glowing recommendations. I believe the President has made a great choice. We are also excited about General Brown's leadership in his important command, and I have also heard from a number of different sources great reports on General Brown. I think he's going to do a great job for us.

Chairman WARNER. Good. Senator Reed was with us earlier. He may return. Senator Akaka, and colleagues on this side?

Senator AKAKA. Thank you very much, Mr. Chairman. I want to add my congratulations on your appointments. I want to also express my appreciation to both of you for being here today and for what you have already done for our country. You both have had long, distinguished careers. I'm glad to have this opportunity to discuss many of the current and future challenges for the Army. Welcome, and also to your families.

Mr. Chairman.

Chairman WARNER. Senator Akaka is too modest to mention that he had a distinguished career himself several years ago in the United States Army.

Would any other colleagues like to make a statement?

Senator Talent.

Senator TALENT. Mr. Chairman, I'll just add to what my colleagues have said. My admiration for these men—I hope we will approve them, I'm going to vote to approve them, and they will undertake these posts at a time as crucial as I suppose anybody has ever come to these jobs.

This is a Nation at war. They have a record that shows their unflinching dedication to duty and their willingness to confront problems honestly, and to do their duty regardless of circumstances. That's what we expect from them, and I know that's what they're going to give us, and I'm looking forward to their comments and the opportunity to ask them about some issues.

Thank you, Mr. Chairman.

Chairman WARNER. Thank you.

Senator DAYTON. Mr. Chairman, if it hasn't been said by everyone—it has been said—so I will repeat that we're very fortunate to have these two outstanding servants of our country and leaders of the men and women in our Armed Forces, and I look forward to supporting their nominations and having a good discussion prior to that. Thank you.

Chairman WARNER. You were one of the members on our recent trip to Iraq and part of the congressional delegation, and very actively engaged in interfacing with the men and women of the United States Forces on that trip.

Senator DAYTON. If you need some new recruits, I'll tell you, those two gentlemen at the end there are both, for their age, in remarkable condition. I would say, take them anywhere, Mr. Chairman, and between their intelligence and their energy, I think we'd be well served, and I'd be glad to be several hundred yards behind all three of them. [Laughter.]

Senator LEVIN. Except for the age reference, we're very grateful. [Laughter.]

Senator TALENT. I don't know that anything we could do would be unfair to Saddam Hussein, but that would almost be unfair, to send these three.

Chairman WARNER. Senator Clinton.

Senator CLINTON. Mr. Chairman, I am delighted to support these two nominees, and I must say that it is quite encouraging for many of us of a certain age that General Schoomaker would come out of retirement to assume this position, and I'm very grateful and impressed by that. I look forward to working with them, and in addition to General Schoomaker's considerable military experience, I

was also impressed by his political savvy when he came for his courtesy call to my office, bringing with him a young Army Reserve Officer Training Corps (ROTC) student from the University of Syracuse. That was very well done, General. [Laughter.]

General SCHOOMAKER. I wish I could take credit for having him come.

Senator CLINTON. Well, now that you're in charge, take credit for everything. [Laughter.]

I would echo Senator Roberts' very kind comments, because I know that in positions like this the family also serves, particularly the spouses, and even adult children. So I thank your families for being willing to back you and support you in undertaking these important missions.

Chairman WARNER. Members of the committee, a number of you have spoken to me already about, if I might digress from the matter at hand. There was an announcement by the press and two colleagues in the Senate, that the Pentagon had proposed spying electronically on Americans to monitor potential terrorists as a new experiment, with similarities to methods used in online futures trading market. Our staff are looking into that, and we will have a report for all members before day's end.

Senator CLINTON. Mr. Chairman, I want to personally thank you for that. I was going to bring that up during the question period. I was appalled that we would be, in a sense, setting up a futures market in death and destruction, and it is not in keeping with our values, and certainly not in keeping with the highest ideals of the men who sit before us. I thank you for looking into this matter.

Chairman WARNER. Senator, thank you.

Senator LEVIN. Mr. Chairman, just a point. My staff looked at that yesterday evening. The first reaction was that it was a hoax, so it is important that we find out what is the principle that could possibly be behind it if, in fact, it is being proposed.

Chairman WARNER. I see the nominees suggesting that maybe if either or both of them might be questioned. I doubt that will take place, and I would advise you to take the question for the record, if so asked. [Laughter.]

Senator LEVIN. Unless you can tell us it's a hoax, in which case feel free to answer it.

Chairman WARNER. We have standard questions which the committee chair poses to all nominees in your position. The committee has asked our witnesses to answer a series of advance policy questions. They responded to those questions. Without objection, I will make the questions and responses a part of today's record.

I also have standard questions we ask of every nominee who appears before the committee. Please respond to each question, then we can move on to the question period and your statements.

Have you adhered to applicable laws and regulations governing conflicts of interest?

General SCHOOMAKER. Yes, sir.

General BROWN. Yes.

Chairman WARNER. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process by the United States Senate?

General BROWN. No, sir.

General SCHOOMAKER. No, sir.

Chairman WARNER. Will you ensure that your staff comply with the deadlines established for the requested communications, including questions for the record before Congress?

General SCHOOMAKER. Yes, sir, I will.

General BROWN. I will.

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

General SCHOOMAKER. Yes, sir.

General BROWN. Yes, sir.

Chairman WARNER. Will those witnesses be protected from reprisal for such testimony as they may give, or briefings?

General SCHOOMAKER. Yes, sir.

General BROWN. Yes, sir.

Chairman WARNER. Now, we would like very much if each of you would address the committee for a brief opening statement.

General Schoomaker.

STATEMENT OF GEN PETER J. SCHOOMAKER, USA (RET.), FOR APPOINTMENT AS CHIEF OF STAFF, USA, AND APPOINTMENT TO THE GRADE OF GENERAL

General SCHOOMAKER. Sir, Mr. Chairman, thank you very much. I will submit a statement for the record.

Chairman WARNER. Without objection.

General SCHOOMAKER. I would like to say very briefly that it's a great honor to appear before this distinguished committee today. I am humbled by the opportunity to reenter active service and lead our great Army, and I stand ready to answer your questions concerning that.

Chairman WARNER. Fine, thank you. Your statement in its entirety will be put in the record.

[The prepared statement of General Schoomaker follows:]

PREPARED STATEMENT BY GEN. PETER J. SCHOOMAKER, USA (RET.)

Good morning. Mr. Chairman, and distinguished members of the committee, it is a pleasure to appear before you. I respectfully request that my opening statement be included in the record.

In over three decades of active service in our great Army, I never imagined this situation, especially after retiring in 2000! Service as the Army's Chief of Staff is both a tremendous responsibility and a matter of duty. My active service in the Army covered a wide range of assignments that included extensive joint duty and participation in numerous joint contingency operations. I am honored that the President nominated me for this important post, and believe that I possess the necessary experience, knowledge, and insight to successfully meet—with your help—the challenges facing the Army today.

Today, our Nation is at war and we are a critical part of the joint team—an Army at war. September 11 was not the first shot fired in this war. In retrospect, we now can see that we have been fighting this war for over 25 years. This is a war that reaches to the furthest corners of the world—a war for the very survival of our way of life. It will be a long fight. As an Army at war, we will experience both change and continuity. We must adjust our priorities. We may even need to change our culture. In a world where the strategic environment is transformed, we should be prepared to even reexamine our fundamental way of thinking. At the same time, we need to celebrate our victories. Your Army has much to be proud of.

Today we are deployed and supporting contingency operations at an unprecedented pace. The Army has met these challenges, and I would like to publicly acknowledge the role of General Ric Shinseki in that. Every Chief of Staff stands on the shoulders of his predecessors, and Ric Shinseki leaves a proud legacy of leadership and vision for our Army.

Inherent to the Army is our critical role as a member of the joint team. The Army has much to contribute to the fight—and we will fight jointly. The Army must develop its capabilities with a joint perspective from the very beginning. Capability development begins with an appreciation of the future joint operational environment. It then proceeds to development of joint operational concepts. Finally, that inherently joint concept drives every dimension of our Army: doctrine, organization, training, materiel, leader development, people, and facilities.

We are, have been, and will remain a values-based institution. Loyalty, duty, respect, selfless service, honor, integrity, and personal courage are the cornerstone of all that we do today. Our soldiers, who exemplify these values every day, are world class and are the epitome of our American character. They voluntarily risk everything that is dear to them in defense of the Nation in faraway places like Afghanistan, Iraq, the Philippines, Bosnia, Kosovo, and the Korean peninsula. Our soldiers, civilians, and their families set the standard every day for selfless service. I am committed to their support to ensure that we remain the world's finest land force.

The Nation just celebrated its birthday. The Army's challenge—its very purpose—is to guarantee our future birthdays. For over 228 years, the Army has never failed the American people, and we never will. Building and maintaining an Army is a shared responsibility between Congress, the administration, the American people, our soldiers, and civilians. Working together, we have kept the Army ready. Threats to United States interests continue to adapt and pose new dangers to our society. During this time of uncertainty the Army will continue to remain a critical part of the joint team—relevant and ready to the defense of our Nation.

In summary, Mr. Chairman, I am honored to appear before you today as the President's nominee to a most challenging leadership responsibility. I thank the President, the Secretary of Defense, and the Acting Secretary of the Army for the trust they have placed in me with this nomination. If confirmed by the Senate, I look forward to working with this distinguished committee and the entire Congress in the days ahead.

Chairman WARNER. General Brown.

STATEMENT OF LTG BRYAN D. BROWN, USA, FOR APPOINTMENT AS COMMANDER, UNITED STATES SPECIAL OPERATIONS COMMAND AND APPOINTMENT TO THE GRADE OF GENERAL

General BROWN. Senator Roberts, I appreciate your kind remarks and the courtesy you have extended to me and my family—sir, I really appreciate it.

Senator ROBERTS. Yes, sir.

General BROWN. Mr. Chairman, Senator Levin, distinguished members of the Senate Armed Services Committee, I'm pleased to appear before the committee today, and I'm extremely honored to have been nominated for the position of Commander, United States Special Operations Command. As an opening statement, I will simply say that I fully understand and appreciate the enormous responsibility associated with this position for which I have been nominated. I can assure you that, if confirmed, I will never lose sight of those responsibilities, and that is my role as the Guardian of the Special Operating Forces who serve this Nation around the world.

I very much look forward to working with the members of this committee, and I am prepared to answer your questions at this time. Thank you, sir.

Chairman WARNER. Thank you very much.

General Schoomaker, in the course of a very memorable private meeting that the two of us had, we shared our personal experiences and recollections during the period of the Vietnam War, when you were on the front lines and I was back in the safe confines of the Department of Defense as Secretary of the Navy, but nevertheless

visited a number of times in theater. I'm not going to go into details this morning, but you assured me that the lessons learned in that period—actually, you were, if I am correct, in Germany during that period of time.

General SCHOOMAKER. That's correct, sir.

Chairman WARNER. But you experienced the problems which I had as Secretary of the Navy with our forces in-country and elsewhere, as a matter of fact. You shared with me your own depth of knowledge on that subject, and as we observed today, tragically, each day it seems like we are losing men and women of the Armed Forces to death and, indeed, suffering injuries as they very bravely and courageously undertake the missions in Iraq. We are both absolutely of the opinion that this war is being conducted in the best professional manner that we know how. The people in this country should hopefully continue to repose a trust and a confidence in the leaders, particularly those uniformed leaders handling those troops as these operations are conducted.

We saw recently from time to time soldiers making comments—understandably, the pressures of the times generate such comments. Soldiers gripe a bit, but in some respects these comments went beyond griping, and you assured me that one of your very first steps, if confirmed, will be to go in-country and to begin to apply your knowledge as a troop commander these many years to assist those in command to bring about the successful conclusion of this operation at the earliest possible moment.

I assure you that I was greatly reassured by your depth of knowledge and understanding with respect to the individual soldiers, and the individual soldier's family, and the stresses brought upon it, and the difficulty for society to understand these continuous losses at this time. So we're fortunate, as a Nation, to have you in this position, after the Senate gives its advise and consent.

Now, you had the unique opportunity to observe the Army in your previous role as the Commander of the U.S. Special Operations Command and from your retired status for the last 3 years. However, I understand you've maintained a steady contact with the Department of the Army, and perhaps the Department of Defense, through your participation in numerous panels and studies. In other words, you've continued your professional service.

Please outline briefly some of the things that you've done in the period of time since you stepped down and now have been recalled to active duty, and describe observations you can make regarding the Army that you love so much. With no disrespect to General Shinseki, who handled his job with a great deal of skill and brilliance, or to the current Vice Chief, who I met with yesterday, who is going to be stepping down, what changes would you hope to bring about, and in what period of time? First, what are some of the things that you've been doing to keep abreast professionally?

General SCHOOMAKER. Sir, since I retired in December 2000, I've been both teaching and mentoring within the Army. I'm on the adjunct faculty of the School for Advanced Military Studies at Fort Leavenworth, where I work with several colleagues in leading change in a special elective course out there, as well as in the normal course. We work both at the War College level with the fel-

lows, as well as with the advanced students, the second year students out of the course.

I'm also a senior mentor with the joint warfighting course, working with General Gary Lupke at Joint Forces Command, where we conduct the joint warfighting modules for all of the new flag officers as they come in. It's now been expanded to 5-day sessions, and I've worked through the Joint Warfighting Center not only in standing up the new U.S. Northern Command (NORTHCOM), but also the transition of U.S. Space Command (SPACECOM) to U.S. Strategic Command (STRATCOM), as well as working with General Tommy Franks and General Gary Herold. I have also worked on an internal look at putting the war plan together for the most recent combat operations in Iraq. So I've had my fingers and my head into an awful lot.

I would also like to say that I consider the fact that my perspective really goes back in the Army to having been born into the Army, my father having served 32 years, both enlisted and as an officer in World War II, Korea, and Vietnam. I grew up in that family with four other boys.

I have a brother that's a brigadier general today who commands Eisenhower Regional Medical Center down in Georgia, and who is very involved in the well-being of the families and TRICARE and all of the issues that are involved there. I have a 19-year-old daughter who today is probably doing push-ups in Georgia down at the jump school. She's in Army ROTC, and she's learning to be a paratrooper, so hopefully we'll greet her in another couple of weeks with jump wings on her chest. So I come about the Army as a lifelong experience, not only my own active service, but my service as a family member and as a retired member as well, and I consider all of that important in terms of how I view this.

Chairman WARNER. Very definitely so.

General SCHOOMAKER. I reference the conversation you and I had about the terrible struggles we had in the late sixties and early seventies in bringing the Army from the Vietnam experience into the volunteer Army we have today, and the many concerns that we would have in seeing the volunteer Army and the volunteer force across all of the Services threatened through improper use, management, and leadership. I continue to stand behind our discussion that we had the other day regarding that.

Chairman WARNER. Well, the theme was that both of us experienced the draft Army of Vietnam, and the birth of the All-Volunteer Army, and how well that All-Volunteer Force had worked. We have an absolute joint view that the All-Volunteer Army must continue, but it's like other things in life—it can be fractured if overstressed due to prolonged deployments, to family situations which are just put beyond any reasonable ability to maintain relationships, the question of the Guard and Reserve call-up, the need to maintain a strong Guard and Reserve, bearing in mind that persons in those capacities are different in that they maintain a very important civilian career and are willing to give that up for periods of time in order to fulfill their obligations to the Guard and Reserve.

Those obligations must be recognized to be of a duration that enables them to go back to civilian life and regroup and return to

what they had given up for that period of active duty. So again, I say to my colleagues, we have here in this nominee a gentleman who has really experienced all of those stresses and seen it through these many years, and is able to take the situation today, which, while by no means to be critical of the current leaders of the Army, is beginning to experience some of the stresses that you and I saw during the Vietnam period.

But what changes would you make? Do you have anything at this point in time that you want to indicate to the committee, or would you prefer to get in the saddle and ride?

General SCHOOMAKER. Sir, I think it would be fair to say that I need to continue to assess the Army, if I'm confirmed, and have an opportunity to do my own assessment.

My instincts tell me that there are things that I need to look at, and in preparation for these hearings I've had the opportunity to be briefed about many things, and I'm starting to form a short list of things that I want to get into immediately. I would appreciate your patience in giving me the opportunity to do that before I have to speak on the subject.

Chairman WARNER. Agreed, but you indicated that you would make at the earliest possibility a trip into theater, both Afghanistan and Iraq.

General SCHOOMAKER. Yes, sir.

Chairman WARNER. Thank you.

Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman. A critically important part of your background, General Schoomaker, is the fact that you received a master's degree at Central Michigan University. [Laughter.]

I should have noted that earlier, and I just remembered it.

General SCHOOMAKER. Sir, I had to have something to do at night. I did that on my own dime.

Senator LEVIN. General, the United States has almost 150,000 troops deployed to Iraq, and we're going to have a significant presence at or near that level, apparently, for some time. A lot of the troops there don't know when they're coming home. General Franks said he thought that something similar to current troop levels is going to be required for the foreseeable future.

I'm just wondering, how long do you believe that we could maintain a significant troop presence in Iraq, given the authorized level of 480,000 troops in the active Army? At what point might we have to raise the force levels to make this situation sustainable in the long-term?

General SCHOOMAKER. Sir, that's again a difficult question, and I'd like to have some time to really assess the specifics of it. As we discussed in the office call, I think that this isn't just an issue of end strength, it's an issue of fundamental organization. The fact of the matter is, we will be in Iraq a long time creating the environment there for it to be able to transition to peace and the kind of stable nation that's able to operate within the kind of values we'd like to see it operate. It's going to require presence there, and that presence I think, as you've seen, is going to start transitioning to other friends that will help us do that.

But fundamentally, I think it's an issue of what capability we have to have there. We could have a lot of people there and the wrong capability and not be very effective, and that, I think, is my fundamental challenge—to do an assessment of how we're organized—do we have the capability packaged properly; can we establish a rotation base before we make a decision on whether or not we need more people? Because I think we could take a lot more people and put them in the wrong places and end up with the same problem, and I'd hate to go down that road.

Senator LEVIN. As the chairman indicated, the stress on our active duty service members and their families has been immense. The problem with our Reserve and National Guard personnel, who have really been called up for a longer period of time than they had reason to expect, are major problems. You've indicated you want some time to reach some recommendations on these issues, and that's fair enough, but I do hope that you would keep in close touch with this committee on this. Because this is a major issue in our States and for the Nation as to how much stress we can place on our Active-Duty Forces, and this whole issue that we've now seen with our Reserve Forces of being called upon for service for a longer period as, I won't say anyone contemplated, but that most of them contemplated. So please give that not only your earliest attention, which you've indicated you will, but keep in close touch with us as to what you see after you've reached some even preliminary conclusions.

General SCHOOMAKER. Yes, sir.

Senator LEVIN. General, Congress has authorized separate staffs for civilian and military leadership of the services to ensure that senior military officers have the staff support and advice needed to provide independent military advice. Do you believe it is important that the military staff be there that's responsible to you so that you can give independent military advice, to the Joint Chiefs, the Secretary of Defense, the Secretary of the Army, and Congress?

General SCHOOMAKER. Yes, sir.

Senator LEVIN. Do you?

General SCHOOMAKER. Yes, sir, I do.

Senator LEVIN. Okay.

General Brown, given the increased operational and personnel tempo, especially in Iraq, since the Special Operations Command drafted plans for an additional 5,100 authorization command-wide, do you foresee a future requirement for additional Special Operations Forces in addition to that request of 5,100?

General BROWN. Senator, at this time we have not done an analysis that would say we need more than the 5,100 that we will grow between now and the 2009 time period. As we work through what the future brings and we take a look at the emerging missions, we may have some shortages in specific areas that we would then try to address, but right now we think the 5,100 looks good.

Senator LEVIN. Relative to weapons of mass destruction site exploitation in Iraq, can you tell us how the Special Operations role now differs, or how does it relate to the Iraqi Survey Group's (ISG) operations, the group that's led by General Dayton?

General BROWN. Yes, sir. We still have the capability. In the early days of the war we did many sensitive site exploitation mis-

sions to get out on the ground quickly and assess what exactly was at those sites, and of course from those sites we brought back a lot of evidence. We brought back computer disks and materials that were then turned over to U.S. Central Command (CENTCOM) for analysis.

Today, because of the standup of the ISG, we're doing a lot less sensitive site exploitations, but we still have the capability, and we can move quickly if required to get out to a sensitive site exploitation that the ISG might not be able to move quickly enough to get to. Our aircraft are still there, our people are still there.

Senator LEVIN. Thank you, General.

Chairman WARNER. Before going to Senator Sessions, General Schoomaker, I copied down your statement about Iraq. You said, "We're going to be in Iraq a long time."

In the course of your response to other Senators, I might ask you to refine that comment, because very definitely it is the desire of our President and the leaders and heads of State governments of the coalition forces, that we're there no longer than necessary to turn that country over to the Iraqi people. Part of that is the construction of a whole political system of government that they are in the process of now forming, the councils, and that's transitioning to a team that will write a constitution, that would transition to a national election. At the same time, efforts are being made to stand up their own military force, which presumably can give them security within their borders and perhaps such forces as may be needed to respond to threats coming from beyond their borders. So you might want to revisit that statement as you go along in your responses.

General SCHOOMAKER. Yes, sir.

Chairman WARNER. Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman. I share your thoughts on Iraq and yes, I have no doubt that we will have a presence there of some kind. The question is, will we have 148,000 troops or hopefully less as time goes along? We do believe that we should be there no longer than possible, and something I've raised and talked about a good bit recently is the training of local Iraqis to be a military and to be a police force. Will you give attention to that issue, and would you be prepared to request additional funds for training of Iraqis to be an effective Iraqi National Army?

I would just note we could probably pay well 20, 30, 50 Iraqis for the cost of one American soldier. Quite a number, I would assume. So do you have any thoughts about that question, and could that help us reduce our presence?

General SCHOOMAKER. Sure. First of all, I take no issue and I fully support the line of thinking with the chairman and you in terms of how you described that.

I think that what I am trying to do, and understand that I'm limited in what knowledge I have right now and access to the specifics. But I'm being considered here for a position as the Chief of Staff of the Army, to be a force provider to the combatant commander. The combatant commander I'm sure would agree with you that we would like to see ourselves transition in the shortest period of time with the least possible cost to the Treasury and lives and all of the things that all of us agree with.

But as the Chief of Staff of the Army, and somebody that has to think about how we're going to resource this, I have to think worst case. I have to think about how we plan and think through sustaining a long-term commitment there. I think if you take a look at history, and our experience in the Balkans and elsewhere, you will find that thinking in the short-term isn't the way to go, in my opinion, from the position that I am being considered to assume, and so that's where my statement was coming from.

I assure you that this is really an important matter to the Army, because we are going to be the well to which people are going to be coming for these kinds of things. Because it's within the core competencies of the Army that we are looking, and so both of you, in my opinion I take no issue with either statement, but I think it would be foolish not to think about the worst case scenario from the position that I'm being considered for, and that's where I was coming from on that.

Senator SESSIONS. I appreciate that, General, and I remember Senator Levin and I being in Kosovo not long after the hostilities occurred, and there were plans to train a local police force and security forces. That has not occurred, and that's the reason we're still there. I really believe that somebody somewhere deserves some criticism for failing to create an indigenous government and security force that would allow our troops to leave. I believe we have 41,000 still left in Bosnia, or Kosovo, and that's far too many in my view, in that area of the world.

But I know you're committed to transformation of the Army and making it as capable and responsive to future challenges as possible, and to identify what those challenges are. Your experience in Special Operations I think gives you a special insight into this new kind of warfare that we're dealing with.

What's your basic thinking about this transformation agenda? Is it on course? Do we need to speed it up, or slow down? What are your thoughts on that?

General SCHOOMAKER. Well, first of all I think we have to think of transformation as a continuing process. I think the Army has been transforming for its entire history. We've always embraced change, and at the same time we've looked for the continuity in our values and the kinds of things that are very important.

I spent my life—I had a career both in the conventional force and in the Special Operations Forces, and I can tell you that the performance of the Special Operations Forces today that you've seen and all of us are so proud of is a return on an investment over a quarter of a century of transformation of those forces. So I don't expect that we're going to be able to do the kind of transition to the future of the Army over a weekend. I think that there has been a tremendous start that goes back to several of my predecessors on the kinds of things that we're looking at to transform this Army to be relevant to the future, and I think on my watch I'm going to have to stand on their shoulders as we go forward and do the kinds of things that I can bring to the table on it, so it's a long-term thing.

I think that the way I think about transformation is, it will never be an objective. As I discussed with you, I think in terms of a current force, and I think in terms of a future force, and I think

we're always in motion. Where we're working the hardest is at the intersection, the overlap of those two, where we are bringing technologies, and we're bringing concepts, and we're bringing organizations and doctrine together to get the most out of our current force and leverage the kinds of things we see as we go to the future and organize ourselves and think appropriately about the kinds of things we're going to be asked to do. So it's a daunting challenge, and it's one that's not going to happen over a weekend.

Senator SESSIONS. It is a great challenge, but we have made a lot of progress. I think our military is so modern, it brings in modern management techniques, modern computer abilities, all kinds of high-tech capabilities. Those are the things that allowed our soldiers to be so effective on the battlefield at the NATO assembly for parliamentary members. The French Rapporteur reported on the war, Mr. Chairman, and he said that the first and overriding conclusion is, a highly trained technologically advanced Army can defeat a much larger force using old methods. So I congratulate you, because you've saved thousands of American soldiers' lives by being transformed. You've saved thousands of civilian lives in Iraq, because we were able to move quickly and decisively, and even reduce the number of enemy soldiers that ultimately had to be killed. So I think it's good, and I know that your vision for the future is strong.

General Brown, let me just ask you this. The Special Operations Forces performed so well in Afghanistan and in Iraq, could you share with us some of your thoughts about the role they play, some of the successes in Afghanistan and Iraq? I know you were commander there at Special Operations Forces at Fort Bragg, and during that period your son was there, and your other sons were in the 82nd, your sons-in-law. Do you have any thoughts about where we are and where we need to go in the future with Special Operations Forces?

General BROWN. Thank you, Senator. I think the first thing that comes to mind is that a lesson learned from both Afghanistan and Iraq is that SOF need to get on the ground early, and when we did that both in Afghanistan and Iraq they were much more effective in what they had to do as they built forces.

This was the largest deployment of SOF in the history of Special Operations. At one time we had over 14,000 SOF folks deployed out of a force structure of about 47,000, so SOF is integral on this battlefield. I thought the plan that was devised for Iraq that gave large portions of that country to a SOF and allowed them to use the abilities that Special Operations Forces bring to the table over large portions of areas of responsibility was absolutely fantastic. Once we got on the battlefield, the SOF were fantastic.

I will tell you the number one lesson learned and the most important thing about Afghanistan and Iraq in my opinion is that it proved—we have a saying in Special Operations that humans are more important than hardware, and it proved again the ability to attract, recruit, train, assess, and retain Special Operating Forces. People with those skills are critical to success itself on this battlefield, and any other one.

Senator SESSIONS. Thank you.

Chairman WARNER. Thank you, Senator.

Senator Reed.

Senator REED. Well, thank you very much, Mr. Chairman, and welcome, General Schoomaker and General Brown. With all due respect, I really came to thank Sergeant McCoy and Captain Leahy for their service. Sergeant McCoy is a veteran of D Company, Second Battalion, 504th Infantry, and in 1976 I commanded that company. He is living proof that the paratroopers are better, they're taller——[Laughter.]

—smarter, and we're still very proud of them, so thank you, Sergeant.

General Schoomaker, it's no secret that there was a certain degree of tension between General Shinseki and the Secretary of Defense. You're going into a position which requires not only the confidence of the Secretary of Defense, which I'm sure you have, but also the confidence of everyone in the Army, which I assume and expect you will get as well. But there certainly is a different perception today about the relationship between the Army and the civilian leaders of the Department of Defense. Can you comment on that, and your perspectives going forward? How do you think you're going to dispel any lingering rumors?

General SCHOOMAKER. Well, sir, first of all I can't speak to the specifics of what's gone on in the past that I wasn't witness to. But like you, as a private citizen I know what the perceptions are, and I saw the things that the media reported. When I was asked to consider returning to active duty and to take on this job, that was one of the things that was on my mind. Since the Secretary of Defense is the one that asked me to do this, that was one of the first things that we discussed. I'm convinced through our discussions and our subsequent dealings that we have an open and candid dialogue, and that we have come to an arrangement where we can agree to disagree, and at the same time understand what the chain of command is. I'm very comfortable that he's going to hold to his word, and I know I'll hold to mine.

Senator REED. Thank you, sir. I think that's the important point to begin your service.

One of the innovations that began several years ago was the Stryker Brigades, and they are poised now to begin their first operational deployment. Can you comment on that, and also additional changes that you anticipate—for example, less reliance upon division headquarters as organizing elements, and more on separate brigades?

General SCHOOMAKER. Sir, the Stryker Brigade falls in my view in that area I was talking about the intersection of the current force and the future force. I think it's going to give us some tremendous insights into an Army with the capability to be much more strategically agile, where we can truly maneuver at operational distances. Ironically the Stryker Brigade that we're going to deploy, and I've looked at the organization, has more infantry in it than the heavy brigades that we're replacing with it, which in an environment like we face in Iraq right now is particularly useful.

So there are some things there in terms of its strategic agility, its tactical mobility, its relevance, and in terms things that we're facing today, I think the Stryker Brigade is going to be very interesting.

But there are two things that are really important, and General Brown touched on one of them. The Army is people, and our ability to retain and train, and to advance these tremendous people that we have, these soldiers, not only train them for certainty but educate them for uncertainty, and to create the human element that are problem solvers, the kinds of problems that you see them solving every day on the streets of Baghdad and elsewhere, is fundamentally important.

The second thing that's important is that we leverage the technologies that allow us to network and operate in a networkcentric environment. The reason an Operational Detachment Alpha (ODA), a Special Forces A Team, can kill more tanks sometimes than what you'll find perhaps in an Apache deep attack or something, is the fact that they have a radio that is jointly netted that allows them to call on the entire Department of Defense.

They don't care where the effects come from in destroying these targets. All they care about is that they arrive on time and with the precision that's required to do it. So it goes back to the question that I was talking about a while back. This isn't all about how many people you put on the battlefield. It depends upon what capabilities you put in there, and their ability to move about and be relevant at the time and place of your choosing to do the kinds of things that we need to do—not only in battle, but in winning the peace.

So these are the kinds of things I think conceptually that we have to get our head around, and make sure that we resource properly. Because it isn't just an issue of wheels versus tracks, platforms, what kind of a cannon, what kind of an armored personnel carrier and a tank that we have. It has a lot to do with how we bring the whole team into the fight in a very agile way on a strategic basis.

I'm sorry to go a little long on that, but it's a very comprehensive issue, and this is the way we're going to approach this if I'm the Chief.

Senator REED. Let me ask one additional question, General Schoomaker, before I ask General Brown a question, and that is, we have all noticed that particularly in Iraq we're suffering casualties where high-mobility multipurpose wheeled vehicles (HMMWVs) are engaged either by RPGs or by grenades. Is that causing you to relook at the type of mobility equipment we have in Iraq to give our soldiers more protection?

General SCHOOMAKER. Absolutely, but I will tell you that the physics of the point are that the tactics and your procedures have a lot to do with all this. We could put tanks in position that they could be vulnerable as well. You and I had the conversation about the up-armored HMMWVs, and this is a matter of programming and affordability, and the whole issue of management and how to get those, and soldiers deserve that. We should give them the very best that we can, but nevertheless, they have to also be used in a manner that's commensurate with the environment which they're in.

I played football in college, and that doesn't get you much more than a cup of coffee sometimes, but I played for a very successful team. I played for a guy by the name of Fritz Shurmur, who took

the Green Bay Packers. He was a big NFL defensive guy, and he taught us that there are more ways to win on defense than there are on offense. You can score more ways on defense than you can score on offense, and part of this whole deal is the offensive mindset, even in a defensive posture, and how your tactics, techniques, and procedures operate so that you keep the enemy, your opponent, off-guard, and do things.

So again, I'm going long, but I don't think there are just pure technological solutions to all of these problems. I think this is a thinking man's game. It's one that has to change all of the time. It's a leadership business, and while I'm committed to making sure that we design and develop and train the very best forces we can, we also have to be hand in glove with the joint force commanders to make sure that our doctrine and the rest of it evolves to maximize the potential of what we field.

Senator REED. Thank you, sir. My time has expired. General Brown, we had a chance to chat yesterday, and I have every confidence that you're going to do an extraordinary job as well as General Schoomaker to lead the Army.

General BROWN. Thank you, sir.

Senator REED. Thank you very much.

Chairman WARNER. Thank you, Senator.

Senator Talent.

Senator TALENT. Thank you, Mr. Chairman.

General Schoomaker, I have first of all what I think is a very important question I need to ask you if we're going to have a strong relationship in the future. How do you pronounce your name, because I've heard Senators pronounce it Schoomaker and staff Schoomaker, and normally I would assume the staff knew better than the Senators.

General SCHOOMAKER. First of all, the only one that cares is my father. It's Schoomaker. It is as though it were S-k-o-o.

Senator TALENT. That's easier, because that's how it's spelled.

There's just one subject I want to go into with you. It's one of the reasons I wanted to be certain to be here and be able to ask you the question. I have some history on the whole issue of end strength, because I went into the House in 1992, and went on the House Armed Services Committee at that point. Even as a freshman, knowing as little as I knew then, I could see that that was an issue, because we had drawn down the force and the active Army from 780,000-plus troops to 480,000—plus, and at the same time tempo of operations (OPTEMPO) was going up. It seemed to me even as a freshman that this was creating a disequilibrium that would have a danger of breaking the force and perhaps threatening national security. Obviously OPTEMPO is even higher than it was then, and I complained about it, I made a lot of points about it in the last administration and I've been doing the same in this one.

Now, I'm also a believer in transformation, but I want to make certain that transformation is a way of accomplishing the National Military Strategy, not an excuse by which we console ourselves while we're not accomplishing it, and I want to know your thoughts on the whole subject of end strength. Senator Reed mentioned that it's no secret there was tension between General Shinseki and Sec-

retary Rumsfeld, and I think there's no secret that part of the tension was a disagreement on that issue.

What do you think of General Shinseki's evaluation that we needed 20 to 40,000 more people in the active Army, at least to round out some of the specialties like military police (MPs) and civil affairs? Are you at a point where you can make an assessment? How great a priority is it for you to be able to make that assessment?

General SCHOOMAKER. First of all, I do need to have time to formally assess this, but I'm going to take a little risk here and I'm going to tell you that intuitively I think we need more people. I mean, it's that simple.

But the problem is that we haven't taken a hard look yet at how we can rebalance the active component, Reserve component mix. Much of this has to do with availability. There are many things that we know that we have to have readily available in a contingent kind of environment. For instance, port opening units, which are all in the Reserves, need to be more available to us, so some of that needs to come across in trade.

My point earlier was that before we just add a very expensive component on top of our current construct, I think we need to take a look at rebalancing and make sure we know where we want to put additional people if we need them. In the Army, the figures I've looked at planning wise is something like $60,000 a face for an active enlisted soldier. That's an important price, and it's one the Army cannot absorb from within its Total Obligation Authority, and it would have to come with the moneys attached.

So I think this is an important enough thing that we need to take a good look at it. It's one of the things that clearly, if I'm confirmed, we're going to have to look at immediately, and it has to be done within a context that says, what is a relevant Army, how should it be organized, how does it fit the joint doctrine, what do we need immediately available, and how should it be packaged? We shouldn't be trapped in our old construct. If the old constructs work for us, fine. If they don't, we need to modify them, and then make a decision about whether the Army is big enough.

Senator TALENT. I very much appreciate your candor. It's a tremendous relief to me that you're willing to engage in it here at the outset. I'm one of those people, and I guess in the minority, who believe that we can rely consistently and perhaps indefinitely more on the Reserves than we have. I mean, my sense of it is that particularly in a time of war they will do what we are asking them to do, and we can maintain retention, but I don't want to do that by default. I don't want to do that because we're unwilling to confront the situation with the active Army, so therefore we rely on the Reserves because we're not willing to increase the active Army.

Well, you've answered my second question. I wanted your assurance that as General Shinseki did, and regardless of whether we or anybody else agrees or disagrees, that you'll always give us your best professional opinion on that subject, regardless of what others in the chain of command may think. We can't do our job here without getting that from people in your position, and you've relieved my concern in that respect, I appreciate that.

General SCHOOMAKER. Thank you, sir.

Senator TALENT. Thank you, Mr. Chairman.

Senator SESSIONS [presiding]. Senator Dayton.

Senator DAYTON. Thank you, Mr. Chairman.

General Schoomaker, my State does not have an active base, so the Reserve and the National Guard are our A Team. All the active bases are in States like Virginia, Michigan, Alabama, Hawaii, Nebraska, and Georgia. We are going to change that hopefully. [Laughter.]

So I am a cosponsor of Senator Graham's, my colleague across the table there, his proposal to make the health benefits for the Reserve and the National Guardsmen and women full-time, since so many of them are now being called into service almost full-time.

I know there are some bean counters in the Pentagon who have concerns about the cost of that, and I recognize that. But I'm persuaded that that would be a very valuable way of retaining reservists, guardsmen and women, and particularly their spouses and families who might not be thrilled with the increasing absence away from their homes and their careers. So I guess, not to put you on the spot or anything, but I would ask if you would at least give that your most serious consideration.

I think that there is a failure, at least in part, to recognize the real, overall value—cost savings, even—of maintaining these people, and this would be a very effective way of doing so. In addition, I think providing a benefit that would be of enormous value to these patriotic men and women and their families who are enduring this also on their behalf.

General SCHOOMAKER. Yes, sir.

Senator DAYTON. Another matter that has concerned me, in this order, has been the successor to the Crusader cannon, and Senator Inhofe has been a prime mover on this. I have been pleased to work with him. Do you have a sense of what the future holds for this son of Crusader, as yet unnamed?

General SCHOOMAKER. Are you speaking of the NLOS, the non-line of sight cannon?

Senator DAYTON. Exactly.

General SCHOOMAKER. Which is part of our consideration on what was known as the Objective Force——

Senator DAYTON. Exactly.

General SCHOOMAKER.—part of that system of systems, and to the best of my knowledge, it continues to be conceptually part of that system, and is being developed as part of that system.

Senator DAYTON. Well, I was privileged to see the first prototype of that system in Minnesota just the weekend before last. The target date is 2008, and there was a concern expressed that that date was not going to be held to, and that slippage to 2010 or later might be in the unwritten game plan now.

That would leave quite a void in that period of time, in terms of the Army's arsenal from what we've been told here. I want to express the concern that if that slippage in the timetable is somebody's secret intention, that that be made explicit to us in the very near future so that we can have that debate or discussion very soon, and above-board, not after the fact.

General SCHOOMAKER. I'm not familiar enough with the details to comment on it now.

Senator DAYTON. I would ask that you look at that, please.

General SCHOOMAKER. Yes, sir, I will.

Senator DAYTON. Give us your particular views on whether that timetable is going to be official policy and practice or not.

General SCHOOMAKER. Yes, sir.

Senator DAYTON. General Brown, Brigadier General Harrell, who was Commander of Special Operations in Iraq, now has described this article as saying—and I'm quoting here—he's talking about the precedent-setting scope of Special Operations in Iraq under his command. He says, "I've characterized it as the largest since World War II. In actuality, I suspect it's probably the largest one we've ever done."

Is this unique to the circumstances in Iraq, or does this presage the expanded role of Special Operations in the future?

General BROWN. Senator, I think immediately it was to the fact that we were also doing Afghanistan and Iraq at the same time, and in fact could be contributed, or attributed to the battle plan that was drawn up and the use of Special Operating Forces.

I think you will see a more active role for Special Operations in the future, but I think in this specific case it was based on the war plan that was drawn up for Iraq.

Senator DAYTON. Thank you.

General Schoomaker, Secretary Rumsfeld just recently issued a memorandum in which he says in part—it's dated July 9, 2003—that there are three principal objectives he wants to achieve. The first is listed as the structure of the Active and Reserve Forces to reduce the need for involuntary mobilization of the Guard and Reserve, and structure forces in order to limit involuntary mobilization to not more than 1 year every 6 years.

How far away are we from being able to achieve that objective?

General SCHOOMAKER. I don't know. I'm very familiar with the memorandum. I know that's something that the Army staff is working on. It's fundamental to the rebalance issue, and I'd like to say, when I was in the position that General Brown is going for, we had civil affairs there, that I think the balance is still about the same.

We had 25 battalions of civil affairs at U.S. SOCOM, 24 of which were in the Reserve structure, and up to the point that I retired, to the best of my knowledge we had covered all commitments—you may remember, we deployed almost 80 percent of that force and never had to involuntarily deploy anybody. It was totally done by volunteers. I think the robustness and the willingness of much of our Reserve structure was a lot of it. I think it was very commendable. I don't think we can count on that forever in that way, and I think this rebalancing, as Secretary Rumsfeld has asked for, is a very important initiative. It goes back to the fundamental issue that we talked about a minute ago, and that's end strength and the military occupational specialty (MOS) rebalancing.

Senator DAYTON. I certainly agree with you, sir. The willingness of men and women to serve in times of need, and their patriotism, and the willingness of their families to support their doing so is just phenomenal. We don't want to stretch that beyond what we can reasonably expect, and it also again goes back to the health benefits. I think it's very important that we give proper recognition

and reward in ways that make a difference in the lives of those men and women and their families. I would recommend that again to you.

I just would close then, since my time has expired, and just commend to your review also this current week's Newsweek Magazine on August 4. It talks about wives and officers of the Third Infantry Division (ID) who were on duty in Baghdad listening impatiently to the speeches at a redeployment meeting at the base. They all had the same question, when is my husband coming home, or spouse—women are over there too, but this is the way the quote read—but the Army had other messages. Here is some of the advice they received:

"Don't have too much beer in the fridge, he's in no shape to get drunk, put away the sexy negligee, he probably won't be in the mood, don't have lists of chores waiting, he will be physically and emotionally spent, and then one more piece of advice, don't get your hopes up."

A few days after the meeting in May the homecoming was postponed and then later postponed again, and the final thing, if you're unhappy, keep it to yourself. In the e-mail to family members the Second Battalion's rear detachment commander cautioned them against contacting elected officials or the press, "in a negative manner regarding the military in this deployment of their loved ones."

I hope you'll instruct your subordinates to review the kind of support that they're giving to the families whose members, husbands, or wives are deployed, because I think this is an appalling failure to provide the kind of sensitive and I would think constructive support that those families are certainly entitled to.

Thank you, Mr. Chairman.

Senator SESSIONS. Senator Chambliss.

Senator CHAMBLISS. Thank you, Mr. Chairman.

First of all, as I've told each of you privately, we appreciate the great job you've done for our country and that you continue to do for our country, and it's very comforting and exciting to me to see a man like you, General Schoomaker, who is willing to come back and serve your country once again. I appreciate both of you.

Senator Nelson and I have been concentrating within the Personnel Subcommittee on confronting some issues relative to quality of life, and in particular, issues dealing with families of our men and women. Senator Dayton just read that e-mail comment regarding some members of the Third ID and the Fourth Infantry, and of course my State is very proud to be the home of the Third ID at Fort Benning and at Fort Stewart. I've had the pleasure of not just seeing off some of our men and women, but having the opportunity to visit with their families while they're gone.

I'll have to tell you that there are a lot of our families who are dedicated to the military and great patriots who are really upset, not just about the scenario that Senator Dayton referred to of getting promised not two times, but now three times that their husbands or their wives were coming home, and that's been put off, but just the OPTEMPO in general. There's story after story of wives who say that their husbands have been gone 17 out of 20 months that their children have been here, and that when their

husbands come home, that they're going to have to look seriously as to whether or not they stay in.

General Schoomaker, I'd appreciate your comments on the OPTEMPO, what you think we need to do or can do with respect to slowing that down so that we can give our military families the quality of life that they deserve, and at the same time protect America and protect freedom. Because those folks know that when they signed up they were committing to do a job, and they're willing to do it, and certainly will do it. But obviously OPTEMPO continues to be a problem.

General SCHOOMAKER. Well, Senator, I think that we're going to continue to face a future where we're going to have these kinds of demands on our forces. I go back to the fact that this all has to be done within the context of rebalancing, and that we shouldn't deploy anything more than we need. We should always be thinking in terms of how we maintain that balance and that we don't get ourselves stuck in the kind of cookie cutter and template solutions to all of these issues.

We've spent most of our life sleeping on cardboard boxes and meals-ready-to-eat (MRE) cases on cold hard floors in barracks all over this world, and have spent a lot more days away from our beds than we've spent in our beds. Our families have grown up doing this, and I'm talking about the two of us that are sitting up here. We're just like everybody else.

The thing that has always amazed me is the resilience of the Army family and of soldiers when they face a tough challenge. I bring this up because we cannot offer everybody certainty about what their future is. It's a very ambiguous future that we look to, and we ought to be very careful about the expectations we give people.

I think that's the most difficult part of this, is when we give people expectations that we can't meet. It makes it much more difficult than it does telling people that we have a tough job to do and we're going to have to hang in there together to do it, and I think that's at the root of what we've seen in the Third Infantry Division, the fact that they've been told one thing and another. Not maliciously, and not because there's anybody that wanted to harm anybody, but the fact of the matter is that there were some expectations developed that couldn't be met for whatever reason, and as a result you start yanking people around.

I think that's very difficult. It aggravates what's already a very difficult commitment that these people have made, but I am very confident from my own experience and from what I know about the great people we have in the Army, that our soldiers and their families continue to be very dedicated servants of this Nation, and I think that we can work this and sort it, and I think we will continue to get great service from them.

Senator CHAMBLISS. General Brown, you indicated to me yesterday that you're not going to increase your number of Rangers, but your folks are going to be called on more and more, and you're going to have this same problem. Do you have any comments on that?

General BROWN. Sir, right now, as we mentioned earlier, we're going to grow about 5,100 people. We're going to fill out some of

the nagging shortfalls that the Rangers had. We're going to add some enablers, some logistics support, and some things that will help as we go through these deployments, and so I think we'll continue to be called on.

Our OPTEMPO over these last 2 years has been pretty extreme. We have at one time most of our aircraft, some stationed down at Hunter Army Airfield with the Third Battalion 160th Special Operations and our Rangers. Just about every one of our MH–47s were deployed overseas. We kept just enough to keep our school running so we would have some for the future.

We are going to solve those problems. We're adding in some of those key areas where we have really had OPTEMPO problems, and that's where, in concert with the United States Army, we're building a new MH–47E Battalion that will reduce some of the strain on those.

In our Air Force component, we're going to add some C–130s with the ability to refuel helicopters. We're adding additional civil affairs folks and some psychological operations folks, and all of this based on our analysis of what we need for the future to ensure that our OPTEMPO that you have to have some sort of a sustaining base to continue ops like we're operating right now.

Our OPTEMPO today, based on the downsizing of the forces that we've had in Iraq and Afghanistan, is manageable except in some civil affairs areas where we're working very hard to reduce that OPTEMPO, and additionally, in some of our Special Forces units, our traditional Green Berets. If nothing else comes up on the scope in the immediate future, we'll be able to get all of our aircraft back online, and get them all reconstituted. Then as we go through the next 4 or 5 years and continue to build this force structure I talked about, to include these enablers, I think it will be a great success for helping us with the OPTEMPO problems we've experienced over the last 2 years.

Senator CHAMBLISS. With all due respect to my friend from Minnesota, before we go building any bases up there, we have a lot of room to expand at our six Army bases in Georgia that we're very proud of.

Thank you, Mr. Chairman.

Senator SESSIONS. Senator Akaka.

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

General Schoomaker, I am concerned, and so is the committee, about the many challenges that the Army faces over the next few years. Specifically, I wonder about the Army's ability to take on what I consider to be major changes to the way it currently does business while continuing to support large numbers of deployed forces around the world.

Some of these challenges include reconstituting and retraining forces returning from operational deployments. I just spent a good day at Fort Bragg seeing what they're doing there. Also, returning in significant numbers are foward deployed forces to new continental United States home situations, implementing unit manning initiatives, incorporating unit set fielding, continuing recapitalization of major equipment, and continuing to implement changes in installation management.

In your opinion, what is the largest risk associated with trying to do all of this at once, and are there aspects that you think may need to be delayed or restructured?

General SCHOOMAKER. Well, first of all, I share your concern about this daunting challenge. I've been briefed in preparation for this, and as I look up this mountain it looks huge, and quite frankly, I'll tell you honestly that I just can't at this stage give you any expectation that I can sort all that out. I'll tell you I'll do the best I can to do it.

I also know that the Army can't stop doing what it's doing and take a time out to do this. It's going to have to do it on the run, and it means that we're going to have to take some risks inside of it. We're going to have to change some things in this culture and the way we think about doing business, and we'll probably go down some roads that we will wish we hadn't gone down in this process, but we can't not do it. The alternative is not acceptable.

Right now, we have about 33 brigades in the Army. We have 23 of those brigades committed in some form or fashion right now. We cannot sustain an Army that way indefinitely, with a rotation base of that nature. If we add more people to each of these brigades, it doesn't solve the problem. So we have to look at this in a context that's comprehensive, and we have to come up with a base that allows us to be more modular.

We have to leverage joint resources. We have to be more agile, and work in a way that we can establish this sustaining base for all of our commitments, not just in areas like Iraq and Afghanistan, but our forces in Korea, and the kinds of things we're going to do to sustain forward deployed forces in Europe all have to be in it. So these notions of unit manning, looking at the personnel system, how we educate and train, all of these things have to be looked at across the entire force in terms of what we're going to do.

Again I tell you we don't get to huddle up in this. I mean, this isn't a soccer game, there's no time out in the deal, or ice hockey, whatever your preference is, and we're going to have to do this as we continue to serve the Nation. It is a daunting task, I won't argue with you. I guess I'm telling you I share your concerns, and I'll do my very best to deal with it. I have a lot of good professional help, I'll tell you, in the Army, and here in this institution.

Senator AKAKA. I want you to know that we're looking forward to working with you on these matters.

Also, because I've been in the Subcommittee on Readiness and Management Support here, I've been very jealous about readiness programs to be sure that we can support the programs that you need. One of the most challenging roles for our military is providing readiness ranges, places where our forces can work out their strategies. I'm sure you'll find as you assume your new responsibilities training areas suitable for modern forces, and these ranges are in short supply.

I understand the Army has expressed an interest in acquiring additional land to expand maneuvering space at Kuwakuloa training area on the big island of Hawaii. The Kuwakuloa training area offers one of the few training areas potentially available for expansion in the Pacific region. What are your views on such action?

General SCHOOMAKER. Well, I'm not familiar with the area that you're talking about, but as I tour the Pacific region I'll certainly take a look at it and get more familiar with it.

Fundamentally, to operate the way we're going to have to operate in a joint context, we're going to have to look at more expansive areas, not just for things like tank gunnery and artillery firing and things like that. From the standpoint of being able to maneuver these forces over the kinds of operational distances we expect to operate, some of the insertions into Afghanistan were 900 miles one way, and we have to have the ability to practice the kinds of things that we will do on those kinds of things.

The maneuver that you saw in Iraq was over distances that far exceed our current training areas, and the contiguous nature of those training areas, yet those are the challenges, and sustaining over those distances, maneuvering, commanding, doing battle command over those distances, the logistics of it all, we're going to have to find it.

Now, what we're dealing with is an area where we have to be good environmental stewards. We have to deal with the fact that the areas are in short supply in many places. We're going to have to be creative in how we put these kinds of things together, so I guess I'm agreeing with you that this is one of our fundamental challenges.

I don't think we're going to be able to go out and purchase or expand just acreage. I think we also have to be creative on how we use that acreage and how we link it through some of the technologies that we have so that we can do distributed training, link it through simulations and network battle command, and be quite creative on it, but it's going to continue to be a challenge to us.

I guess that's about all I have on that. It is a concern I think we all share.

Senator AKAKA. Thank you for your response.

Thank you, Mr. Chairman.

Senator SESSIONS. Senator Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman.

General Schoomaker, it's good to see you again. I appreciated our visit a couple of weeks ago. General Brown, welcome, it was a nice brief meeting yesterday. It's good to have you with us to address the questions regarding special operations worldwide.

General Schoomaker, you've already referred to what's ahead of you as a daunting task. In some respects, it might be easier to face a task that is doing more with less, but you're faced with doing more in an area of change and transformation and transition at the same time maintaining current capabilities. It's an even more difficult version of a daunting task than we often face.

In the midst of all that, in the discussion about deployment—I won't go back over the difficult stories that have been expressed, and I get the correspondence, I get the contacts as well about families that are worried about lengthy and numerous deployments, but with questions that are more centered on when is the end point, when will they return, and when can I know when they will return.

The military personnel ask it, perhaps in a different way, but their point is similar, and that is, if I'm going to go on a deployment, I ought to have some idea of when it may be designed to end.

It could be extended, it could be changed, but something that's never-ending has no terminal point, and I think that's the uncertainty that's causing a great deal of concern.

I did see, and looked closely at the plan of redeployments and rotation. I think it's an excellent start, but what concerned me is that it doesn't really expressly deal with Reserve and Guard units, and there's the possibility, with the OPTEMPO that continues today, where the rotation is more related to groups than it is to individuals, or individual groups. It's very possible for a Reserve or Guard unit to have its deployment ended, come home, and find it's been assigned to another unit, and then it's redeployed, even though the goal is to have rotation; not to do this.

I'm hopeful that you will personally see, as you look at the rotation plans, and as they're developed in the future, because it is changing, that we'll try to keep that to a minimum. Because I think nothing could be more devastating to morale than to find that people are expecting the rotation to occur, and everybody's rotated but their group, and then they're redeployed because they're reassigned. I think that's a significant area, and I'm going to ask you to respond to that.

But I'm also encouraged by your very astute observation that not all transformation and transition is improvement, that we'll be using all kinds of words to describe what's going on. But the bottom line is that when it's all said and done we have to be better at doing what we've done in the past. We have to maintain a currency that is a process, that's a result of process and there's a continuing goal. There's never a date when it ends, it's ongoing. I know that you understand that.

Can you give us some assurance that you'll personally look at the rotation to be sure that we don't end up with that kind of a situation? I think it would be a tragedy.

General SCHOOMAKER. You can have my assurance that we'll go very deeply into this, and what you're talking about. We have a thing, and we used it in Special Operations Command, called the derivative UIC which allows us to break units up and pull selected pieces of it out. The problem is that part of the fact that we're not balanced right now says that we end up with what's called high demand, low density units, and we've had in many cases the same high demand, low density units for years. If you're in business and you have high demand, low density things, what you're doing is missing a market opportunity. In this case, what we're doing is whipsawing our people around.

Senator BEN NELSON. Well, we'll overuse our resources, and we'll lose them for recruitment and retention.

General SCHOOMAKER. Sure, so it goes back to this whole fundamental issue of how you balance, and make sure that what we are is relevant, and we've built the capabilities into these formations that are relevant to the tasks that we've asked. So I agree with you, but again, it's easier said than done, because we're going to be doing this on the fly.

Senator BEN NELSON. Well, there's no question it will be on the fly, and it will always be on the fly, because that's the way it works. As long as we have a commitment that runs throughout the force so that we don't get the unfortunate situation that Senator

Dayton referred to from the report. We don't expect perfection, but that misses the mark by a pretty wide margin.

General SCHOOMAKER. Yes, sir.

Senator BEN NELSON. So I appreciate it very much. Good luck to both of you. Thank you.

General SCHOOMAKER. Thank you, sir.

Chairman WARNER. Thank you, Senator. I apologize for my absence, but together with several other Senators we've been looking at this situation of the program that was mentioned today in the press about the lottery type of operation that the Pentagon envisioned as a means to collect data to look into the future to hopefully avoid terrorist attacks. It is my judgment, together with Senator Roberts, who is the chairman of the subcommittee that handles this particular program, and in concurrence with Senator Stevens, that this program should be immediately disestablished. We are going to do that in the context of the House-Senate conference committee, but at the same time we're going to recommend to the Secretary of Defense not to use such funds that he has available, Senator Levin, to implement the initial stages of this program, which was anticipated to start this week, on Friday. So I had to digress for a moment on that.

The committee will receive briefings this afternoon, Senator, from all members at the earliest possible time. We will establish that time very shortly.

Senator LEVIN. Mr. Chairman?

Chairman WARNER. Yes?

Senator LEVIN. On that issue, given the fact that it could take us a number of weeks before we get a conference report, I'm wondering if we shouldn't just urge the Pentagon to disestablish it on their own, without our having to act that way and I would hope that they would, for obvious reasons.

Chairman WARNER. That may well be the end result, but I think that's a constructive observation. The main thing is to recommend that they not use the funds that we've isolated now that they do have available to initiate this program.

Senator LEVIN. Did we get any notice of this program?

Chairman WARNER. Yes, we did. I went back and examined the budget request that came over, and then there's this famous Wyden report, which requires reporting, and it was described in that, so it's been out in public. There's been no effort whatsoever to make it secret.

The program is modeled after a successful program utilized by one of the Nation's foremost think tanks, which while not directed towards terrorism, was directed towards analysis of other contingencies in the future, and in the community it has been perceived as a fairly successful program, but we'll go into that in the briefing. I just got off the phone with the head of the Defense Advanced Research Projects Agency (DARPA), and we mutually agreed that this thing should be stopped.

I wanted to ask a very general question to both of you outstanding gentlemen, who have devoted so much of your time to specialized training in the Army. If you go back in history, at one point in time you just had the good old-fashioned Army, and then you had the need for the Delta Force, and that emerged into the Spe-

cial Operations Forces, and then Congress enacted special legislation. Senator Levin and I were very active in the bill referred to as the Nunn-Cohen piece of legislation, because we were all here at that time.

But I just wondered, and we'll start with you, General Schoomaker, about the politics of this within the Army. Once you begin to set aside, should we say, the more challenging tasks for just one small group, how has that been managed, obviously I think successfully, by the Army through these many years? Then I'd like to have your views on that, General Brown.

General SCHOOMAKER. Well, I'm not sure I understand the question totally, Senator, but I think you're asking how the Army has changed over the years. I think if you take a look a long way back through the Army you'll find particular points within not only the Army but within our Armed Forces where there were significant points of change, but the reality is there have always been changes, both large and small, going on.

If you go back and take a look at the effects of the various National Defense Organization Acts, you look at the root reforms back in the early 1900s, there were historical examples of great revolutionary change that affected things, just like Goldwater-Nichols did and Cohen-Nunn did within our business.

But the fact of the matter is, the Army is a large organization, and it's full of wonderful people that are bright, that are very competent, and are interested in doing the right things. But nevertheless they are as subject as anybody else to the fact that change is difficult, because it changes the status quo. It changes the things that brought them success to the point we are. It's the kinds of hard-earned things on the battlefields of World War II that are hard to let go of those kinds of experiences. So it takes leadership, and I feel that's what our job is.

Leadership is dealing with change. You can't manage change. You have to lead it, and then you manage the complexity that falls out of the change, and I think that's the Army, and the Armed Forces have done that well over the years.

Chairman WARNER. Let me go back a little bit to my own modest association with the military through the years. In World War II we had Merrill's Marauders—did you ever hear of those? Then they were disestablished, and then for a brief period the Marine Corps had some paratroop units, and that was disestablished. But this concept took root in the Army, and has stayed, and has grown.

What I'm trying to decide, because of the magnificence of the performance of these units—Senator Levin and I have the most vivid memories of one night on the border of Afghanistan in the Thanksgiving period 2 years ago, watching them mount up on a cold night and getting onto the helos, 20-some-odd men, 1 officer, all the rest enlisted. Each knew exactly what his or her job was, and they were going to do it. It didn't require a lot of supervision, didn't require a lot of hands-on, and they went out and did the mission and came back.

You cannot help but be impressed with that, and I suppose people would say, well, let's take the whole Army and convert it into the same thing, but that can't be done. You know that. We have to have our tanks, we have to have our helicopter units, we have

to have the good old straightforward infantry there. But here's this group over here that I suppose in some regard is elitist. Is there more promotion opportunity given to them, more personal recognition given to them, and does that, in turn, engender some discontent down in the other elements that do not see quite the notoriety?

I recognize that there's a degree of risk that these units take that's quite different in some respects to the others. So I'm just trying to figure out how you two gentlemen, who have spent much of your lives in that, have balanced it out, whether or not, for example, we need to increase Special Operation Forces. That question's been asked, I think, to you, General Brown.

General BROWN. It has been.

Chairman WARNER. But the moment you do that, everybody thinks it's been such a superb performance, more and more emphasis should be put on it, and then suddenly we're going to get top-heavy in one area, and other areas of the Army could be the loser, so maybe just touch on that, and then we'll go to General Brown.

General SCHOOMAKER. Well, sir, first of all, when we downsize the Armed Forces, we didn't downsize our Special Operations Forces. We couldn't. The demand on it was too high.

We made some adjustments in the Reserve structure, and we did some active adjustments. But the fact of the matter is, we're recruiting this brilliant, wonderful Special Operations capability across the Armed Forces, not just the Army, out of the conventional force structure. That's where it comes from, and the conventional force structure is only 60–70 percent of what it was a decade ago. So it's a very daunting, challenging task to get the kind of people that you saw to volunteer out of those ranks and sustain it.

You could go and mass produce a bunch of Green Berets and put them on people's heads, but that's the most dangerous strategy you could ever have. My advice is that we continue to remember that quality is better than quantity, and that we need to keep our Special Operations Forces special.

Now, part of the transformation of conventional forces, going into the role that I'm being considered to go into, there were many things that we can move the conventional force into that have traditionally fallen under the role of Special Operating Forces. There are a lot of tactics, techniques, procedures, technologies, all kinds of things that we can do that will make the conventional force capable of doing many of the kinds of things that we traditionally thought here. That's exactly what my intentions would be, is that we take a look at some areas where it's appropriate to do that. Because quite frankly, 90 percent of what we're talking about here has to do with an attitude. It all has to do with mind set. It has to do with an attitude and a mind set that says I'm a soldier, sailor, airman, or marine, and that my job is to serve this Nation. It's not to have parades. It's not to sit around and just rub sticks. It has to do with being prepared to do what this Nation calls on us to do, and I am convinced that these people in our formations are up to doing that. It's our job as leaders to make sure that we manage it professionally, that we manage it appropriately, and that we keep it in proper balance. That's what we're doing.

Chairman WARNER. I think the key phrase is keep it in a proper balance.

General Brown, your views.

General BROWN. Sir, I totally agree with General Schoomaker. I wrote some random notes here while he was talking, and I think some of the keys are that, taking the Army for a specific example, is that down at our Special Warfare School at Fort Bragg, North Carolina, we've gone to great lengths to build the bridges to the training and doctrine organizations in the Army so that they have the ability to leverage any innovation, any training methodologies, anything that we're doing down there that will meet their needs.

We always brief that we're not out looking for the best people, we're out looking for the right people. There are people that just want to take personal pride in what they do and being involved in Special Operations, they'd gravitate to our kind of a force.

The number one retention tool is job satisfaction, and right now our retention is very good in the Special Operations Forces, specifically in the Army Special Operations Forces. But across the board, the fact is that they are able to get out and do what they were trained to do on the battlefield, and that has been the number one retention tool.

I think that first of all in the training arena we build on already excellent training done by the services in every one of our components. When you do that and you put into their training additional ideas and opportunities for them to train—we value very greatly out-of-the-box thinking and innovation, and a lot of exercises and training that our folks go through are designed to make them think outside of the box, problem-solving. In fact some of the reports coming out of Afghanistan, the official reports actually said, I thought I was back in training, because the scenarios were so much like what I was actually doing on the battlefield in Afghanistan. So all that kind of training and methodology we share with the services, and we work very closely with them.

So I guess to sum it up quickly, we bring in excellent people that are already trained to an excellent level by the services, and then we add to it and give them opportunity to train. In turn we share the methodologies and the training systems that we have with the big services.

Chairman WARNER. Well, I think history reflects that it was members of this committee, of which I was a part with Senator Levin, that really felt that this needed to have special legislation, and that we, and you, among many others, have taken that legislation and have made it work in such a way that it's consistent with a balancing emphasis in the Department of Army and other Services, but of course, this is joint. We have Navy, Air Force, Marines, and others now in it.

Senator Levin.

Senator LEVIN. On this same issue, both of you have mentioned that because of the huge demand on our Special Operations Forces that there needs to be additional consideration to shifting some of their missions to conventional forces, and some already have been, I think, shifted at least to a degree to conventional forces.

The statute that created these forces and the Special Operations Command provides nine missions for SOCOM, and I'm just won-

dering—one example is apparently, we've transitioned a mission such as training foreign militaries in basic infantry tactics. Apparently it's already been handed off to conventional forces.

In that process, we lost some valuable language and cultural training which that particular mission makes available, or at least lost some of it. That's a pretty valuable gain for our Special Operations Forces, which is there to a lesser degree now.

What missions do you think of those nine we can additionally hand off to our conventional forces? I think you're obviously familiar with the nine, so I won't go through them all, but what further handoff do you think we can make of the missions set forth in the statute to conventional forces from our Special Operations Forces? Either one of you can address it, or both.

General Brown, why don't you take a shot at it?

General BROWN. All right, sir. My belief is that we do not want to, or should not transfer any of those nine legislated missions over to another service. What we should do, and what we are doing very aggressively, is looking at every one of those tasks that we are given every opportunity to go around the world and train for as we deploy on specific types of missions, and evaluating those as to how well they fit into the things that we need for cultural awareness, for global war on terrorism issues, for other things, and then we'll take a look at those and decide which we can ask another service or another force to pick up for us.

I think the one you mentioned, Senator, is a great example. In the Georgia Train and Equip program, where we went in with our guys that had language skills and the capability and started to train the Georgian army, and got it to a specific point where it was up and running, and we had value out of being there. Then the Marine Corps came in behind us and took over that Georgia Train and Equip program.

I think there are specific skill sets within those core missions that the other Services have at some degree where they may be able to pick up some of the tasks that we've been given to reduce the load on the Special Operating Forces. But I think we need to analyze those very carefully, because I think you make a good point that sometimes is missed, that one of the keys to Special Operations Forces, and specifically our Green Berets and our civil affairs folks, is the ability to get out on the ground with the different cultures and continue to stay culturally aware, and use the language skills that we're training them on. So we need to make sure we're maximizing that opportunity as well as pushing other missions to reduce our OPTEMPO.

General SCHOOMAKER. Sir, if I could just follow in on that?

Senator LEVIN. Please.

General SCHOOMAKER. The core missions that you're talking about are, and I'm just going to recite them a little bit from memory here, direct action, unconventional warfare, special reconnaissance, civil affairs, foreign internal defense, those kinds of things, and I agree with Doug—I think these are mission areas in the statute that should remain within the purview of the Special Operating Forces.

The question is, where are the partnerships between the conventional force and the Special Operating Forces, and I think if you

take a look at our current operations both in Afghanistan and Iraq, you will find, for instance in direct action, and the recent operation against the two sons is a good example, where there was a marriage between Special Operating Forces and conventional forces in accomplishing that direct action mission.

Take a look at the kind of reconnaissance being conducted in these places today—you'll find both conventional and Special Operations Forces are operating concurrently. Foreign internal defense, which has to do with things like the Georgia Train and Equip mission and other kinds of things, there's a marriage there. It shouldn't be a clean handoff where you lose the leverage of the team.

So this is the kind of thing that I was trying to talk about earlier, where I think there is a lot here that can be leveraged out of the conventional force structure and teaming with Special Operating Forces, to include, as we look at such things as how we transform our Army aviation, many of the kinds of tactics, techniques, procedures, and equipage that goes on in Special Operations aviation should be transferred. We should experiment and figure out where we get goodness out of those kinds of things.

So I'll leave it there. This is a very rich area, and I think it's all about transformation as we go forward.

Senator LEVIN. Just one last question for me. You have mentioned the importance of job satisfaction in terms of retention, and there's obviously a huge amount of that, rightfully and understandably so, in Special Ops.

Some of the special operators have reported to our staff that there could be some retention problems in a couple of areas in particular, and not because of lack of job satisfaction, but mainly because of a lack of any predictability in assignments, and perhaps the huge demand. Those two areas would be civil affairs and psychological operations, and I'm wondering whether or not there is a possibility of greater predictability in those assignments.

We've heard in our conventional forces the raising of expectations which then creates predictability, which is then dashed. To the extent that that exists in our Special Ops Forces, I wonder whether or not we can find a way to provide greater scheduling predictability.

General BROWN. Sir, I can tell you that that's something that I think is important. We need to work hard to give every soldier we deploy as much predictability as we can reasonably do there.

I talked to the Commanding General, Army Special Operations Command, who is the component commander that owns the civil affairs forces, just before coming up here for this hearing. I specifically asked him, are we having a lot of turbulence down in our civil affairs forces on retention, because we have really deployed a lot of civil affairs folks when you take into consideration the Kosovo piece, the Bosnia piece, the Afghani piece, and the Iraqi piece. He said quite frankly that today there is not a lot of turbulence down there, but that doesn't portend what may happen as we start bringing all these folks back. So we need to work hard at giving the predictability that we can, and then we need to work towards ensuring that we do everything we can to keep them in the force.

Senator LEVIN. Thank you, Mr. Chairman.

Chairman WARNER. That brings to mind, as we look to the future in lessons learned, we've put perhaps a disproportionate reliance on the Guard and Reserve with regard to civil affairs officers, and as a consequence they had to by and large be recalled. So it may well be in the future standing forces that we have to keep a larger contingent in that area, so that's something for you to look at.

We've had an excellent hearing here this morning. We thank you and your families. Based on what we have reviewed here this morning with you, it will be my thought that we can move very swiftly to achieve Senate confirmation of your respective posts. I have placed into the record your advance questions, but I wish to read this one question which I think is important for the public to understand, and that is congressional oversight.

In order to exercise its legislative 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? You acknowledged yes.

Further—and this is very important. We have asked this in the 25 years both of us have been on this committee, this question—do you agree, when asked, to give your personal views, even if those views differ from the administration in power? In other words, your senior civilian—the Secretary of Defense and others.

Civilian control is maintained historically over the Armed Forces of the United States, but it's important for Congress from time to time to receive the views of senior officers such as yourself, views which could be regarded as at variance with those of the body in power exercising civilian control, namely, the Secretary of Defense and, indeed, the President himself. In Goldwater-Nichols we made a special provision—I remember working on this, Senator Levin, and if any officer or Chief of Staff of the Army so desired, they could go to the President and seek an audience and express their views. I think that's been done on several occasions. It's been very important that that be done.

Senator LEVIN. If I could just support what you're saying, Mr. Chairman, in addition, as the chairman has pointed out, to presenting views directly to the President where necessary, it's essential that you present views to us when asked, your own personal views, even if they differ from that of whatever administration might be in power. That is absolutely essential for us.

We count on it a great deal, and you have demonstrated that this morning, that you are willing and able to do that, and to not worry about whether or not your views are exactly in sync with the views of the civilians, who we do want to ultimately make decisions. But we need to rely on the unvarnished opinions of our senior military officers, and we really rely heavily on that. We're grateful for your direct response to the question that you will do that.

General SCHOOMAKER. Yes, sir.

General BROWN. Yes, sir.

Chairman WARNER. Thank you very much. The hearing is adjourned.

[Whereupon, at 11:33 a.m., the committee adjourned.]

[Prepared questions submitted to Gen. Peter J. Schoomaker, USA (Ret.), by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than a decade has passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms.

The goals of Congress in enacting these defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. Yes, the Goldwater-Nichols act has significantly improved our joint operations. The reforms initiated by Goldwater-Nichols have been irrefutably validated in the crucible of war.

Question. Do you believe that legislative proposals to amend Goldwater-Nichols may be appropriate? If so, what areas do you believe it might be appropriate to address in these proposals?

Answer. Although amendment proposals may be appropriate, such proposals should take into account the lessons learned by all since Goldwater-Nichols was implemented. If confirmed, I look forward to working with the Secretary of the Army and the Secretary of Defense to examine other legislative and regulatory reforms that might improve capabilities and enhance readiness. Several areas might be appropriate to address:

- The role of Joint Forces Command has evolved significantly since Goldwater-Nichols was passed. Goldwater-Nichols refinements might ensure that clear authorities support the role we intend for Joint Forces Command.
- It may be possible to revise the planning, programming, and budgeting system from a budget driven process to a policy/planning driven process.
- Acquisition reforms should continue to take advantage of new business cycles and models critical for technology.
- Any changes to the national security structure that better integrate the economic, political, information, and military instruments of power might also help solidify interagency "unity of effort."

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. These reforms have significantly clarified operational chains of command and working relations among the military services to enhance and synchronize joint operations. Most importantly, they have clearly communicated the intent of Congress and the President that our warfighting efforts must be increasingly joint.

Question. Do you believe that the role of the Chiefs of Staff and the combatant commanders under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. The general framework established by the Goldwater-Nichols is appropriate and existing policies and processes allow that role to be fulfilled. If confirmed, I would like to study in greater depth whether the act strikes an appropriate allocation of roles between the combatant commanders and the needs and constraints faced by the service chiefs. Combatant commanders are often driven by a near-term operational horizon, while the services must consider longer periods associated with the research and development, acquisition and professional development cycles. This leads to natural tensions that might be rectified through clarification of roles and relationships.

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 commanders of 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 Chief of Staff of the Army to the following offices:

Secretary of Defense

Answer. The Secretary of Defense, as the head of the Department of Defense and the principal assistant to the President in all matters relating to the Department of Defense, issues guidance and direction to the military departments. 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 such directives. As a member of the Joint Chiefs of Staff, I will serve as a military adviser to 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 the Office of the Secretary of Defense. In coordination with the Secretary of the Army, I will communicate with the Secretary of Defense in articulating the views of the Army.

Question. The Under Secretaries of Defense

Answer. Acting on behalf of the Secretary of Defense, the under secretaries perform responsibilities that require them, from time to time, to issue guidance—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 them to ensure that the Army is administered in accordance with the guidance and direction issued by the Office of the Secretary of Defense (OSD). (Note: all the USDs and ASDs may issue instructions to the secretaries of the military departments if the SECDEF authorizes them to do so.)

Question. The Assistant Secretaries of Defense

Answer. The Assistant Secretaries of Defense have functional responsibilities that, from time to time, require the issuance of guidance to the military departments. If confirmed, I will, in coordination with the Secretary of the Army, communicate with the Assistant Secretaries of Defense in articulating the views of the Army. I will cooperate fully with them to ensure that the Army is administered in accordance with guidance promulgated by the Office of the Secretary of Defense.

Question. The Chairman of the Joint Chiefs of Staff

Answer. 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. 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 identified by the commanders of the combatant commands; 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 may be prescribed by law or by the President or Secretary of Defense.

In conjunction with the other members of the Joint Chiefs of Staff (JCS), 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 JCS, it would be my duty to provide frank and timely advice and opinions to the chairman to assist him in his performance of these responsibilities. If confirmed, in addition, upon request, I will as a member of the Joint Chiefs of Staff provide my individual military advice to the President, the National Security Council, and the Secretary of Defense. As appropriate, I will 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 will communicate directly and openly with him on policy matters involving the Army and the Armed Forces as a whole.

Question. The Vice Chairman of the Joint Chiefs of Staff

Answer. The Vice Chairman of the JCS assists the chairman in providing military advice to the Secretary of Defense and the President. If confirmed as a member of the JCS, it would be my duty to ensure that the vice chairman is provided my frank views and opinions to assist him in his performance of his responsibilities.

Question. The Secretary of the Army

Answer. If confirmed, my relationship with the Secretary of the Army would be close, direct, and supportive. Within the Department of the Army, a large part of my responsibility as Chief of Staff would be to serve as the Secretary's principal military adviser. My responsibilities would also involve communicating the Army Staff's plans to the Secretary of the Army and supervising the implementation of the Secretary's decisions through the Army Staff and Army commands and agencies.

In this capacity, my actions would be subject to the authority, direction, and control of the Secretary of the Army. In my capacity as a member of the JCS, I would also be responsible for appropriately informing the Secretary of the Army about conclusions reached by the JCS and about significant military operations, to the extent such action does not impair independence in the performance of duties as member of JCS. I anticipate that I would at all times work closely and in concert with the Secretary of the Army to establish the best policies for the Army in light of national interests.

Question. The Under Secretary of the Army

Answer. The Under Secretary of the Army is the Secretary's principal civilian assistant and performs such duties and exercises such powers as the Secretary of the Army prescribes. His 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 of the Army, and to the Under Secretary through the Secretary of the Army, for the operation of the Army in accordance with such directives. I will cooperate fully with the Under Secretary of the Army to ensure that the policies established by the Office of the Secretary of the Army are properly implemented. I will communicate openly and directly with the Under Secretary of the Army in articulating the views of the Army Staff, Army commands, and Army agencies.

Question. The Assistant Secretaries of the Army

Answer. The Assistant Secretaries of the Army have functional responsibilities that, from time to time, require the issuance of guidance to the Army Staff and to the Army as a whole. If confirmed, I will establish and maintain close, professional relationships with each of the Assistant Secretaries to foster an environment of cooperative teamwork between the Army Staff and the Army Secretariat as we deal together with the day-to-day management and long-range planning requirements facing the Army.

Question. The General Counsel of the Army

Answer. The General Counsel is the chief legal officer of the Department of the Army. His duties include coordinating legal and policy advice to all members of DA regarding matters of interest to the Secretariat, as well as determining the position of the Army on any legal questions or procedures other than military justice matters assigned to The Judge Advocate General. If confirmed, I will establish and maintain a close, professional relationship with the General Counsel to assist him in the performance of these important duties.

Question. The Chiefs of Staff of the other Services

Answer. If confirmed, as a member of the JCS, it would be my duty to engage in frank and timely exchanges of advice and opinions with my fellow Service Chiefs in their roles as members of the JCS. I look forward to developing strong working relationships with these colleagues, many of whom I know from previous service.

Question. The combatant commanders

Answer. Subject to the direction of the President, the combatant commanders perform their duties under the authority, direction, and control of the Secretary of Defense, and are directly responsible to the Secretary of Defense for the preparedness of their commands to carry out missions assigned to them. As directed by the Secretary of Defense, the military department secretaries assign all forces under their jurisdiction, except those forces necessary to perform the missions of the military departments, to the combatant commands to perform missions assigned to those commands. In addition, subject to the authority, direction, and control of the Secretary of Defense and the authority of combatant commanders under title 10, United States Code, section 164(c), the military department secretaries are responsible for administering and supporting the forces that they assign to a combatant command. 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 communicate directly and openly with them on matters involving the Department of the Army and Army forces and personnel assigned to or supporting these commands.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I have been associated with the U.S. Army since birth and have experienced literally every aspect of Army life, as a dependent of a professional army officer through the post WWII, Korean War, and Vietnam eras, to Army ROTC in college and my own 31½ years of active service and 2½ years of retired status. I believe that my active military service, including duty in Armor, Armored Cavalry, Infantry, and Special Forces units, assignments in U.S. Total Army Personnel Com-

mand, on the Army Staff, as an Assistant Division Commander, and as an Army Major Army Command Commander provide solid service experience. As one of the initial Joint Service Officers designated in 1987, I have extensive joint experience including numerous real world joint contingency operations and command of both the Joint Special Operations Command and the United States Special Operations Command. All of this provides me with the experience, knowledge, and insight necessary to successfully meet the challenges facing the Army today. My recent experiences working on critical and timely defense issues as a consultant to the Defense Department have afforded me with a unique perspective that I believe will be valuable in discharging the duties of Army Chief of Staff.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Chief of Staff of the Army?

Answer. If confirmed, my fundamental challenge will be to help the Army—and the Nation—understand what it means to be an Army at war. This is a war that reaches to the furthest corners of the world—a war for the very survival of our way of life. As the President has stated, "this is a different kind of war against a different kind of enemy." Being an Army at war means that we must be prepared to question everything—take nothing for granted. We must rigorously assess our priorities, our processes, and our programs to ensure we can meet the needs of the Nation in this war.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. My first act would to get out and assess the situation—talk to the Army's soldiers, their families, and the combatant commanders they serve. We need to figure out—as an Army at war—what needs to change and what needs to continue. We may need to adjust our priorities. We may even need to change the culture—in a world where the strategic environment is transformed, we should be prepared to even reexamine our fundamental way of thinking. At the same time, our Army needs to celebrate its victories. A lot is right with the U.S. Army. We need to remember that.

MOST SERIOUS PROBLEMS

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?

Answer. The most serious problem is closely related to our greatest challenge: the functions of the Chief of Staff of the Army are designed for a peacetime, more predictable environment than the one we face today. We need responsive, adaptive processes and organizations to support an Army at war.

Question. What management actions and time lines would you establish to address these problems?

Answer. If I am confirmed, I will work closely with the Secretary of the Army and—through him—OSD, to identify solutions. I will quickly evaluate our current organizational structure and realignment plans to look for ways to promote unity of effort and enhance efficiency and effectiveness. I am confident that the Army has the human talent to solve virtually any problem when provided clear guidance and a sound organizational framework.

PRINCIPAL ROLE OF THE ARMY

Question. What do you see as the principal role for the U.S. Army in terms of our overall national security?

Answer. The Army's mission is to provide prompt and sustained land forces for joint operations.

Question. What roles should the Army play in contingency, humanitarian, and peace operations?

Answer. The Army provides the Nation, the President, and the combatant commanders a unique set of core competencies and capabilities to fulfill whatever missions and tasks the Joint Force is assigned. Army forces play a vital role in providing the security and stability necessary to make contingency, humanitarian, and peace operations feasible.

Question. Is there unnecessary redundancy between Army and Marine Corps ground combat forces, particularly between Army light divisions and Marine Corps divisions?

Answer. No. The Army and the Marine Corps each possess unique competencies with respect to basing, staging, employment, and sustainability. This range of competencies provides the combatant commander a broad range of operational options.

This combination of service capabilities maximizes their total complementary and reinforcing effects, while minimizing their relative vulnerabilities.

Question. Some believe that the Army and the Marines are competing for the same declining mission area—the contingency forces role—and that each is pursuing capabilities that the other service already possesses. What is your view of this observation?

Answer. It is not at all clear to me that the contingency forces role is declining. The Army and the Marine Corps each possess unique competencies with respect to basing, staging, employment, and sustainability. Their combination maximizes their total complementary and reinforcing effects, while minimizing their relative vulnerabilities.

ARMY ROLE IN THE JOINT FORCE

Question. The U.S. military fights as a joint force and strives to achieve realistic training for military operations. The Army provides trained and equipped forces for joint military operations.

How do you believe the Army can best contribute to improved joint military capabilities while preserving its service unique capabilities and culture?

Answer. The Army can best contribute to improved joint capabilities by developing its force with a joint perspective from the very beginning, transforming from our past practices of de-confliction to greater joint interdependence. Force development begins with an appreciation of the future operational environment—that appreciation must be co-developed with the joint community. It then proceeds to development of operational concepts—those concepts must be fully nested in joint operational concepts. Finally, that inherently joint Army concept drives every dimension of our force: doctrine, organization, training, materiel, leader development, people, and facilities.

VISION FOR THE FUTURE

Question. What is your vision for the Army of the future?

Answer. The current Army vision is generally well accepted. If confirmed, one of my first tasks will be to assess the current state of the Army and its environment, identify major issues and challenges, and capture ideas that confirm or refine our strategic direction. I will assess the plans in place to achieve our vision and determine if they warrant modification or prioritization changes.

Question. What foundations would you establish, if confirmed, to facilitate the attainment of that vision?

Answer. If confirmed, one of my first tasks will be to assess the current state of the Army and its environment, identify major issues and challenges, and capture ideas that confirm or refine our strategic direction. The assessment I make at that time will determine the foundations needed to facilitate attainment of that vision.

JOINT EXPERIMENTATION

Question. The Army has conducted a wide range of experiments to identify the path forward toward a digitized force, but has done much less with regard to transformation to the Objective Force. In the arena of joint experimentation, while the Army has participated in a few joint experimentation activities over the last couple years, it is clear that more joint experimentation is necessary to meet future operational challenges.

What is your view of the need for joint experimentation and how do you see the Army participating in future joint experimentation activities as we move into the 21st century?

Answer. Concept development and experimentation are inextricably linked. The Army was the first service to co-sponsor a joint wargame (Unified Quest 03) with Joint Forces Command, and I support future joint co-sponsorship. The Army must increasingly integrate its experimentation with the joint experimentation effort and the DOD Transformation Roadmap.

Question. Do you believe that Army experimentation has been sufficient in support of transformation to the Objective Force?

Answer. There are many kinds of experiments—game seminars, modeling, computer simulation, and live experiments on the ground. All of these supported development of the Stryker Force. Army experimentation, particularly computer simulation, was critical in achieving the Milestone B decision of the Future Combat Systems acquisition strategy.

MISSILE DEFENSE

Question. Do you consider missile defense to be one of the Army's core missions?

Answer. Yes—missile Defense has been an Army core competency for 47 years and the Army currently operates the Nation's only deployed ballistic missile defense system, Patriot Advanced Capability–3 (PAC–3). Missile defense is essential to effective land operations.

Question. What is your view of the proper relationship between the Army and the Missile Defense Agency?

Answer. The Missile Defense Agency should continue to develop and produce boost and mid-course phase missile defense systems and transfer proven capabilities to the appropriate services for fielding and operations and sustainment.

Question. What do you think the Army's responsibilities are or should be with respect to development, procurement, and operation of missile defense systems?

Answer. My current assessment is that the Army, in its role to provide force and asset protection to the combatant commanders, should retain development, procurement, integration, and operation responsibilities of all ground-based terminal phase air and missile defense systems.

TRANSFORMATION

Question. Secretary Rumsfeld has established transformation of the Armed Forces to meet 21st century threats as one of the Department's highest priorities and has stated that only weapons systems that are truly transformational should be acquired. Over the past several years the Army has terminated or restructured over 77 programs to fund its transformation initiative.

How would you assess the level of risk to our forces of foregoing or curtailing current acquisition programs in favor of future transformation? Can we afford this risk considering the current level of global threats?

Answer. We must always find the right balance between maintaining readiness and combat overmatch in the near term and ensuring them—through transformation—for the future. We are fighting today and have just demonstrated that we have effective capabilities near term. But we should anticipate that our adversaries will adapt and—knowing that—failure to transform would constitute the ultimate, non-affordable risk.

Question. In the allocation of limited resources, how would you prioritize among the current force, the interim force (Stryker Brigade Combat Teams) and the Objective Force?

Answer. If confirmed, I would prioritize resources to maximize our effective combat capability and capacity over time. Establishing the Army's priorities will involve the balancing of competing demands with existing resources. As we seek this balance now and in the future, we must ensure that we maintain the current readiness of our forces.

Question. What is your vision for the Army and Army transformation?

Answer. The vision and current direction of Army transformation efforts appear to me to be on track. I will continuously review Army progress and direction in this effort as one of my highest priorities.

Question. Does your vision of Army transformation include a shift of force structure from conventional forces, including battalions, brigades and divisions, to more Army unconventional forces?

Answer. Over the past few years, the Army has realigned over 18,000 spaces to meet the increased requirement for special operations, chemical/biological, military police, and other similar capabilities. If confirmed, I will continually assess the Army's force mix, to include the Reserve component, and make prudent and appropriate adjustments over time.

Question. Do you believe the Army should be reorganized from its current division-based structure to a larger number of smaller tactical units so as to field corps-based joint task forces as some reformers have advocated?

Answer. At this time, I have not formed any specific conclusions on this issue. I will entertain all ideas as we look for ways to increase the capability and capacity of our forces.

LOW DENSITY/HIGH DEMAND FORCES

Question. In your professional judgment, how would you address the Army's problem with low-density units such as military police, civil affairs, and others, which are in extremely high demand in this new strategic environment?

Answer. It takes years to build a new capability, particularly the soldiers and leaders with the appropriate skills. If we are confident that the new strategic envi-

ronment will increase the demand for these units long-term, then we should move expeditiously to adjust our force structure to match the demand.

Question. Are there functional changes among the active and Reserve components that you believe should be made?

Answer. The role of the Army's Reserve components has already changed significantly. Today, what was once a "force in Reserve" has become a full partner in our daily operations providing critical specialized capabilities and augmentation. This is an enormous cultural change for our Army that must ensure that the duration and frequency of deployments is appropriate for citizen soldiers and properly manage the effort to ensure predictability.

SPECIAL OPERATIONS FORCES—CONVENTIONAL FORCES RELATIONSHIP

Question. Operations conducted in Afghanistan, Iraq, and elsewhere have demonstrated the effectiveness of Special Operation Forces in addressing threats posed by terrorists and other adversaries.

What, in your professional judgment, is the appropriate relationship between Special Operations Forces and conventional forces?

Answer. The Army will continue to need to take advantage of the synergy generated by blending the unique capabilities of SOF with the traditional warfighting capabilities of conventional forces. The nature and scope of this relationship will vary according to each mission situation. SOF is inherently joint and with the Army becoming increasingly joint in its perspective, I believe that the future will see much greater synergy achieved in this area.

Question. How can transformation support the relationship between SOF and conventional Army forces so that SOF can continue to focus on unique missions, and develop specialized capabilities? What missions or equipment, if any, should conventional Army forces adopt from SOF?

Answer. Army conventional forces are capable of assuming certain missions currently performed by Special Operations Forces in the areas of counter drug activities, humanitarian de-mining activities, and the training of foreign conventional forces. Furthermore, Special Operations Forces possess a number of attributes such as agility, versatility, and deployability that are being designed into the materiel and leader development capabilities of our future force as a whole. Together, these initiatives will allow Special Operations Forces to better focus on maintaining proficiency in their unique core competencies. Additionally, we must continue to migrate equipment, tactics, techniques, and procedures from SOF to the Army conventional forces when appropriate.

Question. What role, if any, can the Special Operations Command's development and acquisition capability play in Army and DOD efforts to transform?

Answer. The Special Operations Command is the sole unified command with internal responsibility for planning, programming, and budgeting of military forces as well as the authority for the development and acquisition of special operations-peculiar equipment, materials, supplies, and services. This has allowed the command's Directorate of Advanced Technology to concentrate on areas that show potential benefit to the SOF operator in the near to mid-term. We should look carefully at the techniques and processes they have used to determine if there are opportunities to make the Army process more effective and efficient. As I indicated above, we must continue to migrate equipment, tactics, techniques, and procedures from SOF to the Army conventional forces when appropriate.

SPECIAL OPERATIONS FORCES—RELATIONSHIP BETWEEN ARMY AND SOF COMPONENT

Question. What is your understanding of the relationship between the Chief of Staff of the Army, the U.S. Special Operations Command, and the U.S. Army Special Operations Command (USASOC)?

Answer. USASOC is the Army component of the U.S. Special Operations Command and has the responsibility to train, equip, deploy, and sustain Army Special Operations Forces. The Chief of Staff of the Army is responsible for the organization, equipping, and training of forces for the conduct of prompt and sustained combat operations on land. In this capacity the Army is responsible for resourcing USASOC to the extent outlined in the Joint Strategic Capabilities Plan.

Question. Do you believe that the Army currently provides the proper level of support to USASOC in equipment (airframes, etc.), facilities, personnel billets, and services? If not, what would you recommend, if confirmed, to increase the level of attention to USASOC requirements?

Answer. Within current resource constraints and operational needs, I believe that the Army currently provides sufficient personnel assets, rotary wing aircraft and equipment to USASOC. I believe conventional Army forces can further assist Army

Special Operations Forces by assuming or augmenting certain traditional SOF missions on a case-by-case basis.

SPECIAL OPERATIONS FORCES—CIVIL AFFAIRS AND PSYCHOLOGICAL OPERATIONS

Question. Given the current operational and personnel tempo for civil affairs and psychological operations, do you believe that we have sufficient personnel for those mission?

Answer. It is not clear to me that current levels can be sustained indefinitely. An increase in requirements beyond current levels may require 2-year involuntary mobilizations. If confirmed, I look forward to working with all of the combatant commanders to develop long-term, cohesive, and sustainable force levels.

Question. Do you believe that the mix between active and Reserve components in those areas is adequate? If not, what remedies would you propose?

Answer. I do not believe the psychological operations (PSYOP)/civil affairs force structure is appropriately balanced. For example, the active component civil affairs skill sets are focused on the tactical level and lack certain civilian-acquired functional specialties—such as Rule of Law, Public Health, Governance, Economics, and Infrastructure—that reside only in the Reserve component. The planned increase in active component civil affairs structure is encouraging, and if confirmed, I will devote special attention to ensuring the Army achieves the proper balance of PSYOP and civil affairs force structure.

COMANCHE

Question. In the fiscal year 2004 budget request, the Army restructured the Comanche helicopter program and requested an additional $1.7 billion to cover increased research and development costs.

Do you support the continued development of the Comanche helicopter effort as restructured? If so, why?

Answer. The RAH–66 Comanche armed reconnaissance helicopter is a critical component of the Army's future force. The Army recently conducted a comprehensive system of systems review of this program both to restore full confidence in the program and to ensure that it is properly aligned with the future force. The restructured program is fully funded and incorporates an evolutionary acquisition strategy entailing a spiral development of capabilities in three blocks with a coherent testing program to support key decisions. If confirmed, I will conduct my own assessment and work hard to ensure that the Comanche program continues forward on a solid path.

ARMY SCIENCE AND TECHNOLOGY

Question. The Army Science and Technology program has successfully transitioned a number of Future Combat Systems technologies to the System Development and Demonstration phase.

What do you see as the role that Army Science and Technology programs will play in continuing to develop Objective Force systems?

Answer. The primary focus of Army Science and Technology (S&T) will be to develop and demonstrate future force technologies. These technologies must increase speed of strategic deployments, enhance tactical agility once deployed, assure networked connectivity for joint, relevant situational awareness and increase precision for decisive results. Achieving these capabilities will require sufficient resourcing, disciplined management, synchronized development of warfighting concepts, and effective experimentation.

RESERVE DEPLOYMENT AND MOBILIZATION

Question. Leaders of the United States Central Command have indicated that Reserve modernization policies and systems must be adapted to the more fluid force deployment and employment model expected to be used in the future. They have characterized current Reserve Force management policies and systems as "inefficient and rigid," and indicated that critical combat support and service support forces were late in arriving in theater as a result of the current cumbersome mobilization and deployment system.

What are your views about the optimal role for the Reserve component (RC) forces in meeting combat missions?

Answer. If confirmed, this is an area that I want to assess. The Army National Guard and Army Reserve have been integrated into the planning and execution of all recent military operations and have been an essential element to success. RC forces have been very successful in meeting many of their assigned combat missions

and they are regularly employed to meet long-term, predictable requirements such as peacekeeping missions. The Army is currently doing a thorough analysis of the appropriate mix of active and Reserve Forces in order to increase our agility and flexibility. I intend to monitor this analysis and assess its findings closely.

Question. What is your opinion about the sufficiency of current Reserve Force management policies?

Answer. We are at war, and the Reserve components are being called upon in ways and at levels not envisioned in the previous defense strategies that guided their resourcing and structure. I am also aware that the Secretary of Defense recently issued guidance to the Services to reduce the need for involuntarily mobilization, including the complete elimination of the need for involuntary mobilization during the first 15 days of a rapid response operation. I support the Army's examination of ways to streamline the mobilization process and believe that it warrants consideration of changes to mission profiles and structure as well as methods to provide Reserve components with greater peacetime training opportunities and increased levels of modernization.

Question. Do you support assigning any support missions exclusively to the Reserve?

Answer. There are some capabilities for support missions that should remain primarily in the Reserve components to prevent the inefficient use of resources. An example is mortuary affairs units, which are primarily needed during combat operations and do not need extensive training time to prepare for their wartime missions. The Army is currently studying proposals to improve the readiness of Reserve component units that fulfill support mission requirements to ensure they can meet combatant commander deployment requirements.

UNIT MANNING SYSTEM

Question. The Army has undertaken a Unit Manning Initiative aimed at improving combat readiness and cohesion while setting conditions for improved soldier and family well-being. Previous attempts to achieve this goal have not succeeded, and the Army has instead relied on an individual replacement system.

Do you support the implementation of the Unit Manning Initiative?

Answer. I support any innovation that produces higher levels of readiness and combat effectiveness. The primary goal of the Unit Manning Initiative is to increase unit readiness and unit cohesion by synchronizing the unit and soldier lifecycles. My experience confirms the soundness of this approach.

Question. If so, what factors do you believe will make this attempt at Unit Manning succeed where others have failed?

Answer. Fundamentally, this effort will succeed because we are now an Army at war. This is not simply an effort to save money or cover a rotational presence. To meet our current and projected level of commitments, we must increase our collective combat readiness. The unit manning initiative would be a significant step in our effort to do this.

PREVENTION OF DOMESTIC VIOLENCE

Question. The tragic murder-suicide deaths at Fort Bragg in June and July 2002 and a subsequent report identified several problems affecting the ability and willingness of soldiers and their families to seek assistance in coping with domestic problems. An important issue identified in the report was that soldiers and their spouses may be reluctant to seek assistance out of fear that it would adversely affect how they are regarded within their commands. The report indicated that mental health services are flawed because they inadvertently discourage soldiers and their families from seeking help when problems arise.

If confirmed, what steps would you take as Chief of Staff of the Army to address the problems relating to domestic violence identified in the report related to the Fort Bragg tragedies?

Answer. I believe that the Army must strive to eliminate domestic violence by creating a culture within the Army that focuses on supporting and encouraging prevention efforts. From personal experience, I know that the Army has long had a number of solid programs in the soldier and family support arena. I also know that the Army has recently improved those programs by providing additional trained professionals, making these services more accessible, and implementing innovative initiatives like the Deployment Cycle Support plan.

RECRUITING AND RETENTION

Question. The ability of the Armed Forces to recruit highly qualified young men and women is influenced by many factors, and is critical to the success of the All Volunteer Force.

What do you consider to be the most important elements of successful recruiting for the Army?

Answer. Recruiting success is a function of the successful integration of the three recruiting drivers that we can influence: marketing, recruiting incentives, and the size of the recruiting force. With a stable, predictable, and effective advertising program, supported by critical recruiting incentives, the Army has been able to reduce the recruiting mission for active Army recruiters and return vital manpower to the force for other critical needs.

Question. What are your views about direct recruiting for Special Forces duty of civilians with no prior active-duty military service?

Answer. Thus far, the effort to recruit Special Forces soldiers from the general population is encouraging. The success rate for these new soldiers through basic combat training, infantry advanced individual training and specialized preparatory training is very high. Owing perhaps to a higher academic standard for candidates enlisted directly from civil society, these young soldiers complete the initial phases of Special Forces Assessment and Selection at a higher rate than recent in-service candidates. I participated in the Special Forces Qualification Course (SFQC) graduation ceremony for the first soldiers recruited in this manner and I was very impressed with them. Only time will tell how they will do on the operational detachments, but I'm optimistic. While these preliminary observations are encouraging, and the program is quite popular among Recruiting Command's target market, I would like to await further maturity of the preliminary data.

Question. What initiatives, if any, do you support to improve the retention of highly experienced officers and noncommissioned officers?

Answer. Enhanced pay raises, retention bonuses for selected specialties, and changes in the retirement system have led to increased levels of satisfaction and increased retention rates. I support these initiatives, and I encourage Congress to continue funding these critical programs.

DUTY IN KOREA

Question. The Commander, United States Forces Korea, has noted that a DOD survey conducted in 2001 indicated that Korea was selected as the least desirable military assignment, and expressed concern about what have been described as some of the worst living and working conditions in the military.

What are your views about the adequacy of the living and working conditions in Korea?

Answer. If confirmed, I intend to assess the conditions in Korea first hand. Among some of the initiatives I would consider would be military construction programming levels, barracks upgrades, and the Land Partnership Plan.

Question. Given the conditions experienced by soldiers stationed in Korea, do you consider the special pays and allowances associated with duty in Korea to be adequate?

Answer. I have not made any specific conclusions regarding this issue. If confirmed, I would work to ensure that special pay and allowances associated with duty in Korea and other overseas locations are fair and adequate.

Question. What measures do you think need to be taken to improve quality of life and conditions for troops stationed in Korea?

Answer. I believe the Army should provide our soldiers adequate living and working conditions and good telecommunications infrastructure to maintain contact with their families. I understand that substantial funding has already been programmed to accomplish this task and if confirmed, I would reinforce this effort.

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, 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 Chief of Staff, 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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN WARNER

ARMY'S STRATEGIC READINESS SYSTEM

1. Senator WARNER. General Schoomaker, today, more than ever, it is imperative that we closely monitor and assess the readiness of Army units to ensure their preparedness for current and future missions. I understand one of the tools that the Army uses to monitor unit readiness is the Strategic Readiness System (SRS). This system provides senior Army leadership with a strategically focused viewpoint from which to manage resources across the entire Army in an integrated top-down way through the major commands and Headquarters, Department of the Army, staff. Please provide your views on the utility of SRS in assessing Army readiness.

General SCHOOMAKER. The Army has developed and is currently implementing SRS, which provides an overarching linkage between strategic objectives, initiatives, and resources that enhances our ability to make consistent, integrated, and proactive decisions within a strategic construct. Using performance measures as evaluation metrics, SRS works to establish links between costs (resources) and performance (readiness), while leveraging available technologies to more accurately forecast the readiness outcome of resourcing decisions.

Until the development of the SRS, no single tool was available to the Army leadership to survey the multitude of Army databases and assess readiness indicators. SRS provides senior leadership with performance indicators representative of the entire force, to include the generating force, operating force, sustainment capability and infrastructure, that gives an accurate and holistic readiness picture using the balanced scorecard methodology. The balanced scorecard is the tool that links resources to readiness and translates strategy into measurable objectives.

The Army scorecard methodology has been developed focusing on the four key themes: maintain the capability to support the combatant commanders' operational requirements (readiness); invest in soldiers and their families (people); transform the Army into the undefeatable future force (transformation); and adopt sound business practices. SRS can analyze classified and unclassified data and assess both leading and lagging indicators of readiness. SRS will also provide a set of predictive, interrelated impacts as a basis for informed decisions on force and funding requirements. SRS will further provide Army senior leadership with a crosscutting assessment tool with unique predictors capable of providing decisionmakers with the ability to proactively manage and resource readiness.

2. Senator WARNER. General Schoomaker, please comment on how you intend to use SRS in the Army's Planning, Programming, Budgeting, and Execution System.

General SCHOOMAKER. The Army is beginning to tie SRS together with its Army's Planning, Programming, Budgeting, and Execution (PPBE) process. Specifically, SRS provides the capability to assess the performance measures on which the Army's programs are based and then use that information in the resourcing processes.

This is not an easy undertaking. It starts with a common framework that all of the reporting systems and resourcing systems can use. This includes not only Army systems, but all systems that we need to share information with, such as interfacing with Joint Capabilities, the ability to track and assess execution data, and the ability to communicate our programming and budget data to Congress.

SRS captures the readiness of the Army, but by coupling it with our execution data and using it to store the performance measures, it will allow us to assess our programs. We will use these performance measures to assess the viability of our current programs, ensure we are actively supporting the global war on terrorism, and provide justification to Congress in support of requested resources.

3. Senator WARNER. General Schoomaker, in your opinion how does SRS compare with the Status of Resources and Training System (SORTS), especially given the tasks of refitting, reconstituting, and continuing to employ significant numbers of Army units in the global war on terrorism?

General SCHOOMAKER. The current readiness reporting system, the Unit Status Report (USR), uses lagging indicators as reported in ASORTS to capture the readiness status of operational units. This system, in effect since 1963, provides only the ability to retroactively assess the readiness of the operating forces and does not look at the generating forces such as the training base, installations, power projection platforms, and sustainment. It does not directly link readiness to resourcing decisions. An Army War College Study confirmed that the current readiness reporting system does not provide the Army senior leadership with adequate means to manage the strategic readiness of the total force. The study recommended that the Army re-engineer and expand the current system so that it is mission-focused, evaluates strategic readiness, leverages web-based automation, and focuses on the Army's future capability to perform its missions.

SRS transforms the way the Army manages and measures readiness by focusing and aligning strategic goals and objectives across the entire force. SRS is a revolution in the way the Army does business. SRS takes into account the three quarters of the Army not currently measured by USR standards. SRS broadens the Army's definition of readiness to include installations, infrastructure, well-being, the industrial base, and sustainment. SRS enables senior Army leaders to monitor the ability of the Army to achieve its stated strategic objectives and core competencies. The SRS may use some of the data from ASORTS, but does not immediately replace it. SRS creates no new requirements for units below the division/separate brigade level. By linking resources to readiness, SRS will leverage available technologies to more accurately forecast the effects of resourcing decisions. This will be accomplished by identifying the strategic objectives of all elements of the Army above brigade level and evaluating progress toward those objectives with clearly articulated metrics.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

END STRENGTH

4. Senator INHOFE. General Schoomaker, the Army has 21 of 33 active duty brigades deployed around the world. We have thousands of National Guard and Reserve soldiers on active duty and some are calling for increases in Special Operations Forces to fight the current war on terrorism. What is your assessment of the current end strength of the Army? Is it adequate?

General SCHOOMAKER. The Army is aggressively pursuing adoptions to make internal changes to mitigate the stress on the force to offset end strength growth. Increasing active end strength appears to be the solution; however, it is not cheap, easy or, or quick to do. Therefore, we must make every effort to maximize the efficient use of our current forces. Initiatives are underway to seek efficiencies by rebalancing the mix of active and Reserve capabilities, spreading the workload across all the services, and converting non-inherently military positions to civilian authorizations. If, in the end, we've done everything we can and still are short capabilities in the active component, then we will go to the Office of the Secretary of Defense with options, one of which may be increased end strength.

5. Senator INHOFE. General Schoomaker, what kind of restructuring, if any, do you recommend?

General SCHOOMAKER. The Army shares the Defense Secretary's urgency in affecting changes to rebalance the force. Active and Reserve component transformation efforts are already targeting areas that enhance jointness, responsiveness, and relevance to emerging missions. These initiatives all serve to re-shape and re-balance the Army to better meet the National Defense Strategy. During Program Objective Memorandum 2004 (POM 04), the Army addressed high-demand force structure shortfalls by adjusting approximately 19,500 active and Reserve component spaces of force structure.

Restructuring efforts will be done with the intent of reducing stress, promoting quality of life, enhancing readiness, and enabling the Army to comply with and support the OSD objectives.

NON-LINE OF SIGHT CANNON

6. Senator INHOFE. General Schoomaker, as you know from our earlier discussions, I am very interested in the non-line of sight (NLOS) cannon and its development and fielding. When Crusader was cancelled, the Army sent to Congress reports that clearly articulated the need for a "Crusader like" capability by 2008. We worked with DOD and the Army and the NLOS cannon seemed to be the logical solution. As LTG Brown stated in his advance answers to questions for this committee, "As the technology of our adversaries continues to increase, we must ensure ours is always better." Several countries make artillery pieces better than the Paladins our soldiers use today. Additionally, lessons that are emerging from Afghanistan and Iraq still point to the need for artillery 24 hours in all weather. It seems we have learned this lesson, over and over again. What are your thoughts about the NLOS cannon and the need for artillery in today's Army?

General SCHOOMAKER. As the Army continues to transform, we fully recognize that the need to provide timely and accurate fires on the battlefield will remain a necessity. Both now and for the foreseeable future, the Army's cannon, rocket, and missile fires will be called upon to supply overwhelming firepower in support of the global war on terror.

The NLOS cannon is one of a host of systems currently under development to meet the Army's future indirect fire needs. The system's projected improvements in precision, range, mobility, and responsiveness will provide a significant enhancement to the lethality of our forces. The current fiscal year 2004 budget includes $353.2 million earmarked specifically for the creation of this new indirect fire system. In August, we will hold our congressionally mandated system demonstration—a full month ahead of schedule. The program is on target to field a capability to the force by 2008. The NLOS cannon is an integral step in the development of the Army's Future Combat System (FCS) and will remain a vital component of our overall transformation process.

7. Senator INHOFE. General Schoomaker, are you as committed as your predecessor to ensuring that our soldiers have the best equipment?

General SCHOOMAKER. The Army remains committed to providing our soldiers with the best equipment. The NLOS cannon is the primary indirect fire support system for our future forces. The Army is committed to the NLOS cannon as an integral piece of FCS, and we are pursuing NLOS cannon development as the lead system in the FCS Manned Ground Vehicle Family of Systems.

One of the congressional mandates for the fiscal year 2003 appropriation included building an NLOS–C demonstration vehicle as part of the NLOS–C Concept Technology Demonstration program. The NLOS cannon demonstrator was delivered on schedule in July and is now undergoing testing in support of the FCS program. The purpose of this demonstrator is to validate engineering design concepts, which include firing a large caliber weapon on a lightweight platform, automated ammunition handling processes, laser ignition, hybrid-electric drive, and band track mobility.

By the end of fiscal year 2003, the demonstrator will have fired over 80 rounds to include rate-of-fire and stability testing. In fiscal year 2004, this same demonstrator will complete its mobility testing. Lessons learned will be used to develop the final NLOS cannon prototypes that are planned for testing in fiscal year 2006 as part of the FCS family of systems. It is this vision of the NLOS cannon operating within a network of direct, indirect, and joint fires that will allow the Army to defeat the threats associated with the future operating environment.

MAINTAINING CURRENT FORCES

8. Senator INHOFE. General Schoomaker, many members have asked questions of the Army during the past several years about the balance of maintaining the current forces and investing in the future. The Army has invested tremendously in Future Combat Systems and some feel they have neglected some of the so-called legacy systems. What are your thoughts on this balance?

General SCHOOMAKER. There is a continuing need to balance programs and investments between the immediate readiness needs of today and the projected needs of tomorrow. This may periodically require rebalancing individual components in light of the strategic environment and operational experiences. Our future force will be the guarantor of tomorrow's security, and thus, warrants sufficient investment to make it a reality for the next generation. Prioritization of our precious national resources to field and support these elements of our Army is the responsibility of the Army's leadership in coordination with the Office of the Secretary of Defense and

ultimately in deference to the decisions of Congress. The present balance in prioritization appears sound. That said, we have the processes in place to ensure that a serious reevaluation can periodically be made to determine adjustments required due to changing circumstances.

9. Senator INHOFE. General Schoomaker, what are your plans for maintaining today's forces and investing in the future?

General SCHOOMAKER. We have a thoughtful and analytically sound balance between what we invest in for today's force and what we devote to future capabilities. The current force's readiness will always be a priority and receive adequate resources. This priority has always been, and will remain, the maintenance of adequate warfighting capabilities in the current force. There is always a continual challenge to ensure proper balance between meeting today's requirements and those of the future. The Army has maintained this balance in a very responsible way throughout the transformation process. The balance is never static; it is constantly evolving and frequently reevaluated to meet the demands of existing operational environments.

RETURN OF DEPLOYED SOLDIERS

10. Senator INHOFE. General Schoomaker, many family members of Guard and Reserve Forces have contacted members of this committee with questions about when they will come home. They have done a tremendous job and we are all indebted to the service members and their families. We need to retain them and the support of their employers when they return. Here is a perfect opportunity to deliver a message to those service members, their families, and their employers. What can you tell them about rotations, sacrifice, et cetera?

General SCHOOMAKER. The war on terror has required, and will require, tremendous sacrifice on the part of all the Army's soldiers and their families. We are proud of the service and contributions of our citizen-soldiers in the Guard and Reserve, and we are immensely grateful for the sacrifices made by their families and their employers. The Army is working hard to ensure that those sacrifices are rightly acknowledged. We are closely examining several factors, including our force balance, mobilization procedures, and rotation policies to ensure they are structured in a manner that allows soldiers to know when they are most likely to deploy and for how long. By providing that form of predictability, and by managing expectations, we can avoid many undue hardships on the part of our soldiers, their families, and their employers.

COMBAT SUPPORT AND STRUCTURE

11. Senator INHOFE. General Schoomaker, we always want to ensure that our forces are structured to maximize our combat, combat support, and combat service support structure and ensure that it is balanced properly between the active and Reserve components. As we came out of Operation Desert Storm in 1991, the Army Science Board determined we had too little field artillery and recommended a plus up to the non-divisional field artillery structure, and the Army complied. Now, nearly 12 years later, I'm beginning to hear the Army may be considering cutting back on our non-divisional field artillery structure. I can fully appreciate the joint capabilities from other services, but I also know that in bad weather much of that joint capability is diminished just as it was shortly after Operation Iraqi Freedom was launched. The analysis I've examined does not support the cutting of our active component non-divisional field artillery structure in the Army. What analysis have you reviewed that suggests differently, and what are your thoughts on maintaining a robust non-divisional field artillery structure in the active component to directly support our joint force, corps, division, and brigade commanders?

General SCHOOMAKER. The Army Staff, in conjunction with the Field Artillery Center, has recently completed an evaluation of field artillery force structure based upon an assessment of contingency requirements. The study focused on examining field artillery capabilities in the context of the systems approach vice a simple analysis of the number of individual weapons. The effort attempted to determine the optimal mix of cannon and rocket battalions that would result in increased lethality and survivability, as well as the best command and control structure for these systems.

It is true that the emerging recommendations include a reduction of field artillery force structure. However, our studies indicate that the risk attributable to the reduction in numbers of weapons and headquarters is more than adequately offset by

the fielding of advanced field artillery system enablers, such as Multiple Launch Rocket Systems (MLRS), High Mobility Rocket Systems (HIMARS), and advanced munitions for both rocket and cannon artillery. We intend to maintain a non-divisional field artillery force structure fully capable of providing robust and responsive indirect fire support to the maneuver commander.

12. Senator INHOFE. General Schoomaker, could you provide me with a briefing about this subject?

General SCHOOMAKER. I welcome the opportunity to brief you at your convenience.

QUESTION SUBMITTED BY SENATOR DANIEL K. AKAKA

STRYKER BRIGADES

13. Senator AKAKA. General Schoomaker, as you continue to assess the transformation of the Army, do you foresee supporting the continuation of funding for the last two Stryker Brigades?

General SCHOOMAKER. The Army is resourced for six Stryker Brigade Combat Teams to contribute to the "1–4–2–1" defense construct and national security requirements. As directed by the Office of the Secretary of Defense, the Army has provided a plan for potential enhancements for Stryker Brigades five and six.

Pending Secretary of Defense approval, fielding for the fifth Stryker Brigade in Hawaii begins in October 2005 and will be complete in early 2007. Equipment fielding for the sixth Stryker Brigade in the Pennsylvania Army National Guard begins in January 2006 and will be complete in 2008.

QUESTIONS SUBMITTED BY SENATOR HILLARY RODHAM CLINTON

NEW YORK FACILITIES

14. Senator CLINTON. General Schoomaker, New York has a number of important Army facilities that play an important role in our Army's future. There is, of course, Fort Drum in New York's North Country. Fort Drum is the home of the 10th Mountain Division, which is the most frequently deployed division in the Army. Troops from the 10th Mountain Division fought in Operation Enduring Freedom in Afghanistan and served in the recent war in Iraq. The Pentagon recently announced that troops from the 10th Mountain Division are once again being deployed to Afghanistan. As I mentioned during your visit to my office, I hope I have the opportunity to visit Fort Drum with you so you can see firsthand this impressive facility and the men and women who serve there.

Another important Army facility in New York is the Watervliet Arsenal. As you may know, since 1813, Watervliet Arsenal has played a vital role in arming our military and supporting our Nation and is our Nation's only manufacturing facility for large caliber cannon in volume. Benet Labs, on the site of the Arsenal, performs scientific and engineering activities that range from basic research through design for production and engineering support for the production of its design items. No other Arsenal in the United States can boast of this type of resource. I believe that maintaining Watervliet's manufacturing ability is critical for our national security. A few months ago, I visited Watervliet Arsenal and Benet Labs and was greatly impressed by the leadership and the workforce that I met.

One of New York's crown jewels is the U.S. Military Academy at West Point. I plan to visit West Point soon and am proud that the Army's service academy is in my state. Finally, Fort Hamilton in Brooklyn is an Army installation with an impressive history that played a critical role after the terrorist attacks after September 11.

Can you describe your views on the role that each of these installations will play in the Army's future?

General SCHOOMAKER. I too applaud the impressive contributions each of these installations has made to our Nation. The Army is currently analyzing all of its installations under the guidance of BRAC 2005 legislation to ensure that we align our bases in support of the defense strategy and Army transformation. The capabilities afforded by all installations, to include those located in New York and their respective surrounding areas, will be fully considered. As we look for opportunities for greater joint training and operations, and to cut excess, we will treat every installation fairly. This process will, in part, determine exactly what roles the installations in New York will have in the future.

STRAIN ON GUARD AND RESERVISTS

15. Senator CLINTON. General Schoomaker, on July 28, 2003, The Washington Post had a story about the strain that the current deployment in Iraq has had on a family from Maryland where the father is a military policeman serving in Iraq. Indeed, many of us are hearing about the strains being placed on National Guard members and Reservists by the deployments in both Afghanistan and Iraq. What are your thoughts about the balance between our Active-Duty Force and our National Guard and Reserve components?

General SCHOOMAKER. The Army acknowledges an imbalance of capabilities between our Active and Reserve components and shares the Secretary of Defense's urgency in effecting the necessary changes in support of fixing that balance. Our Reserve components are already undergoing a significant transformational process targeted to enhance jointness, responsiveness, and relevance to emerging missions. These initiatives will directly impact readiness, availability, and Reserve component roles and missions. We plan to accelerate the adjustments in the mix of forces and to undertake other initiatives to enhance our utilization of the Reserve components.

The Army is preparing to move capabilities associated with critical early deployment requirements from the reserve to the Active Force to reduce involuntary mobilization of the Guard and Reserve for rapid response operations. The realignment includes an assessment of the current active-Reserve component mix required for ongoing operations, homeland defense, and critical post-hostilities operations with a focus on high-demand combat support and combat service support capabilities. Additionally, the Army has already implemented policy changes that leverage Reserve component capabilities to meet predictable, long lead-time missions such as rotational overseas presence in Bosnia, Kosovo, the Sinai, and Guantanamo Bay.

Finally, the Army will implement force readiness improvements through reengineering the mobilization and demobilization process and instituting greater utilization of reachback capabilities to ensure combatant commanders receive the skills and support they require in the most expeditious manner. We will reduce the mobilization burden by implementing innovative management techniques including policy changes that foster an increased reliance on volunteerism.

[The nomination reference of Gen. Peter J. Schoomaker, USA (Ret.) follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 16, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as the Chief of Staff, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, sections 688, 601, and 3033:

To be General

Gen. Peter J. Schoomaker (Retired), 0000.

[The biographical sketch of Gen. Peter J. Schoomaker (Ret.), USA, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF CAREER SERVICE OF GEN. PETER J. SCHOOMAKER (RET.), USA

Source of commissioned service: ROTC.

Military schools attended:
Army Officer Basic Course
United States Marine Corps Amphibious War School
United States Army Command and General Staff College
National War College

Educational degrees:
University of Wyoming - BS Degree - Education Administration

Central Michigan University - MA Degree - Management
Foreign language(s): None recorded.
Promotions:

	Dates of appointment
2LT	1 Jun 69
1LT	4 Jun 70
CPT	4 Jun 71
MAJ	13 Jul 79
LTC	1 Ju1 85
COL	1 Jun 90
BG	1 Jan 93
MG	1 Mar 96
LTG	28 Aug 96
GEN	31 Oct 97

Major duty assignments:

From	To	Assignment
Jan 70	Apr 71	Reconnaissance Platoon Leader, Headquarters and Headquarters Company, 2d Battalion, 4th Infantry, Fort Campbell, Kentucky
Apr 71	Jun 72	Rifle Company Commander, C Company, 2d Battalion, 4th Infantry, United States Army Europe and Seventh Army, Germany
Jun 72	Apr 73	Assistant S–3 (Operations), later S–4 (Logistics), Headquarters Troop, 1st Squadron, 2d Armored Cavalry Regiment, United States Army Europe and Seventh Army, Germany
Apr 73	Jun 74	Commander, C Troop, 1st Squadron, 2d Armored Cavalry Regiment, United States Army Europe and Seventh Army, Germany
Jun 74	Nov 74	Assistant Inspector General, 2d Infantry Division, Eighth United States Army, Korea
Nov 74	Jul 75	S–3 (Operations), 1st Battalion; 73d Armor, 2d Infantry Division, Eighth United States Army, Korea
Aug 75	Jun 76	Student, United States Marine Amphibious Warfare Course, United States Marine Corps Amphibious Warfare School, Quantico, Virginia
Ju1 76	Feb 78	Assignment Officer, Officer Personnel Management Directorate, United States Army Military Personnel Center, Alexandria, Virginia
Feb 78	Aug 81	Detachment Commander, 1st Special Forces Operational Detachment-D (Airborne), Fort Bragg, North Carolina
Aug 81	Jun 82	Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas
Jun 82	Aug 83	Executive Officer, 2d Squadron, 2d Armored Cavalry Regiment, United States Army Europe and Seventh Army; Germany
Aug 83	Oct 83	Special Operations Officer, J–3, Joint Special Operations Command, Fort Bragg, North Carolina
Oct 83	Feb 84	Temporary duty on the Department of Defense Commission on United States Marine Corps Terrorist Incident in Beirut, Lebanon, Beirut, Lebanon
Feb 84	Aug 85	Special Operations Officer, J–3, Joint Special Operations Command, Fort Bragg, North Carolina
Aug 85	Aug 88	Various Command Positions, 1st Special Forces Operational Detachment-D, Fort Bragg, North Carolina
Aug 88	Jun 89	Student, National War College, Fort McNair, Washington, DC
Jun 89	Jul 92	Commander, 1st Special Forces Operational Detachment-D, Fort Bragg, North Carolina
Jul 92	Jul 93	Assistant Division Commander, 1st Cavalry Division, Fort Hood, Texas
Jul 93	Jul 94	Deputy Director of Operations, Readiness and Mobilization, Office of the Deputy Chief of Staff for Operations and Plans, United States Army, Washington, DC
Jul 94	Aug 96	Commanding General, Joint Special Operations Command, United States Special Operations Command, Fort Bragg, North Carolina
Aug 96	Oct 97	Commanding General, United States Army Special Operations Command, Fort Bragg, North Carolina
Nov 97	Nov 00	Commander in Chief, United States Special Operations Command, MacDill Air Force Base, Florida

Summary of joint assignment:

Assignment	Dates	Grade
Army Special Operations Officer J–3 (Operations), Joint Special Operations Command, Fort Bragg, North Carolina.	Aug 83–Oct 83	Major
Temporary duty on the Department of Defense Commission on United States Marine Corps Terrorist Incident in Beirut, Lebanon, Beirut, Lebanon (Long Commission) (No Joint Credit).	Oct 83–Feb 84	Major
Army Special Operations Officer J–3 (Operations), Joint Special Operations Command, Fort Bragg, North Carolina.	Feb 84–Aug 85	Major/Lieutenant Colonel

Assignment	Dates	Grade
Commanding General, Joint Special Operations Command, United States Special Operations Command, Fort Bragg, North Carolina.	Jul 94–Aug 96	Major General
Commander in Chief, United States Special Operations Command, MacDill Air Force Base, Florida.	Nov 97–Nov 00	General

U.S. decorations and badges:
Defense Distinguished Service Medal
Distinguished Service Medal (with Oak Leaf Cluster)
Defense Superior Service Medal (with 3 Oak Leaf Clusters)
Legion of Merit (with 2 Oak Leaf Clusters)
Bronze Star Medal (with Oak Leaf Cluster)
Defense Meritorious Service Medal (with Oak Leaf Cluster)
Meritorious Service Medal (with 2 Oak Leaf Clusters)
Joint Service Commendation Medal
Joint Service Achievement Medal
Master Parachutist Badge
Combat Infantryman Badge
Ranger Tab
Special Forces Tab

ADDENDUM TO RÉSUMÉ OF SERVICE CAREER

Current occupation: President, Quiet Pros, Inc., Tampa, Florida, from 2 January 2001 until present time.

Nature, scope, and extent of responsibilities: Self-employed consultant, mentor, and teacher. Sole owner of Florida registered S-Corp.

[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 Gen. Peter J. Schoomaker (Ret.), USA, in connection with his nomination follows:]

July 11, 2003.

Hon. JOHN WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of the Chief of Staff, Army. It supplements Standard Form 278, "Public Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I, my spouse, nor my dependent children will invest in any entity that would create a conflict of interest with my government duties. I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation except as indicated to my answer in part D, paragraph 3, of the Committee On Armed Services form. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

PETER J. SCHOOMAKER,
General (Retired), United States Army.

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 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.)
Peter J. Schoomaker.

2. **Position to which nominated:**
Chief of Staff, Army.

3. **Date of nomination:**
June 16, 2003.

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:**
December 2, 1946; Detroit, Michigan.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Cynthia Petrosky Schoomaker.

7. **Names and ages of children:**
Wendy (32); Lara (19); Andrew (17).

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.
President, Quiet Pros, Inc.
Defense Science Board.
Institute for Defense Analyses (IDA) Independent Senior Advisory Groups (ISAG) on the Untied States Special Operations Command (U.S. SOCOM) and U.S. Army Future Combat System (FCS).

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.
Affiliated Computer Services Defense, Inc. (Consulting Agreement, Quiet Pros. Inc.)
Applied Research Associates (Consulting Agreement, DARPA FCS–ISAG, Quiet Pros. Inc.)
Arete Associates (Consulting Agreement, Quiet Pros. Inc.)
Avici Systems, Inc. (Consulting Agreement, Quiet Pros. Inc.)
Advanced Vehicle Systems (Consulting Agreement, Quiet Pros. Inc.)
Benchmark International (Consulting Agreement)

Booz-Allen and Hamilton, Inc. (Consulting Agreement, Army Wargames)
Camber Corporation (Advisory Board)
Camber FSC–ISAG (Consulting Agreement, FCS–ISAG)
Center for Strategic Leadership (Army War College Honorarium)
Electronic Warfare Associates Government Systems, Inc. (Board of Directors Honorarium)
First Command Financial Service (Advisory Board Retainer)
IDA (FCS–ISAG, U.S. SOCOM–ISAG Consultant)
IDA-Joint Commander Information and Knowledge ISAG (Subcontract)
IDA-Leader Chairs (Subcontract Leader Development at the school of Advanced Military Studies, Fort Leavenworth)
Joint Chiefs of Staff Seminar (Secretary of Defense Project-Government Purchase Order)
LaBelle Ranch, Inc. (Until July 2001)
Massachusetts Institute of Technology-Lincoln Labs (Honorarium)
OAO Corporation (Acquired by Lockheed Martin 7 Dec. 01) (United States Army Space Command Consulting)
Science Applications International Corporation (European Army Chiefs' Conference, Heidelberg Consulting Agreement)
Special Operations Warrior Foundation (Pro-bono)
SYNTEK Tech, Inc. (Consulting Agreement never consummated)
Titan Systems Corporation (Consulting Agreement and Advisory Board)
TRW (Consulting Agreement, United States Joint Forces Command, Joint Warfighting Center, Capstone, United States Northern Command, United States Air Force Space Wargames)
Special Operations Memorial Foundation (Pro-bono)

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Association of United States Army.
Special Forces Association (Life).
Ranger Regiment Association (Life).
Veterans of Foreign Wars (Life).
1st Cavalry Division Association (Life).
Wyoming Alumni Association (Life).
The National War College Alumni Association (Life).
Omicron Delta Kappa Honorary Society.
All Ranks Association (Life).
Military Officers Association (Old TROA).
Chairman, Special Operations Memorial Foundation.
Director/Vice Chairman, Special Operations Warrior Foundation.

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.
Football Scholarship in College.
Wyoming Athletic Hall of Fame.
Army Fellow, National War College.
Honorary Doctorate of Laws Degree, Hampden-Sydney College.
Distinguished Alumni Award, University of Wyoming.

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 Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

[The nominee responded to the questions in 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.

PETER J. SCHOOMAKER.

This 11th day of July, 2003.

[The nomination of Gen. Peter J. Schoomaker (Ret.), USA, was reported to the Senate by Chairman Warner on July 30, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 31, 2003.]

[Prepared questions submitted to LTG Bryan D. Brown, USA, by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than 10 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had an opportunity to observe the implementation and impact of those reforms, particularly in your assignments as Commanding General, Joint Special Operations Command, and Deputy Commander, United States Special Operations Command.

The goals of Congress in enacting these defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Answer. Absolutely. The defense reforms enacted enhanced the authority and responsibility of military commanders, even as they appropriately strengthened civilian control over the military.

Question. What do you consider to be the most important aspects of these defense reforms?

Answer. The most important aspects of these defense reforms were clearly delineating the chain of command, firmly establishing the roles of the unified and specified combatant commands as warfighters, and requiring the Armed Forces to function as a joint force. Without these, the Services have made significant strides toward joint operations as was demonstrated so superbly in Operations Enduring Freedom and Iraqi Freedom (OEF/OIF) because of the Goldwater-Nichols Act.

Question. Do you believe that legislative proposals to amend Goldwater-Nichols may be appropriate? If so, what areas do you believe it might be appropriate to address in these proposals?

Answer. I believe Goldwater-Nichols is working very well, and know of no need to amend it at this time.

Question. Do you believe that the role of the combatant commanders under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. Yes.

Question. From the perspective you have gained in your previous assignments, do you believe that the authority and responsibility of the combatant commanders, in general, and the Commander, United States Special Operations Command, in particular, are appropriate?

Answer. Yes.

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 Sec-

retary 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. Special Operations Command, to the following offices:

The Under Secretaries of Defense.

Answer. The Under Secretaries of Defense were established to assist the Secretary of Defense in specific functional areas: Policy, Comptroller, Acquisition and Technology, Intelligence, and Personnel and Readiness. These under secretaries provide coordination and the exchange of information with Department of Defense components having collateral or related functions, which include the combatant commanders. Combatant commanders are expected to respond and reciprocate. I would anticipate frequent interaction with the under secretaries, particularly in the development of military policy and the acquisition process. The law requires that coordination activity be communicated through the Chairman of the Joint Chiefs of Staff.

Question. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

Answer. Title 10 U.S.C., section 138, establishes the duties of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict. He is the principal civilian advisor to the Secretary of Defense on special operations and low intensity conflict matters as well as the senior management official within the Department for special operations and low intensity conflict. These responsibilities include the overall supervision (including oversight of policy and resources) of special operations and low intensity conflict activities of the Department. While U.S. SOCOM has the principal responsibility for the readiness and preparation of Special Operations Forces (SOF) in support of the geographic combatant commanders, U.S. SOCOM's ability to execute those missions would be greatly hindered without the sound policies and oversight, interagency coordination, and advocacy provided by the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict. I believe that this civilian oversight enhances U.S. SOCOM's ability to carry out its missions. The relationship provides a key source of advice and information to both the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

Question. The Assistant Secretary of Defense for Homeland Defense.

Answer. With the stand up of U.S. Northern Command (NORTHCOM) and their principal mission of homeland defense, U.S. SOCOM's relationship with the Assistant Secretary of Defense for Homeland Defense will be linked, to a great degree, with U.S. SOCOM's relationship to the NORTHCOM commander. I anticipate close coordination and cooperation to determine the role of SOF in Homeland Defense and to determine military support necessary to protect the United States and its citizens during times of national emergency.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff's (CJCS) responsibilities are clearly delineated in title 10 U.S.C., section 153. He serves as the principal military advisor to the President and Secretary of Defense. The CJCS serves as an advisor but is not in the direct chain of command that runs from the President and Secretary of Defense directly to the combatant commanders. However, there are provisions for the President to direct communications between him or the Secretary of Defense and the combatant commanders be transmitted through the CJCS. This ensures the chairman stays informed in order to execute his other responsibilities. I see it as a commander's duty to work with and through—but never around—the chairman in the execution of Presidential and Secretary of Defense-directed taskings.

Question. The Vice Chairman of the Joint Chiefs of Staff (VCJCS).

Answer. The functions of the Vice Chairman of the Joint Chiefs of Staff are prescribed under title 10 U.S.C., section 154. The vice chairman is a member of the Joint Chiefs of Staff, and when the chairman is absent, or disabled, the vice chairman acts in his stead. The Joint Requirements Oversight Council (JROC) responsibilities are delegated to the vice chairman. The VCJCS also regularly represents the Chairman on the Interagency Deputy's Committee, the Defense Acquisition Board, and other boards and councils as necessary. Thus, the VCJCS plays an essential role for the CJCS in fulfilling his principal military advisor obligations. Communication between a combatant commander and the VCJCS is as critical as it is with the CJCS.

Question. The Secretaries of the Military Departments.

Answer. The secretaries of the military departments are responsible for the administration and support of the forces they provide to the combatant commands. The responsibilities are outlined in title 10 U.S.C., section 165, which notes that the secretaries are subject to the authority, direction, and control of the Secretary of Defense. The combatant commander's authority over service components including

those forces assigned to him is clear, but requires close coordination with the secretaries to ensure no infringement on those lawful responsibilities the Service Secretary alone may discharge.

Question. The Service Chiefs.

Answer. While the Service Chiefs are no longer in the chain of command, they do have 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 hope to ensure the preparedness of his assigned forces for presidential directed missions. Second, as members of the Joint Chiefs of Staff, the Service Chiefs provide military advice to the President and Secretary of Defense. Individually and collectively, the Joint Chiefs are a source of experience and judgment that every combatant commander can call upon; it would be a privilege to work with them. If confirmed as Commander, U.S. SOCOM, I intend to continue a full dialogue with the Chiefs of all the Services.

Question. The other combatant commanders.

Answer. Today, more than ever, as U.S. SOCOM takes on the global war on terrorism, I look forward to close, mutual support and continued dialogue on key issues with the other combatant commanders, as well as frequent face-to-face contact. The combatant commanders define requirements for their respective areas of operational responsibility, an effort that assists U.S. SOCOM in defining its support requirements. In my relationship with combatant commanders, I will foster an atmosphere of teamwork and complete trust, which I believe is critical to executing U.S. national policy and meeting the commanders' theater requirements.

QUALIFICATIONS

Question. If confirmed, you will be entering this important position at a critical time for the United States Special Operations Command.

What background and experience do you have that you believe qualifies you for this position?

Answer. I have over 36 years of military service in the United States Army, having entered as a private in 1967. My military background includes assignments in Army conventional and special operations units, and joint Special Operations units. I began my Special Operations career as a Green Beret Sergeant on a Special Forces A Team. Subsequently, I commanded at all levels to include three company commands, two battalion commands, and a brigade command—at the only Special Operations aviation brigade. Additionally, I served for 30 months as the Directory for Strategy, Policy and Plans at Headquarters, U.S. Special Operations Command (U.S. SOCOM), and commanded the Joint Special Operations Command and U.S. Army Special Operations Command, both located at Ft. Bragg, North Carolina.

My experience in special operations includes command of forces and management of resources. I have had the honor of command in combat and have directed requirements reviews, programming, planning and budgeting for all SOF. Because of my experience in the conventional Army, I also understand how special operations can support and be supported by general purpose forces.

As the Deputy Commander, U.S. SOCOM, I am the principal advisor and assistant to the commander—responsible for preparing SOF to conduct special operations missions worldwide. On a daily basis, I am involved in the areas of: global war on terrorism; acquisition of special operations equipment; intelligence and information operations; operations, plans, and policy; and force structure, requirements, resources, and strategic assessments. My military experience to date uniquely qualifies me to lead the joint services of U.S. SOCOM.

MAJOR CHALLENGES/LESSONS LEARNED

Question. In your view, what are the major challenges confronting the next Commander, U.S. Special Operations Command?

Answer. U.S. SOCOM faces three significant challenges: planning and directing the global war on terrorism, preserving the readiness of our Special Operations Forces (SOF), and transforming to make our SOF more agile, adaptive, and responsive. The terrorist threats we face are pervasive, asymmetric, highly adaptive, and elusive. We must meet and defeat this global threat at a time and place of our choosing. Regarding readiness, our current OPTEMPO is the highest it has ever been in our history. This will continue to be a major challenge to readiness until the threat of terrorism is abated and the level of global security is improved. Finally, the challenge of transforming is ever-present and successful transformation will be key in defeating future threats to our national security. We must face these challenges head on.

Question. What are the most important lessons you have learned during your tenure in senior leadership positions in the Special Operations community?

Answer. People continue to be the key to success. Our ability in special operations to attract, recruit, assess, train, and retain the right people is crucial. People with the right mentality for ambiguous situations and out-of-the box thinking; people that can master hi-tech, and are still comfortable operating in a world where there is low-tech, such as the mountains of Afghanistan; people that are dedicated to the mission, and willing to endure incredible sacrifice. These are the keys to effective SOF.

Additionally, there is no substitute for readiness—it is non-negotiable. We must be ready to fight tonight with all the capabilities we bring to the battlefield. If confirmed, readiness for the global war on terrorism is my most important issue.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. Long-term success in the global war on terrorism depends largely upon our ability to quickly employ a sustainable mix of capabilities with little advance warning. To address this challenge, U.S. SOCOM has recently undergone a major reorganization to stand up a warfighting center to specifically focus on the war on terrorism and empowered to coordinate all elements of our national power against it. If confirmed, I will continue to focus on building teamwork and work closely with my fellow combatant commanders and other government agencies which have a significant role to play in the global war on terrorism. As mentioned previously, the combatant commanders define requirements for their respective areas of operational responsibility, an effort that assists U.S. SOCOM in defining its support requirements. In my relationship with combatant commanders, I will foster an atmosphere of teamwork and complete trust. Of equal importance, other government agencies bring the full complement of our national power to bear. I fully understand that U.S. SOCOM cannot prosecute this unique war by itself and that it is a fully collaborative effort. We must continue to apply consistent offensive pressure against terrorist organizations around the globe, keep the terrorists on the run, off balance, and well away from America's shores.

Readiness of the SOF is a statutory responsibility that U.S. SOCOM has historically done well. To address the OPTEMPO challenge to our readiness, we must continue to closely prioritize what missions SOF take on, while at the same time emphasize our focus on the human element. Two of the command's guiding principles are that our people are more important than their hardware and that quality is more important than quantity. Selection, assessment, training, and retention of quality people will be keys to maintaining the readiness of our SOF.

Regarding transformation, we must continue to fund critical acquisition and modernization programs while at the same time refine tactics, techniques, and procedures that enhance the capabilities of our precision forces. Additionally, we must ensure our equipment and procedures are interoperable with conventional and coalition forces so we can serve as a force multiplier in larger conflicts. The technology of our adversaries continues to increase, we must ensure ours is always better.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the performance of the functions of Commander, U.S. Special Operations Command?

Answer. In my opinion, the most serious problems for the Commander U.S. SOCOM are not problems, but issues of prioritization. U.S. SOCOM's traditional responsibilities to man, train, and equip SOF have not changed and will continue to be performed—to the standards validated by successes in OEF/OIF. Charged by the Secretary of Defense with the lead in the war on terrorism, U.S. SOCOM will now face the challenge of prioritizing a global warfighting function, commensurate with the war on terrorism, along with these traditional service-like functions.

Question. What management actions and time lines would you establish to address these problems?

Answer. To address U.S. SOCOM's warfighting function, the headquarters has stood up the Center for Special Operations (CSO) and is continuing the refinement of time sensitive planning which streamlines operational mission planning and senior leadership decision making and breaks down barriers between Department of Defense and other government agencies. The time line for this refinement and CSO's operational capability is ongoing.

U.S. SOCOM will continue to manage OPTEMPO and prioritize special operations deployments as they relate to the global war on terrorism. U.S. SOCOM has already transitioned missions to conventional forces that were not special operations-unique in nature. Missions such as training foreign militaries in basic infantry tactics have largely been handed off to conventional forces, including the marines. U.S. SOCOM

will have to continue to be highly selective in Special Operations employment taskings that could be drawn from the larger conventional force. For example, deployment orders currently written for SOF now must directly or indirectly support the global war on terrorism.

U.S. SOCOM must continue to manage its resources, both the budgetary and human aspect. Management of our MFP–11 budget must be consistent with and support our new warfighting mission while helping us transform. The additional $1.7 billion proposed for fiscal year 2004 is an essential step in building a more robust SOF capable of responding effectively to this mission, now and in the future. Additionally, the human resource challenges that could result from our current high OPTEMPO need to be managed closely. While it is difficult to put a suspense date on OPTEMPO management actions, with gradual and measurable successes in the global war on terrorism, prioritization of SOF deployments, and an improvement in the current level of global stability, OPTEMPO will gradually reduce.

OPERATION IRAQI FREEDOM

Question. From your perspective as Deputy Commander, United States Special Operations Command, what are the main "lessons learned" from Operation Iraqi Freedom, including the ongoing stability operations?

Answer. Some of the key lessons learned involved Special Operations training and doctrine, early employment of Special Operations, and joint force integration. Training and doctrine was validated on the battlefield. Special Operation's high selection standards were evident and relevant and their regional and cultural orientation greatly contributed to our successes. Early Special Operations engagement is imperative. Special Operations engaged in advance of combat operations proved successful and critical. This concept was a major contributing factor for successful operations in Northern Iraq. The integration of Special Operations with conventional forces was a major success. There are examples throughout Operation Iraqi Freedom of conventional units under the operational control (OPCON) of SOF commanders and SOF units OPCON to conventional commanders.

Question. What are the operational, research and development, and procurement implications of those lessons?

Answer. Special Operations' lessons-learned from both OEF/OIF validated the need, focus, and importance of U.S. SOCOM's Advanced Technology Program. The program quickly responded with technology enhancements for situational awareness, communications, individual equipment, and medical items for our Special Operations units. Specific technology successes included use of small unit unmanned aerial vehicles, improved operator protection with the Special Operations body armor systems, and dramatically improved communications capabilities. Additionally, the Advanced Technology Program has been refocused on the current and emerging SOF requirements for the global war on terrorism. Key elements of our recent program successes were Defense Emergency Response Funds that facilitated rapid acquisitions and the ability of our research, development, and procurement programs to transform those funds into operational capabilities, in some cases within days.

Question. How would you assess the adequacy of Special Operations Forces provided to Central Command, both in terms of quantity and mix, to conduct Operation Iraqi Freedom?

Answer. Based on the outstanding results of Special Operations missions throughout Iraq, but especially in the West and North, the quantity and mix of SOF proved to be about right. Without exception, U.S. SOCOM filled every request for forces (RFF) submitted by Central Command in support of Operation Iraqi Freedom. U.S. SOCOM also provided all SOF necessary to support two Combined Joint Special Operations Task Forces established by Special Operations Command—Central Command in the area of operations. This included 152 Special Operations-skilled reservists (individual augmentees) and, at its peak, 7,270 Special Operations personnel deployed in support of Operation Iraqi Freedom.

TRANSFORMATION

Question. As a result of your role in Operation Iraqi Freedom and in Operations Desert Shield and Desert Storm, you are familiar with the requirements affecting U.S. Special Operations Command (SOCOM) both as a supporting and supported command.

Do current transformation initiatives adequately support SOCOM's future requirements?

Answer. U.S. SOCOM has identified means in the materiel, organization, and doctrine categories that will spark and support transformation within Special Oper-

ations that include: the CV–22 Osprey, the Advanced Seal Delivery System (ASDS), the MX aircraft (to supplement our C–130 variants), Naval Special Warfare's 21st century realignment and Army Special Operations Aviation 21st century reorganization initiatives, and improved theatre Special Operations Command (SOC) capabilities. These initiatives, along with our headquarters reorganization and focus, and re-positioning of forces, posture U.S. SOCOM well to pursue its critical objectives and primary mission in the global war on terrorism. Transformation across the entire Department of Defense augurs an increasing integration of current conventional and Special Operational capabilities. Staying relevant in a dynamic future operating environment also demands we continue to implement enhancements in collaborative planning, information technologies and interoperability. The evolution of the threats facing our Nation and military demands that Special Operations Forces remain agile, flexible, dynamic, and inculcate innovation into the future as a core competency.

Question. How will the Army's transformation impact SOCOM's current operations?

Answer. Because of the relationship between the Army and U.S. SOCOM in the areas of organizing, training, and equipping the force, Army transformation efforts enhance U.S. SOCOM's operations, current and long-term. Army programs—aimed at organizing into a lighter, faster force—parallel Special Operation's doctrine, and SOF are directly involved in Army efforts. Special Operations personnel have been imbedded in the Stryker Brigades, and lessons learned from Operation Iraqi Freedom will show how conventional and SOF successfully worked together on the battlefield. Additionally, SOF are assisting in the development of training programs, such as close quarters combat, where we are more operationally experienced. U.S. SOCOM will benefit from these efforts as conventional Army and SOF become more proficient in supporting each other because of quality training. Finally, Services are responsible for fielding non-Special Operations unique equipment to SOF. As a result, any equipment enhancements realized in the Army will be immediately available to SOF. In some cases, Special Operations-unique equipment has been provided to the Army for transformation test and evaluation. There are no negative impacts, and the transfer of lessons learned and equipment benefit both organizations.

AFGHANISTAN

Question. Almost 2 years after securing a military victory against the Taliban and al Qaeda in Afghanistan, that nation remains a place with areas of unrest.

What is your assessment of the current situation in Afghanistan?

Answer. I have made numerous trips to that region over the past 18 months, to include being there just 2 weeks ago. Significant progress has been made in the last 18 months. I have seen significant progress made in the last 18 months. Thanks to the efforts of the coalition, which included SOF, the Taliban no longer control the government or provinces. Moreover, al Qaeda has been denied freedom of operations within the country. Significant challenges remain. We continue to pursue Osama bin Laden, his key lieutenants, and other high value targets. I believe that effort critical. I am encouraged that the Islamic Transitional Government of Afghanistan is established in Kabul, provinces outside Kabul are beginning to rebuild efforts, and elections are scheduled for the summer of 2004. Civil affairs has been a crucial part of this reconstitution of the infrastructure and government. There remains much to be done, and SOF will be a critical component in the coalition's efforts. With continued emphasis on stability operations and reconstruction, and with the support of the international community, I am confident our Nation's long-term goals will be achieved.

Question. In your view, what is the appropriate role of Special Operations Forces as Afghanistan transitions to a more stable, democratic, and economically viable nation?

Answer. The role of SOF in pursuing bin Laden and other high value targets remains appropriate. In addition, Special Operations assist in rebuilding the Afghani infrastructure through continued civil affairs projects, which earn and maintain the trust of the Afghani people, and through information operations that support the message of freedom and support to these formerly repressed people. SOF continues to support Central Command's goals and objectives in the region.

COMBATING TERRORISM

Question. If confirmed, you would play an integral role in the Department's combating terrorism mission.

Which Department of Defense official provides the primary civilian oversight with regard to SOCOM's combating terrorism mission?

Answer. Combating terrorism has two aspects; counterterrorism (offensive measures) and antiterrorism (defensive measures). The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, through the Department of Defense Antiterrorism Coordinating Committee, provides policy oversight and guidance to Department of Defense Components in support of respective antiterrorism and counterterrorism program efforts. With respect to the planning and execution of counterterrorism missions as a combatant commander, if confirmed, I would not hesitate to deal directly with the Secretary of Defense through, and in coordination with, the Chairman of the Joint Chiefs.

Question. What other Department of Defense officials would be involved in oversight of SOCOM's combating terrorism mission?

Answer. Again, as a combatant commander, coordination directly through the Chairman of the Joint Chiefs of Staff to the Secretary of Defense for any deployments of SOF supporting our warfighting mission would occur. As a functional combatant commander, U.S. SOCOM interacts directly with the Chairman, Joint Chiefs of Staff to coordinate any emergent, unforeseen requirements that MFP–11 or the Services could not fund. Through U.S. SOCOM's representative to the Department of Defense Antiterrorism Coordinating Committee, U.S. SOCOM would interact with various Departmental representatives from the Services, the under secretaries and assistant secretaries on a routine basis along with the defense support agencies.

FORCE PROTECTION

Question. The bombing of Khobar Towers in 1996, U.S. embassies in Africa in 1998, U.S.S. *Cole* in 2000, and the recent suicide bombing at housing compounds in Saudi Arabia, illustrate the dangers our personnel deployed in the CENTCOM Area of Responsibility (AOR) and their families live with on a daily basis.

If confirmed, what would your top priorities be in terms of force protection for SOCOM forces in the CENTCOM AOR?

Answer. Thirty-six years of military service have ingrained in me the importance of taking care of our service members. I fully appreciate the awesome responsibility we have to do everything within our power to safeguard them. If confirmed, my task as Commander, U.S. SOCOM would be to emphasize the importance of force protection to the people of this command. Only through my emphasis will they realize the criticality of resourcing and executing force protection to the fullest extent possible. I will instill in all 46,000 assigned, not just those in the Central Command area of operations, that force protection is a mission essential task. I will work closely with the other combatant commanders to ensure our personnel are being protected and utilized in appropriate Special Operations roles. I would set standards for pre-deployment training focused on SOF and field key force protection equipment that would enhance the security of SOF in all geographic combatant commanders' areas of operation. I would not hesitate to get involved with any combatant commander if I felt there was any reason to be concerned about the safety of Special Operations personnel. It is a SOF truth that "humans are more important than hardware;" without those men and women the hardware does matter.

Question. What additional steps, if any, need to be taken to ensure that personnel being deployed on SOCOM missions are fully prepared for potential threats?

Answer. Our current level of training and preparedness remains the same. We pride ourselves on the level of training and readiness that SOF receive. SOF are prepared to perform their assigned missions in all environments, throughout all regions.

INFORMATION OPERATIONS

Question. Information operations and information warfare will likely play an increasing role in 21st century warfare.

What role do you envision for U.S. SOCOM in overall U.S. information operations?

Answer. Special Operations Forces are very aware of the significant role Information Operations (IO) plays in today's and in future conflicts. In fact, U.S. SOCOM made IO one of the command's core tasks in 1996. U.S. SOCOM units have successfully employed IO core capabilities in both OEF and OIF, and IO continues to be embedded throughout SOF operations. However, U.S. SOCOM continues to play a very significant role in PSYOP. U.S. SOCOM owns the preponderance of the Department's PSYOP forces and capabilities, including the EC–130 Commando Solo radio and TV broadcast aircraft. Due to the high demand for PSYOP forces, U.S. SOCOM is in the process of growing its PSYOP force structure by adding two active duty regional companies and four Reserve component tactical companies. This year the command also proposed an Advanced Technologies Concept Demonstration (ACTD)

aimed at improving PSYOP planning tools and long range dissemination into denied hostile areas. In addition, U.S. SOCOM is creating a 70 person Joint PSYOP Support Element, to provide dedicated joint PSYOP planning expertise to the geographic combatant commanders, Strategic Command, and the Secretary of Defense.

Question. Under what circumstances would the Commander, U.S. SOCOM, conduct information operations as a supported combatant commander?

Answer. U.S. SOCOM became the lead for the war on terrorism IO planning after September 11, 2001. In this new capacity, U.S. SOCOM leads collaborative planning, coordination, and when directed, execution of IO. U.S. SOCOM envisions IO supporting surgical, limited duration, counterterrorism missions, as well as, long range planning to develop coordinated, trans-regional strategies against terrorists and their supporters. Due to Strategic Command's new Unified Command Plan responsibilities in regard to global IO, U.S. SOCOM is working very closely with Strategic Command to insure mutual IO and PSYOP support and continuity.

SUPPORTED COMBATANT COMMANDER

Question. Recently, Secretary of Defense Rumsfeld authorized an expanded role in the global war on terrorism for U.S. Special Operations Command, including authority to conduct operations as a supported combatant commander, in addition to continuing responsibilities as a supporting combatant commander.

In your view, under what circumstances would U.S. SOCOM conduct operations as a supported combatant commander?

Answer. The nexus of the Department's global war on terrorism effort is at U.S. SOCOM. As situations develop, we attempt to locate, acquire, and identify terrorist targets. Combat operations may follow. Some examples of Special Operations missions that might be conducted as a supported combatant command could include small, surgical, clandestine strike operations involving Special Operations Forces only, missions tasked when the geographic combatant commander that is totally involved in other operations, or missions that involve the use of special skills or where two or more geographic combatant commander boundaries merge.

Question. What resource, organization, and force structure changes will be required in order for U.S. SOCOM to be able to conduct both supporting and supported combatant command responsibilities?

Answer. U.S. SOCOM is rapidly transforming from its traditional role as a purely resourcing headquarters to its expanded role as both a resourcing headquarters and a supported command for the global war on terrorism. The headquarters has reorganized within current resources to establish a Special Operations Joint Interagency Collaboration Center (SOJICC) and a Command Special Operations Center to plan, coordinate and direct counter-terrorist operations on a global scale. The Department has recognized the increased requirements to meet the new missions while retaining the role of being a resourcing and supporting command, by providing an additional 5,100 authorizations command-wide between fiscal years 2004–2009. The added force structure supports the global war on terrorism, forward basing in Central Command, rotation forces to support regional forward basing, PSYOP and civil affairs (CA) to support regional requirements, rotary-wing and fixed-wing assets to meet added requirements, and support and training base personnel to support increased demand. Organizational change, as a result of these additions include an additional CA Battalion (Reserve), an additional CA company (active), one MH–47 Army Special Operations Aviation Regiment battalion (active), one PSYOP company (active), and two additional Navy SEAL teams. We are also evaluating our mix of Active and Reserve Forces to ensure they complement and support one another. As we gain experience in this campaign, I anticipate that additional shortfalls could emerge and, as always, we will continue to modernize and upgrade our fielded equipment to ensure our SOF personnel are capable of defeating known and likely threats.

BLUE FORCE TRACKING

Question. General Tommy Franks, former Commander, U.S. CENTCOM, recently stated in testimony before this committee that multiple, non-interoperable blue force tracking systems were a problem during Operation Iraqi Freedom, contributing to some confusion on the battlefield and complicating efforts to avoid friendly fire incidents. The U.S. Army has one such system. U.S. SOCOM uses different systems.

In your view, was blue force tracking of Special Operations Forces effective during Operation Iraqi Freedom?

Answer. The overall effectiveness of blue force tracking (BFT) in support of Special Operations was exceptional. While not all SOF were equipped with BFT devices, BFT systems facilitated coordinated events during combat operations, enhanced tac-

tical resupply efforts, reduced recovery time for SOF extractions (both extremis and scheduled) and saved lives.

BFT proved to be an outstanding control mechanism. Without a doubt, BFT reduced the potential for fratricide events during Operation Iraqi Freedom and was the first positive step toward eliminating fratricide altogether. As with most emerging technology, technical, and programmatic complications, such as inadequate joint procurement funding, limited fielding capability and command and control systems interoperability shortfalls have caused some reliability concerns that we are already working to resolve. It is important that all combatant commanders, as well as allied and coalition force commanders, recognize the value of BFT and are engaged in the further maturation and proliferation of this capability.

Question. What steps would you recommend to ensure effective blue force tracking of all friendly forces on the battlefield—unconventional, conventional, and coalition?

Answer. All Services and the Department have seen the value of BFT and initiatives are underway to facilitate BFT interoperability, force-wide BFT requirements should be collected and programmed for rapid, joint acquisition. BFT capability should be integrated into standard communication devices, such as manpack and hand-held radios. Combined BFT development initiatives should be undertaken to ensure allied and coalition BFT interoperability. Current and future BFT capability should drive the acceleration of combat identification (CID) development since the anti-fratricide ability of BFT is, by nature, limited and time-late. U.S. SOCOM will remain heavily engaged in the BFT and CID initiatives.

TRANSFORMATION OF SPECIAL OPERATIONS FORCES

Question. Much attention has been focused on the transformation of our Armed Forces, but most of that focus is on conventional forces.

Do our Special Operations Forces need to be transformed?

Answer. SOF have been transformational by nature. To be successful in the unconventional environment or working on the margins of conventional force capabilities, SOF must continue to transform. U.S. SOCOM has been given an expanded mission in the global war on terrorism which is, in itself, transformational. The only aspect of SOF that is not subject to change is our core values.

Question. If so, what is your vision for such a transformation?

Answer. In the future, SOF should be ready to deal equally with the demands of both peacetime and warfighting roles. Special Operations should be deliberate in its transformation to ensure that it continues to support critical national requirements. Given the range of missions, it is important to choose an evolutionary path that is supportive of, but not confined by, the future plans of conventional forces. Special Operations should possess capabilities that expand the range of options available to policy makers and military commanders. To that end, future missions may include operations for psychological effect, low-visibility strike operations, advanced unconventional warfare, special forms of reconnaissance, and human and technical collections operations. SOF should achieve relatively low cost, high value force application as military and informational elements of national power integrate with political and economic elements to increase national security. Because the future is uncertain, SOF will pursue new combinations of concepts, skills, people, and organizations to create a force capable of conducting full spectrum engagement in a joint environment, any time, anywhere, against any adversary.

Question. Are the Special Operations Command and the Department of Defense investing in the technologies to realize this vision?

Answer. If confirmed, my vision will be to ensure U.S. SOCOM provides the most capable and relevant SOF in existence while upholding standards of personal and professional excellence.

Yes, we are investing in those types of technologies. There are two integral parts to U.S. SOCOM's technology program, leveraging the services, defense agencies, and government laboratory efforts, while harvesting those technology efforts that can be rapidly transitioned into capabilities for the operator. U.S. SOCOM is significantly better off now than we were even 2 years ago in producing the kinds of capabilities we believe will be required to meet the challenges of the global war on terrorism. We will continue to pursue technological advances that address SOF unique requirements but which can also be integrated with the conventional forces, and to aggressively develop advance technologies that provide high-payoff capabilities against near- and long-term threats to SOF.

RECRUITING AND RETENTION

Question. How successful has SOCOM been in recruiting and retaining the personnel it needs?

Answer. World events significantly increased public awareness of SOF, consequently raising interest in joining Special Operations. SOF historically exceeds annual service reenlistment rates in the non-commissioned officer corps (NCO). Accessions exceeded losses in each of the services SOF during fiscal year 2002. While certain specialties are critically manned, the retention rates in those fields exceed those of the large services (with few exceptions—Army 18D, Medical and Army 18E, Communications NCO). SOF personnel are historically promoted at a higher rate than their respective service grades. Service initial accession bonuses, specific reenlistment incentives, and specific programs (for example, Critical Skills Retention Bonus, CSRB) that targeted the senior NCO experience base have positively influenced SOF recruiting and retention.

Primarily, the unique and important SOF mission is the fundamental reason that influences assigned personnel to remain in SOF. SOF warriors are proud to be a part of the special team of "Quiet Professionals."

Question. What are the biggest challenges to retention you see in the SOCOM community?

Answer. Maintaining the experience base and the personnel we have in our inventory to meet current operations tempo is paramount to successful mission execution. The programs mentioned earlier have had a successful impact on our force and continue to pay huge dividends with a return on investment for the future. As a supported command, any U.S. SOCOM growth will impact an already limited pool of applicants. This concern is being addressed by reengineering our school houses without lowering standards. The current period is a new era where a policy of "one size fits all" does not work for a transforming military. Our emphasis on personnel strategy and policy must also include a progressive and consistent strategy that compliments service policy yet flexible enough to meet the needs of the SOF community simultaneously.

Question. Specifically, what is the status of the efforts to increase retention among the Navy SEAL officers?

Answer. Naval Special Warfare (NSW) officer advancements, selections, and retention exceed Navy averages. The Special Warfare Officer Bonus has had a positive impact on reducing the number of mid-grade officer resignations. Special Operations Force transformation dictates that ongoing retention and recruitment initiatives continue to receive priority attention to sustain present levels and to meet future missions in the global war on terrorism.

Question. Special Operations Aviation units have some of the most highly trained and proficient pilots in our military.

What impact is the demand for pilots by the airlines and the current high operational tempo or our military having on pilot retention within Special Operations Command?

Answer. Because the airlines have not been hiring, pilot retention statistics have improved. The Air Force Special Operations Command is continuing to report pilot shortages equal to the overall shortages in the Air Force. When compared to the active component, Air Force SOF guard units are in relatively good shape. High deployment rates in support of OEF/OIF have slightly impacted training classes. This has resulted in limited numbers of aircraft and instructors available for schoolhouse training sorties.

Although the overall warrant officer inventory remains healthy, the Army continues to experience minor shortages in their senior grade aviators. This is a concern because the senior grade aviators provide the aviation experience at the unit level. We also face the challenge of gaining and maintaining pilots as our force structure increases.

Question. What, if any, recommendations do you have to increase the retention of these highly skilled pilots?

Answer. The Army has participated in the Aviator Continuation Pay (ACP) bonus (contract) program for aviators. This bonus is paid between the 6th and 14th year of service. In fiscal year 2002, U.S. Army Special Operations Command received special permission to extend this bonus through 25 years of service for all aviators that agreed to remain in Special Operations.

The Air Force has two successful programs for pilot/crew retention that we are monitoring. They are the ACP bonus program, and the Voluntary Return to Active Duty program which have helped offset retirements and separations.

SOCOM/USMC

Question. In November 2001, the Commandant of the Marine Corps and Commander, U.S. SOCOM, signed a memorandum of agreement aimed at increasing Marine Corps support and cooperation with SOCOM.

What do you believe should be the appropriate relationship between the Marine Corps and SOCOM?

Answer. U.S. SOCOM is working closely with the Marine Corps to integrate with and complement each others' capabilities. I believe this is appropriate because SOF and the Marine Corps offer unique and distinct mission sets. The Marine Corps' expeditionary capabililty is a direct result of their embarked sea-based deployment concept. The potential for SOF leveraging some of the unique options this concept provides, both in capabilities and sustainment, bodes well in prosecuting the global war on terrorism. To fully assess the integration potential of marines and SOF, U.S. SOCOM and the Marines Corps re-established this formal relationship.

SPECIAL OPERATIONS MISSIONS

Question. When announcing additional responsibilities for SOCOM, Secretary Rumsfeld indicated that SOCOM may divest itself of some traditional missions, such as foreign military training, that can be conducted by conventional forces.

What current missions, if any, do you believe can and should be divested by SOCOM, and why?

Answer. U.S. SOCOM executes its congressionally mandated title 10 Special Operations activities in accordance with section 167. We continue to study and refine employment taskings to ensure we retain a Special Operations focus while helping to reduce the burden on our high demand/low density (HD/LD) forces. In this regard, there are some recent examples of transition or divestiture of missions to conventional forces in order to free up these HD/LD forces.

U.S. SOCOM continues to work the issue of mission divestiture with the services, the Joint Staff, and the Secretary of Defense. As you are well aware, SOF are organized, trained, and equipped specifically to accomplish nine core tasks (counterterrorism, counterproliferation, foreign internal defense, special reconnaissance, direct action, PSYOP, CA operations, unconventional warfare, and information operations). Unlike our core tasks, Special Operations Forces also conduct other activities (coalition support, counternarcoterrorism, foreign humanitarian assistance, special activities, combat search and rescue, humanitarian mine activities, security assistance, and peace operations).

The capabilities to perform these activities are derived from Special Operations' ability to execute its core tasks and, in the context of prioritization of employment taskings in the war on terrorism; Special Operations may continue to perform some or all of these types of activities. The key is mission analysis and employment prioritization.

Question. Are there any additional missions that you believe SOCOM should assume, and, if so, what are they and why do you advocate adding them?

Answer. No, there aren't any additional missions I believe U.S. SOCOM should assume. As previously stated, our war on terrorism mission has caused us to prioritize employment taskings. U.S. SOCOM will continue to study and refine our Special Operations responsibilities; but we must ensure we retain a Special Operations focus.

SIZE OF SPECIAL OPERATIONS FORCES

Question. The recent successes of Special Operations Forces in Afghanistan and Iraq have led many to advocate increases in the size of Special Operations Forces.

Do you believe that we should increase the number of Special Operations personnel?

Answer. Yes. Additional personnel will enable U.S. SOCOM to more effectively prosecute the global war on terrorism. This capability is additive to accomplishing current title 10 missions. Even with prioritization of SOF deployments to directly or indirectly support the global war on terrorism, increased end strength will more fully maximize SOF's global scout capability by ensuring SOF are forward deployed in theater and in position to respond to contingencies or react to actionable intelligence.

Question. In your view, can the size of Special Operations Forces be increased significantly if the rigorous recruiting standards for these organizations are to be maintained?

Answer. Yes.

CIVIL AFFAIRS UNITS

Question. The increased role of the United States military in numerous missions throughout the world has stressed the Special Operations Command, in particular the civil affairs units, most of which are in the Army Reserve.

If the current high operational tempo continues, would it be advisable to increase the number of civil affairs units?

Answer. Yes. Our CA force structure must increase. To that end, U.S. SOCOM has included CA in our force structure growth plan.

Question. If so, should the increase be in the active Army or the Army Reserve and why?

Answer. Prior to September 11, 2001, analysis of current and projected PERSTEMPO for Reserve CA forces identified future shortfalls in Reserve CA force structure to be able to support ongoing contingencies, i.e., Bosnia and Kosovo. As a result, the Department created two new Reserve CA battalions to be stood up in fiscal year 2004 and fiscal year 2005 (one each year). After September 11, 2001, in support of the global war on terrorism, Bosnia, and Kosovo, analysis further identified shortfalls in the active civil affairs force structure. As a result, the Department created an additional two Active CA companies to be stood up in fiscal year 2004 and fiscal year 2005 (one each year). Current analysis of CA force structure is that with the addition of these Active and Reserve units, CA is properly sized to meet the challenges of the global war on terrorism and future contingencies.

Question. What impact has the high operational tempo had on recruiting and retention in Reserve civil affairs units?

Answer. I understand U.S. Army Special Operations Command has achieved its U.S. Army Reserves recruiting goals for the last 5 years, and retention has remained within the goals during that time as well. I would expect these trends to continue.

SCIENCE ADVISORS FOR COMBATANT COMMANDERS

Question. Scientific advisors to combatant commanders have been effectively utilized as a means of assisting with technology transition and providing operators solutions to warfighter challenges.

If confirmed, how would your command make use of the technical expertise available in the services, including their laboratories, to provide scientific and technical advice to the warfighters?

Answer. Due to our relatively small technology budget, U.S. SOCOM relies heavily on the services' science and technology (S&T) knowledge base and laboratory infrastructure to support SOF. We have Memorandums of Agreement with the service's scientific communities that facilitate transfer of research, development, test, and evaluation related information and technology. We also have in-house Defense Advanced Research Projects Agency and Department of Energy liaison personnel who match their ongoing technology programs with SOF technology requirements. These associations allow U.S. SOCOM to leverage service S&T and other governmental agency programs as an economical and low-risk source for acquisition program technology insertions to provide the Special Operations warfighter with innovative evolutionary and revolutionary capability enhancements. The Special Operations S&T requirements and desired capabilities are also publicized through the Department of Defense's centralized technology planning program.

READINESS AND OPTEMPO

Question. To what extent has the pace of operations in recent years had an impact on U.S. SOCOM's readiness, retention, and resources?

Answer. The OPTEMPO has increased significantly in the last 2 years, but because of our training and education programs and the special care we pay to all our SOF families, it has been manageable. We are concerned about the amount of time our forces are deployed in support of the global war on terrorism and pay close attention to our recruitment and retention efforts. As of this hearing, our accession, retention and promotion rates are equal to or higher than the services. Additionally, our pilot retention statistics have been improving and our overall pilot inventory continues to improve in the MH–47, MH–6, and MH–60 communities. We are concerned about the OPTEMPO of our Reserve Component CA personnel and after September 11, 2001, shortfalls were identified. As a result, the Department created two new Reserve CA battalions to be stood up in fiscal year 2004 and fiscal year 2005. Air Force Reserve air crews are also a concern as many are approaching the end of their 2 year mobilization period. As we continue to prosecute the global war on terrorism, I anticipate that manpower and equipment shortfalls may emerge and, as always, we will continue to maintain, modernize, and upgrade our fielded equipment to ensure our SOF personnel are capable of defeating any threat.

Question. What actions can be taken to reduce any negative impacts?

Answer. U.S. SOCOM must continue to grow SOF. We must discover new sources of quality personnel and efficient training methodology to accelerate the develop-

ment of SOF warriors. We must also seek more effective methods to mitigate the effects of the high operational tempo.

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, 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. Special Operations 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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

SPECIAL OPERATIONS FORCES

1. Senator INHOFE. Lieutenant General Brown, in your answer to the advance questions you stated that you feel a need to increase the size of the Special Operations Forces (SOF). How much larger do we need to make them?

General BROWN. At this point, I cannot provide you "a number" with the degree of certainty that would make it meaningful. SOF are not sized based on desired force end strength, but by what capabilities are required and can be brought to the battlefield. The global war on terrorism is a different war that requires not only traditional SOF skills and capabilities, but unique and specialized skills that we are still identifying. We know we have shortfalls in some capabilities; we are studying others to determine the force size required to meet mission needs.

In the area of command and control, I feel it is critical to have Theater Special Operation Commands (TSOCs) capable of fulfilling their role as standing Joint Special Operations Task Forces. During the most recent increase in SOF end strength, all TSOCs except for that of Southern Command were sized to enable them to conduct 24 hours-a-day, 7 days a week operations. Based on constraints and priorities, Southern Command's TSOC was not provided this capability, although it is a critical requirement.

Mobility is key to SOF's ability to conduct the global war on terrorism. Recent increases in both fixed-wing and rotary-wing force size have substantially enhanced our capabilities in this area. However, additional rotary-wing capabilities are required to provide a rotational base and forward-based forces. The new CV–22 tiltrotary wing force being fielded has manning requirements above those of the platforms it replaces?

The current mix of Active and Reserve Forces may not be optimal. We may need to rebalance those forces that are largely in the Reserves. This includes civil affairs and psychological operations in the Army Reserve and Special Forces in the Army National Guard. We are examining the requirements for additional Active Forces in those areas. Two factors drive this analysis: can we bring the requisite force to bear in a timely manner against contingencies, and can we maintain that force for a prolonged period, for example with a rotational base.

SOF has increased its operational capabilities in most functional areas. However, the centers and schools that train our SOF soldiers, sailors, and airmen must increase their throughput capability in two ways: first, to train the additional SOF structure gained; and second, to instruct in new courses focused on capabilities to fight the global war on terrorism.

Recent increases in SOF have fixed a lot of capability shortfalls; some shortfalls remain. We anticipate the need for some growth to address those shortfalls. Any

growth of SOF, however, has to be tempered with the ability to recruit, train, and retain only the highest quality individuals.

2. Senator INHOFE. Lieutenant General Brown, what kinds of capabilities do we need to add to enhance the SOF, and how do you plan to make those increases?

General BROWN. In addition to expanding the size of certain segments of the Special Operations community, the U.S. Special Operations Command (U.S. SOCOM) will pursue several means to expand and enhance SOF capabilities to meet the needs of the global war on terrorism and future operations. These capability increases will result from modernizing our equipment, upgrading our recruiting and training processes, and developing several tailored mission sets in response to Department of Defense directives.

U.S. SOCOM's historic ability to guide and manage the unique equipping of SOF has paid significant dividends in the recent conflicts against terrorists and the states that support them. SOF will continue to modernize its major systems capabilities through procurements like the CV–22 Osprey tiltrotor aircraft and Advanced SEAL Delivery System, and modification programs like the MH–47G helicopter and A/MC–130 common avionics architectures. We also plan enhanced small systems for SOF that contribute critical capability against terrorists. These enhancements include fielding the SOF Combat Assault Rifle and the advanced components required to upgrade SOF personal equipment and body armor. Finally, U.S. SOCOM will leverage new technologies and bring SOF specific capabilities in areas such as unmanned aerial vehicles, information operations, and intelligence and communications.

Materiel improvements are not the only aspect to improve SOF capabilities. We'll continue close cooperation with the Marine Corps on the V–22, the Navy on SSGN, and with all the services to provide SOF warriors with service-common items in the fight against terrorism.

While new equipment will boost SOF's capabilities, it's a SOF truth that humans are more important than hardware. Therefore, upgrades to SOF recruiting and training are the most effective means to enhance SOF capability. U.S. SOCOM will focus on recruiting innovations to bring in the most qualified and capable candidates and train them to the standards and skills SOF need to fight terrorism. SOF's foreign language capability will be strengthened and our language program reoriented towards those languages that best reflect the terrorist threat. U.S. SOCOM will also be a strong partner in the Defense Department's directed training transformation joint national training capability exercise program (not sure where to go here, but 11 adjectives modifying a program may be a record!) that will help SOF perfect its joint interoperability capabilities. We'll leverage the latest technologies; strive toward common open architecture databases, non-proprietary simulator image generators and communication pipelines capable of moving the necessary data to provide the best live, virtual, and constructive training environment in the world. Key to this approach is the ability to recruit and retain the highest caliber of training personnel. Improved joint interoperability will enable SOF to better leverage conventional capabilities against terrorism.

New tools and improved training will help, but we need to do more. To meet the demands of future conflicts with terrorists, SOF must develop some new capabilities. Among these are the capability to effectively globally command the global war on terrorism, the capability to operationally prepare the global war on terrorism battlespace and the capability to instantly respond to opportunities in previously unemphasized regions of the world. To meet these new demands, U.S. SOCOM will initiate nuanced organizational changes and equip, train, and place the resulting organizations in positions most advantageous to our Nation's goals.

These advances in organization, training and equipment will enhance SOF's readiness, responsiveness, mobility and flexibility to engage terrorism and terrorists throughout the world.

[The nomination reference of LTG Bryan D. Brown, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 18, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be General

LTG Bryan D. Brown, 0000.

[The biographical sketch of LTG Bryan D. Brown, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF CAREER SERVICE OF LTG BRYAN D. BROWN

Source of commissioned service: OCS.

Military schools attended:
Field Artillery Officer Basic and Advanced Courses.
United States Army Command and General Staff College.
United States Army War College.

Educational degrees:
Cameron University - BS Degree - Education Administration
Webster University - MA Degree - Business

Foreign language(s): None recorded.

Promotions:

	Dates of appointment
2LT	1 May 70
1LT	1 May 71
CPT	1 May 74
MAJ	3 Apr 81
LTC	1 Sep 87
COL	1 Jun 92
BG	1 Mar 96
MG	1 Dec 98
LTG	11 Oct 00

Major duty assignments:

From	To	Assignment
Mar 71	Jul 71	Platoon Leader, D Company, 227th Aviation Battalion, 1st Cavalry Division, Fort Hood, Texas.
Sep 71	Apr 72	Rotary Wing Aviator, 129th Assault Helicopter Company, United States Army, Vietnam.
Apr 72	Dec 72	Rotary Wing Aviator, 182d Aviation Company (Assault), 10th Aviation Group, Fort Bragg, North Carolina.
Dec 72	Sep 75	Section Commander, later Platoon Commander, later Operations Officer, 129th Aviation Company (Assault), 269th Aviation Battalion, Fort Bragg, North Carolina.
Oct 75	May 77	Student, Field ARtillery Officer Advanced Course, Fort Sill, Oklahoma, later Student, Cameron University, Lawton, Oklahoma.
Jun 77	Jun 78	Commander, Headquaters and headquarters Battery, 2d Battalion, 17th Field Artiller, 2d Infantry Division, Eighth United States Army, Korea.
Jun 78	May 79	Executive Officer, B Company, 158th Aviation Battalion, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky.
Apr 72	Dec 72	Rotary Wing Aviator, 182d Aviation Company (Assault), 10th Aviation Group, Fort Bragg, North Carolina.
Dec 72	Sep 75	Section Commander, later Platoon Commander, later Operations Officer, 129th Aviation Company (Assault), 269th Aviation Battalion, Fort Bragg, North Carolina.
Oct 75	May 77	Student, Field Artillery Officer Advanced Course, Fort Sill, Oklahoma, later Student, Cameron University, Lawton, Oklahoma.
Jun 77	Jun 78	Commander, Headquarters and Headquarters Battery, 2d Battalion, 17th Field Artillery, 2d Infantry Division, Eighth United States Army, Korea.
Jun 78	May 79	Executive Officer, B Company, 158th Aviation Battalion, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky.
May 79	Oct 79	Flight Operations Officer, 158th Aviation Battalion, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky.

From	To	Assignment
Nov 79 ...	May 81	Commander, C Company, 158th Aviation Battalion, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky.
Jun 81 ...	Jul 84	Air Operations Officer, Operations Directorate (J–3), Joint Special Operations Command, Fort Bragg, North Carolina.
Jul 84	Jun 85	Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas.
Jun 85 ...	May 87	Commander, C Company, 101st Aviation Battalion, 1st Special Operations Command, Fort Campbell, Kentucky (Task Force 160).
May 87 ..	May 88	S–3 (Operations), 160th Aviation Group (Special Operations), Fort Campbell, Kentucky.
Jun 88 ...	May 90	Commander, 5th Battalion, 101st Aviation Regiment, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky.
Jun 90 ...	Ju1 91	Commander, 1st Battalion, 160th Special Operation Aviation Regiment, Fort Campbell, Kentucky and Operations Desert Shield/Storm, Saudi Arabia.
Aug 91 ...	Jul 92	Student, United States Army War College, Carlisle Barracks, Pennsylvania.
Oct 92 ...	Nov 94	Commander, 160th Special Operation Aviation Regiment, Fort Campbell, Kentucky.
Nov 94 ...	Mar 96	Assistant Division Commander (Maneuver), 1st Infantry Division, Fort Riley, Kansas.
Mar 96 ...	Aug 98	Director of Plans, Policies and Strategic Assessments, J–5/J–7, later Director, Requirements and Strategic Assessments, United States Special Operations Command, MacDill Air Force Base, Florida.
Aug 98 ...	Sep 00	Commanding General, Joint Special Operations Command, Fort Bragg, North Carolina.
Sep 00 ...	Sep 02	Commanding General, United States Army Special Operations Command, Fort Bragg, North Carolina.

Summary of joint assignment:

Assignment	Dates	Grade
Air Operations Officer, Operations Directorate (J-3), Joint Special Operations Command, Fort Bragg, North Carolina.	Jun 81–Jul 84	Major
Director of Plans, Policies and Strategic Assessments, J–5/J–7, later Director of Requirements and Strategic Assessments, United States Special Operations Command, MacDill Air Force Base, Florida.	Mar 96–Aug 98	Brigadier General
Commanding General, Joint Special Operations Command, Fort Bragg, North Carolina.	Aug 98–Sep 00	Major General
Deputy Commander, United States Special Operations, Command, MacDill Air Force Base, Florida.	Sep 02–Present	Lieutenant General

U.S. decorations and badges:

Defense Distinguished Service Medal
Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit (with two Oak Leaf Clusters)
Distinguished Flying Cross
Bronze Star Medal
Defense Meritorious Service Medal
Meritorious Service Medal (with two Oak Leaf Clusters)
Air Medal
Air Medal with "V" device
Joint Service Commendation Medal
Army Commendation Medal
Parachutist Badge
Military Free Fall Parachutist Badge
Air Assault Badge
Master Army Aviator Badge
Special Forces Tab

[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 LTG Bryan D. Brown, USA, in connection with his nomination follows:]

DEPARTMENT OF THE ARMY,
HEADQUARTERS, UNITED STATES ARMY,
SPECIAL OPERATIONS COMMAND,
Fort Bragg, North Carolina, June 5, 2002.

Hon. CARL LEVIN, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of the Deputy Commander in Chief, United States Special Operations Command. It supplements Standard Form 278, "Public Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I, my spouse, nor my dependent children will invest in any entity that would create a conflict of interest with my government duties. I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

BRYAN D. BROWN,
Lieutenant General, U.S. Army,
Commanding.

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 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.)
Bryan D. Brown.

2. **Position to which nominated:**
Commander, United States Special Operations Command.

3. **Date of nomination:**
June 18, 2003.

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:**
20/10/48; Fort Meade, Maryland.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to the former Penny Whightsil.

7. **Names and ages of children:**
Tracey Leahy (27); Shannon McCoy (23).

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 held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member, Association of the United States Army (AUSA).
Member-at-large, Army Aviation Association of America.
Member, American Legion.
Member, Vietnam Helicopter Pilots Society.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognition for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
2002 Ellis Island Medal of Honor Awardee.

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 Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

[The nominee responded to the questions in 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.

BRYAN D. BROWN.

This 3rd day of June, 2002.

[The nomination of LTG Bryan D. Brown, USA, was reported to the Senate by Chairman Warner on July 30, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 31, 2003.]

NOMINATION OF HON. GORDON R. ENGLAND TO BE SECRETARY OF THE NAVY

TUESDAY, SEPTEMBER 23, 2003

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

The committee met, pursuant to notice, at 11:08 a.m. in room SR–222, Russell Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, Talent, Chambliss, Dole, Levin, Reed, and Pryor.

Committee staff members present: Judith A. Ansley, staff director, and Gabriella Eisen, nominations clerk.

Majority staff members present: Carolyn M. Hanna, professional staff member; Ambrose R. Hock, professional staff member; Gregory T. Kiley, professional staff member; Thomas L. MacKenzie, professional staff member; Ann M. Mittermeyer, counsel; Scott W. Stucky, general counsel; and Richard F. Walsh, counsel.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Evelyn N. Farkas, professional staff member; Creighton Greene, professional staff member; Gerald J. Leeling, minority counsel; and Peter K. Levine, minority counsel.

Staff assistant present: Michael N. Berger.

Committee members assistants present: Cord Sterling, assistant to Senator Warner; John A. Bonsell, assistant to Senator Inhofe; James P. Dohoney, Jr., assistant to Senator Collins; James W. Irwin and Clyde A. Taylor IV, assistants to Senator Chambliss; Christine O. Hill, assistant to Senator Dole; Russell J. Thomasson, assistant to Senator Cornyn; and Andrew Shapiro, assistant to Senator Clinton.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. Good morning, everyone.

Before I refer to the purpose of this hearing, namely to have our distinguished colleague, Secretary England, in his advise and consent hearing, I want to make reference to the work done by Congresswoman Fowler and her commission regarding the Air Force Academy.

Matters relating to this tragic chapter in the current military history of the Air Force really arose out of this committee. Our distinguished colleague on the committee, Senator Allard from Colorado, worked with me and other members to bring to our attention facts that had been related to him. The record is very clear about

how this committee quickly became proactive, and eventually sponsored the legislation—our distinguished colleague, Senator McCain, was very active on it—which led to the creation by Congress of the Fowler Panel.

They gave their report yesterday. While I and other members have not yet had the time to go through it in its entirety, my initial review of this report, together with a private meeting yesterday with Congresswoman Fowler, leads me to the conclusion, at this point in time, that that panel deserves great commendation by Congress and the American public. They have done, in a mere period of 90 days, a job which is very important, which is a very important step leading to the long overdue correction of problems at the Air Force Academy. So I wish to commend Congresswoman Fowler and all members of the panel. This committee will hold its hearing tomorrow on that panel's findings, and go into it with the great detail and care this report deserves.

This morning, I was asked by the press, "Does this report have a relationship to the nomination pending before the committee by the President and the Secretary of Defense of the current Secretary of the Air Force to become Secretary of the Army?" My response is, yes, it does. After we review the material with Chairman Fowler—and all members of the panel will be present tomorrow—I'll have further comment on this.

But, at this time, I'd like to release to the public record correspondence that I have had with President Bush's counsel, Judge Alberto Gonzalez, on the respective duties of the legislative branch and the executive branch with regard to the constitutional responsibilities of advice and consent. We have knowledge that certain actions are being investigated by the Inspector General regarding the Department of the Air Force. The Fowler Report further puts a recommendation in to the Inspector General to examine—and the actual words were "a full accountability at all levels," beginning with the uppermost levels, civilian and uniform, of the Department of the Air Force. Consequently, it does have a correlation. I and other members of the committee will have to determine the extent to which we can continue to proceed, which I had hoped to do, on the Roche nomination.

We'll have further to say about that tomorrow, but I'll release my letter to Judge Gonzalez, and the Inspector General's letter back to the committee with regard to what they are doing. That has to be read in context with the Fowler Report. We'll take up all of this tomorrow.

But, for the moment, we're pleased to have you, Secretary England, before us again.

Secretary ENGLAND. Thank you.

Chairman WARNER. The President has selected you to go back to become the Secretary of the Navy, subject to confirmation by the Senate. Senator Levin is, by necessity, on the floor of the Senate. Otherwise, he would be here with me this morning. But he suggested I go forward with this.

Upon learning of the President's selection of you to become the next Secretary of the Navy, I was pleased to call you up and reminisce about that famous chapter in history where Winston Churchill came back to positions of responsibility with regard to the Royal

Navy and the fleet by a signal flag in those days, signaling that "Winnie is back." So, Secretary England, subject to advice and consent, you'll be back, and we welcome you back.

Secretary ENGLAND. Thank you, sir.

Chairman WARNER. I'd like to also make reference to the Acting Secretary, the Assistant Secretary of the Navy for Installations and Environment, who I think has discharged the responsibility of secretary in a very commendable way in the acting position. It's not easy to be Acting Secretary of the Navy. As such, I wish to have the record this morning reflect the commendation, of myself and members of this committee, for the actions of Mr. Johnson during this interim period.

Secretary England, you are not accompanied by your family today, but their support is there. You assured me of that in the anteroom.

Secretary ENGLAND. Absolutely, Senator.

Chairman WARNER. You're no stranger to the committee, having served as the 72nd Secretary of the Navy. You performed admirably as secretary during that period, particularly in your compassionate response to the families of those military and civilian personnel with the Department of the Navy who died in the Pentagon tragically on September 11, 2001. That was on your watch. In your steady, determined leadership in the aftermath of that attack, working with the very fine Secretary of Defense, Mr. Rumsfeld, I remember heroism of that Secretary of Defense as I was privileged to go over that day and join him for the afternoon of September 11 in the Department of Defense (DOD).

Once again you came before this Senate for confirmation in January of this year in connection with your nomination to be Deputy Secretary of the Department of Homeland Security (DHS). I spoke on the Senate floor in support of that nomination at the time, underscoring the superb qualifications that you, Mr. England, possess by virtue of your impressive experience in the private sector and the Department of Defense to assist Secretary Ridge in the difficult task of organizing and coordinating the efforts of over 22 domestic agencies into one department to protect our Nation against threats to the homeland.

Without objection, I'd like to put that in the record, because that summarizes what I would otherwise be saying now. No use having duplication.

[The information referred to follows:]

[JANUARY 30, 2003]

Mr. WARNER. Mr. President, I rise today to commend the President for the selection of Gordon England for the post to which the Senate will confirm him soon in the newly created Department of Homeland Security.

I have had the privilege of working with Mr. England for some time now. Since he assumed the duties of Secretary of the Navy, we immediately became friends—because we had known each other while he was in the private sector, but, of course, I having had the privilege of serving as Secretary of the Navy some many years before, we were sort of a band of brothers—those of us who are privileged to serve in the greatest Navy in the world, and particularly in the post as a civilian boss. We have worked together these many years.

I want the record to reflect the extraordinary qualifications of this nominee. The Navy will miss him. But duty calls so often. It did in this instance because the President and Secretary Ridge wanted to draw on someone who had a proven record of management capabilities. Gordon England exhibited that record while he was

Secretary of the Navy. He will exhibit it as the hands-on operator of the management decisions in assisting the distinguished Secretary, Mr. Ridge.

I am very pleased with this nomination.

I want to mention just a few things about the distinguished career of this fine person.

He began his career with Honeywell Corporation working as an engineer on the Gemini space program before joining General Dynamics in 1966 as an avionics design engineer in the Fort Worth aircraft division. He also worked as a program manager with Litton Industries on the Navy's E–2C Hawkeye aircraft.

By coincidence, these are programs I worked on somewhat when I was Secretary, Under Secretary, and then, of course, while I have been here in the Senate serving now 25 years on the Senate Armed Services Committee.

He served as executive vice president of General Dynamics Corporation from 1997 until 2001 and was responsible for two major sectors of the corporation—first, information systems, and international.

Previously, he served as executive vice president of the Combat Systems Group, president of General Dynamics Fort Worth aircraft company. Before that, he served as president of General Dynamics land systems company producing land combat vehicles.

He has had this management experience, particularly in high-tech areas. Much of the Homeland Defense Department function will be going to the private sector, encouraging that private sector to design state-of-the-art and beyond—I stress "beyond"—technology to meet the many unknowns with which our Nation and other nations are confronted in this battle against worldwide terrorism.

Mr. England is a native of Baltimore. He graduated from the University of Maryland in 1961 with a bachelor's degree in electrical engineering. In 1975, he earned a master's degree in business administration from the M.J. Neeley School of Business at Texas Christian University. He served as a member of the Defense Science Board and was vice chairman of the National Research Council Committee on the Future of the U.S. Aerospace Industry.

It is an extraordinary record.

If I may say with the greatest respect to our President and to the new Secretary that his first Deputy, Gordon England, in the Department of Homeland Security, I think, can help avert what could come about as a tug of war between the Department of Homeland Security and the Department of Defense as it regards budget matters. Both have the highest priorities, properly accorded by our President, and indeed I think Congress. Homeland defense is just starting. As their cash flow and appropriations come in, I hope they will be adequate to meet the needs of this new Department. If they are not, I hope we can find other means by which to finance those requirements. They should be given top priority financially and support-wise because they will guard us here at home—augmenting what is in place already by way of the National Guard, the North Command and the other commands of the Department of Defense—many other things that are in place in bringing together the various and disparate agencies and departments and put them under this one head.

I am going to be ever watchful—and I think my good friend, Gordon England, should act likewise—to advise the Secretary of Defense and to advise the Secretary of Homeland Security. We cannot ever witness a budget war between these two strong and powerful and vitally needed Departments. Gordon England is eminently qualified to see that doesn't happen. Homeland defense starts beyond our shores in the forward-deployed positions of the men and women of the Armed Forces all over the world.

For example, on the battlefields of Afghanistan, we have made great progress.

I had the privilege just this morning of meeting with General Franks to talk about the progress he has made and the challenges that remain in Afghanistan. But he has, in large measure, achieved a goal of stemming the flow of terrorism from that troubled piece of land to other places in the world and will continue to fight that battle.

That is the clearest example I can give right now of where we have to stop terrorism before it comes to our borders. Hopefully, it can be interdicted there and certainly interdicted before it gets into hometowns in America.

Those two Departments must be adequately funded because they will work together to protect this great Nation.

I wish my old friend good luck, fair winds, and flowing seas, as we say in the Navy. He is eminently qualified to take on this position.

I thank the Chair.

Chairman WARNER. On Saturday, together with my colleague, George Allen, and the Governor of Virginia, we accompanied Governor Ridge on an inspection of the hurricane damage to areas of Virginia, at which time we engaged in conversations about your nomination. He feels that it is a decision the President made, and though he no longer will have the benefit of your wise counsel, he feels that this job is equally important to the one you held, and he wishes you well.

He also raised a question, which you and I have discussed preliminarily, and I hope that you cover in your testimony. That is, since you have firsthand knowledge of his needs with regard to space in the current location, Ward Circle, and the pending decision within the administration, most specifically, the Department of Defense, of how possibly additional space could be allocated to Homeland Defense. It is his hope that you will give this a high priority, and I'll await for your comment on that.

[The information referred to follows:]

DEPARTMENT OF HOMELAND SECURITY FACILITIES

The Department of the Navy has offered to relocate 10 Navy commands (1,147 personnel) from its Nebraska Avenue Complex (NAC) in Northwest Washington, DC, to provide space for the DHS. The NAC facilities provide 556,000 square feet of office space. This is a high priority for us, as we support the effort to consolidate all key aspects of DHS into a single location to streamline communications and create operational synergy for homeland security.

Office space for the DHS Secretariat headquarters was made available on December 19, 2003. As of January 30, 2004, a total of 212,000 square feet of space has been turned over to DHS, and 544 DHS employees now work at the NAC. The Navy plans to completely relocate from the NAC, except for one housing unit. As of January 30, 2004, 7 Navy commands (469 personnel) have relocated, with half of all Navy personnel relocating by September 2004. The remainder will move by January 2005. Several of the Navy commands will relocate to government-owned facilities, while others will relocate to leased spaces until we identify permanent government-owned facilities.

The intent is for the Navy to transfer ownership of the complex to the General Services Administration (GSA), which will manage the facilities for DHS. In order to transfer ownership of the NAC to the GSA, we will require a legislative waiver from section 2909 of the Defense Base Closure and Realignment Act (BRAC), which specifies that bases may not be closed, except through the BRAC process. GSA is preparing the necessary legislative proposal that relieves the Navy of BRAC statutes.

Chairman WARNER. Of course, speaking somewhat from a parochial interest, it has always been my hope that the Department could have been located in the Commonwealth of Virginia so that the entire Department could be co-located together. I was told by Governor Ridge he still has that under consideration in the out years, but his immediate concerns are space availability here in the next few months. So perhaps you should address that question, because it will be before you.

Now, the committee has asked Mr. England to answer a series of advance policy questions. He's responded to those questions, and, without objection, I'll make the questions and responses part of the record.

I also have standard questions we ask of every nominee who appears before this committee. So, Secretary England, if you would respond to these questions, then we can move forward with the hearing.

Secretary ENGLAND. Yes, sir.

Chairman WARNER. Have you adhered to applicable laws and regulations governing conflict of interest?

Secretary ENGLAND. Yes, sir.

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

Secretary ENGLAND. No, sir.

Chairman WARNER. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record, by the Congress of the United States?

Secretary ENGLAND. Yes, sir.

Chairman WARNER. Will you cooperate in providing witnesses and briefings in response to congressional requests?

Secretary ENGLAND. Yes, sir.

Chairman WARNER. Will you assure that the witnesses that come before the Congress of the United States will be protected from any reprisal for their testimony or briefings?

Secretary ENGLAND. Yes, sir.

Chairman WARNER. Do you agree, if confirmed, to appear and testify, upon request, before any duly constituted committee of the Congress of the United States?

Secretary ENGLAND. Yes, sir.

Chairman WARNER. Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even though they may be inconsistent with those of the administration, will you so give that testimony freely?

Secretary ENGLAND. Yes, sir.

Chairman WARNER. I'd like to defer to my distinguished colleague, Mr. Chambliss, and also Mrs. Dole, in sequence. I think, Mr. Chambliss, you were the first to appear?

Senator CHAMBLISS. Senator Dole was, Mr. Chairman.

Chairman WARNER. Senator Dole.

Senator DOLE. I have several questions that I would like to raise. First of all, there are reports that Secretary Rumsfeld has questioned the role of the Coast Guard in military overseas operations and is expressing an interest in turning over the duties of naval force protection and port security to the Navy. I'm interested in how you view this situation, and also whether you feel that there is a trend to move more Coast Guard assets into joint operations, particularly with the Navy.

[The information referred to follows:]

NAVY/COAST GUARD ROLES

The Department of the Navy's number one objective is to continue to support the global war on terrorism through naval combat forces that are capable and relevant to the mission assigned by the combatant commander. As such, the Coast Guard remains a frontline partner with the Navy in performing national defense and maritime security missions.

The role of the Coast Guard in military operations overseas is clear. The Coast Guard's ability to perform general defense operations, maritime interception operations, port security and defense, peacetime military engagement, military environmental response, and coastal sea control operations is an integral part of our naval force presence. Even when not formally assigned to the Navy by the conditions set forth in title 14 of the U.S. Code, the Coast Guard supports military operations overseas as one of our Nation's Armed Forces. Their capabilities have been instrumental to our success in Iraq.

Having said that, we remain aware that we are fighting a war against terrorists with global reach. The occurrence of a terrorism incident on our shores of significant magnitude could require all the current capabilities of the Coast Guard. When viewed in this respect, the Navy must be able and ready to fulfill those complementary missions abroad that traditionally might have been performed by the Coast Guard. The Navy has been reviewing its ability to perform those capabilities and assessing the risks and mitigating steps for such a situation. As a result, some Navy defense and maritime security mission capabilities that may resemble selected Coast Guard mission areas are meant to be complimentary to those of the Coast Guard against the global threat of terrorism. Port security and defense, and naval force protection operations are two such competencies.

The role of naval combat forces in the global war on terrorism is part of the joint effort to engage potential adversaries and address threats to our security as far from the United States and our interests as possible and to ensure defense of the homeland. Joint and combined operations involving all our military forces, other Federal agencies, and coalition partners is core to the defeat of terrorism. Specifically, the partnership we enjoy with the Coast Guard is one we have long recognized.

Operations involving force protection and port security are not solely Coast Guard or Navy competencies; in fact, these missions often involve the marines and sometimes the Army. While the Coast Guard is part of the new Department of Homeland Security, there are good reasons that demand we integrate our tradition-bound roles, missions, and platforms into a more holistic naval and maritime force. The reality is that we live in a joint world and are finding ways to jointly address traditional and emerging threats whether operating in a port within our borders or in some other locale.

Chairman WARNER. Senator Dole, I wonder if we could withhold questions. I thought perhaps you wanted to make some opening statements regarding the confirmation hearing, and then after he has given his statement to the committee, we will proceed with questions. So the question has been asked. I would ask that the answer be withheld until he's made his opening statement. Now that we're joined by Senator Levin, I'll defer to him.

Senator DOLE. All right.

Chairman WARNER. But I do wish to receive, on behalf of the committee, the views of my colleagues with regard to this nomination, then proceed to his opening statement.

Senator DOLE. Thank you, Mr. Chairman.

Chairman WARNER. Thank you.

Senator Levin.

STATEMENT OF SENATOR CARL LEVIN

Senator LEVIN. Mr. Chairman, I apologize for being late, first of all. Let me join you in welcoming Gordon England, who's an old friend of ours, and well known to this committee. He has had an outstanding career of leadership and service to the Nation. We're grateful to you and to your family for the willingness that you've shown to continue that service to the United States, once again, as Secretary of the Navy.

If you are confirmed by the full Senate, you are going to be well-positioned to carry on the critical programs that confront the Navy today. I'm not sure there is anyone, perhaps with the exception of our own chairman, who has had the benefit of as thorough a training course as you will bring to this job. The Navy has historically dealt with the day-to-day strains of deployment and high operating tempos. With everyone's concerns about supporting the readiness of our deployed and non-deployed forces, your efforts in managing improvements in the force and its supporting structure are going to be crucial.

So I want to thank the chairman for the speed with which this hearing has been called. We look forward to supporting your nomination and working with you during your return engagement.

Secretary ENGLAND. Thank you, Senator.

Chairman WARNER. Thank you, Senator.

Senator Dole, do you have any comments?

Senator DOLE. No.

Chairman WARNER. Senator Chambliss?

Senator CHAMBLISS. Mr. Chairman, I would just like to say that we're certainly glad to have Secretary England back with us. He did a great job in his tenure as Secretary of the Navy, where I got to know him well, and I'm very pleased that he has decided to come back to the Pentagon. He served us well in the Department of Homeland Security, and, Mr. Secretary, we're just glad to have you back.

Thank you.

Secretary ENGLAND. Thank you very much, Senator.

Chairman WARNER. Senator Pryor.

Senator PRYOR. I don't have an opening statement, Mr. Chairman, thank you.

Chairman WARNER. Senator Reed, do you have any opening comments?

Senator REED. Thank you, Mr. Chairman. Let me just welcome Secretary England. He's an extraordinary, talented, and decent person, who will lead the Navy as he did before, and I'm just delighted he's returning.

Thank you.

Secretary ENGLAND. Thank you, Senator.

Chairman WARNER. Thank you, Senator Reed. You have some very important installations such as the Naval War College in the State of Rhode Island.

Secretary England, please give us your opening comments, and then we'll proceed to questions.

STATEMENT OF HON. GORDON R. ENGLAND TO BE SECRETARY OF THE NAVY

Secretary ENGLAND. Mr. Chairman, thank you.

I do have some comments which I would like to put into the record, with your permission, sir, but just a few comments.

First of all, it is a privilege and an honor to be here once again to seek confirmation as Secretary of the Navy. I appreciate the confidence and the trust of the President of the United States and Secretary Rumsfeld, and Secretary Ridge, that they've placed in me to return to this position of responsibility and importance to America.

My earlier commitment to you, at my last confirmation, was to maintain the strongest and most combat-capable Navy and Marine Corps in the world, and that remains undiminished. I also, Mr. Chairman, would like to echo your remarks regarding H.T. Johnson, the Acting Secretary of the Navy, who did an absolutely admirable, very effective, and competent job as Acting Secretary. He is a very dear friend of mine. I thank him for his service during these past 9 months.

Also, my thanks to this committee for your wonderful support of our military. Without the support of this committee, frankly, the

military could not accomplish what they have accomplished here for our Nation this past couple of years. So, Mr. Chairman, members of this committee, I thank you for your wonderful support of our military.

I also want to comment that it has been a privilege and an honor to serve with Secretary Tom Ridge as his Deputy in Homeland Security. I believe the people in that department have done just a marvelous job in securing America, and it has been a privilege for me to serve with him. I also thank him for the opportunity to serve with him and the President, in what is a very important and historic mission. It's a delight to be here again. I dearly love our men and women in uniform, and I am looking forward to returning as Secretary of the Navy, if confirmed by this committee.

I await your questions, sir.

[The prepared statement of Mr. England follows:]

PREPARED STATEMENT BY GORDON R. ENGLAND

Mr. Chairman and members of the committee, it is a privilege and an honor to appear before you to again seek confirmation as Secretary of the Navy. I am once again humbled by the level of trust and confidence that President Bush and Secretary Rumsfeld have placed in me, to return to my previous position of service to our sailors and marines and to our Nation. My earlier commitment to you to maintain the strongest and most combat-capable naval force in the world remains undiminished. My thanks to this committee for your continued strong support of the naval service and for all of our military. I also want to thank the Honorable H.T. Johnson for his leadership and personal commitment to naval excellence during his tenure as Acting Secretary of the Navy.

It has been a unique privilege and an honor to serve Secretary Tom Ridge as his Deputy in the Department of Homeland Security. Under his leadership, our Nation daily grows stronger in securing our borders, protecting our travelers, enhancing our intelligence, protecting our critical infrastructure and responding to catastrophic events. The department has come a long way in a short time.

I appreciate the opportunity provided to me by President Bush and Secretary Ridge to have been part of this important and historic mission.

In May of 2001, I first appeared before you to address your questions related to my nomination as the 72nd Secretary of the Navy. Much has changed since that hearing. Today, we face a threat to the very foundations of our country—liberty and freedom—justice and law—unlike any fight we have ever encountered. September 11 was the confirmation of these dramatic new threats to America. For the first time in the history of mankind, small numbers of people can wreak untold havoc in our cities and against our citizens . . . against our economy . . . and against freedom-loving people around the world. The past is no longer prologue to the future.

In this new environment with new threats to America, Secretary Rumsfeld's commitment to transformation is ever more critical . . . and the naval services stand with him in this mission. This naval transformation is embedded in the four core initiatives that have underpinned the leadership focus for the past 2 years; namely, (1) improving combat capability, (2) achieving a quality workplace and enhanced quality of life for sailors and marines in order to create an environment of excellence, (3) improved application of technology and interoperability, and (4) more effective management techniques to systemically improve the efficiency of the Department of the Navy.

Operation Enduring Freedom and Operation Iraqi Freedom have validated the importance of inter-service cooperation and fluidity of operations. The naval services are committed to continue to transform as part of a joint warfighting team. The United States has shown, through the global war on terrorism, that it has the will and the capability to protect America, even at the far corners of the earth. The recent operations in Afghanistan, Iraq, and Liberia highlight the naval services' ability to quickly respond to an international crisis while providing a strong stabilizing presence. All such operations have confirmed the Navy and Marine Corps' essential role to control the sea, project military power, and influence events well beyond the ocean. The country's ability to provide persistent naval warfighting capability as the cornerstone to sustain America's influence around the globe will continue. New ini-

tiatives like DD(X) and littoral combat ship (LCS) will carry this capability into the future against new threats. Coupled with other new initiatives, like the Fleet Response Plan, the Navy will continue to increase flexibility and surge capability.

If confirmed, I will work with the Chief of Naval Operations, the Commandant of the Marine Corps, the Secretary of Defense and with this committee to ensure our future combat capability. As part of this effort, I fully support the Navy's and the Marine Corps' move to acquire flexible, multi-mission platforms to meet the demands of the global war on terrorism and to ensure that we remain poised to counter future threats.

We are blessed as a Nation to have a 227-year legacy where magnificent men and women volunteer to protect and defend America. All Americans are proud and thankful for their service. In turn, America needs to provide them the tools and equipment to accomplish their mission and to provide for them and their families. Along with this support, we also need to evaluate continuously our military and civilian personnel policies. Our terrorist adversary has no large bureaucracy. Accordingly, we need to assure that our overall military capability is flexible, responsive and adaptable.

Business practices are a force enabler. How we operate the naval enterprise, procure our goods and services, maintain our equipment, and the like, determines the efficiency and effectiveness of the force. By improving effectiveness, efficiencies are gained, thereby freeing funding for further effectiveness. This initiative was launched by the naval leadership team during my prior tenure and will continue, if confirmed, during my next tour of duty. Admiral Clark and General Hagee are committed with me to improve the effectiveness of everything we do. Transformation of business practices across the Navy and DOD are essential to meet Secretary Rumsfeld's goals, and we are committed with him in this undertaking.

In recent history, technology has provided the decisive edge for our military forces. This emphasis is especially important in the global war on terrorism since a new spectrum of threats now face our military and citizen populations. Technology is more readily available to our adversaries. Globalization, the Information Age, lower cost—all accelerate technology dissemination around the globe, to friend and foe alike. This global technology transformation necessitates a focused, responsive technology program within the Department of the Navy to ensure that the naval services maintain a technological advantage in all encounters. I am committed to win this battle for continuous technical superiority.

In closing, the enemies to freedom are organized, cunning and determined . . . but they are no match for the hardened resolve of nations and individual citizens who know the value of freedom and who will pay any cost to protect it . . . and leaders with the will, the vision, and the determination to win.

Thank you for considering my nomination to be the 73rd Secretary of the Navy. If confirmed, I will serve our sailors, marines, and Nation to the best of my abilities.

Chairman WARNER. Thank you very much.

Drawing on your experience at the Department of Homeland Security—there is a question about the United States Northern Command, that it should be given time to develop a coordination process between the Northern Command and the Department of Homeland Security. Presumably, you've focused some of your work at the department on that issue, and I'd like to ask how long do you think it will take to accomplish this coordination? What can we do to speed it up?

I am a great supporter of the concept of homeland defense. The Department of Homeland Security is critical, I think, to the current and long-term survivability of this Nation. So I'm hopeful this problem can be resolved expeditiously.

Secretary ENGLAND. Mr. Chairman, that relationship is working well. Now, the Northern Command is relatively new, as is the Department of Homeland Security, but we have several of our people actually assigned to the Northern Command. One of our Coast Guard Federal Emergency Management Agency (FEMA) people is assigned at the Northern Command. So we work closely, we do exercises, joint exercises, with them. So we do have a close relationship. It is important that we continue to increase those bonds be-

tween us, because we each bring different types of capability as we protect and defend our Nation.

But that is going well. There is a recognition on behalf of both of the organizations to continue to work those relationships, and I'm sure the department will continue to do that, Senator.

So there are already ties at the management level, and at the operational level. I can tell you, as Secretary of the Navy, I will certainly encourage those ties from the Department of Defense point of view.

Chairman WARNER. Mr. Secretary, the question of the Guard and Reserve is now coming under close scrutiny. The President and Secretary of Defense, by necessity, had to call up major elements of our Guard and Reserve, and continue to do so. That will have an impact on the ability, in the out years, to maintain, in the case of the Navy and the Marine Corps, a strong Reserve. I would hope that you would focus on this issue as one of your top priorities, assuming your advice and consent by the Senate, because it's essential that we maintain a strong Guard and Reserve.

You'll do it in collaboration with the other service secretaries in the department, but they have performed very commendably throughout the Afghanistan operation and the Iraq operation, and continue to do so. In their cases, the impact on the families is somewhat different than the Active Forces. There, an active member knows that he or she can be ordered, on a day's notice, to go abroad and assume responsibilities. In the case of the Reserve and Guard, it takes them a bit longer to sort out their obligations at home with the family and in their workplace before they undertake and accept their orders, which they have done willingly in this operation.

Could you share with us your views on that, and hopefully commit to the committee that this will be one of your top priorities to examine?

Secretary ENGLAND. Well, Mr. Chairman, I can definitely commit to that. This is important for our Navy and for our Marine Corps. The Reserves are very important. We did activate reservists for both Operations Enduring Freedom and Iraqi Freedom.

I will tell you, sir, that we are very sensitive to the service of our reservists, and we do try to have a fixed period of time on active duty for them. At this point, I know that a lot of our reservists are going home to their families. But we are very sensitive, and we are very appreciative of what our Reserves do for our Active Force, and their families. I will be very sensitive to this issue as we go forward, sir. We do sincerely appreciate their service.

Chairman WARNER. Good.

The subject of the Littoral Combat Ship Program, it was initiated by you and the Chief of Naval Operations (CNO) before your departure from the department. I commend both of you on it. It is a vital program to the out years of the Navy.

In your absence, the CNO stated that he envisioned that there will be about 65 of these ships built. The funding for the first ship in the class is projected in the research, development, test, and evaluation (RDT&E) funds in fiscal year 2005. Because it is the focused mission modules that will enable these ships to perform their

missions, do you believe that enough emphasis has been placed to date on the development of these modules?

Secretary ENGLAND. Mr. Chairman, I don't know everything that's happened since I left the office earlier in the year. But I do know that the plan was for the initial ships to use existing technology for the mission modules, and then to develop the mission modules in a whole new approach—that is, a modular design with new business practices—so that the LCS would indeed not only be a new class of ships, but would be a new way of buying ships. They would be modular in construction. We could do this, hopefully, much faster and cheaper than our other series of ships. This is a whole new approach, and I do believe, when I left, at least, the Navy had a very excellent plan to go forward with the mission modules, and I would expect, sir, that that's still in place.

Chairman WARNER. Our committee has heard competing estimates of cruise missile threats to the Navy. This goes back to when I was privileged to be in the Navy Secretariat. But it's becoming an increasing threat, given the proliferation of technology and the ability to construct these cruise missiles throughout the world. Some contend the threat is serious. Others contend the Navy is well prepared. I would ask that you put this among your top priorities, because our carrier task forces could be vulnerable to these instruments of war even being launched from shore and/or small vessels. To the extent you can talk about this subject here in open session, I'd like to, again, have your commitment to address this as a high priority and make such other observations as you feel free to do so.

Secretary ENGLAND. Well, I would say that this is certainly a threat to our Navy. The Navy has invested, I know, a lot of resources to defeat this threat. But I will, indeed, follow this issue closely, and we will, indeed, report back to this committee as our plans continue to unfold in that regard, Mr. Chairman.

Chairman WARNER. Good.

My time has concluded. I say to my colleagues that I am going to go vote, so that I can return. It would be my hope, Mr. Talent, that you or others can continue this hearing until I come back.

Thank you very much.

Senator Levin, do you have questions?

Senator LEVIN. Thank you, Mr. Chairman.

On the end strength issue, there has been a request for the 2004 fiscal year budget that there be a reduction in active duty end strength for the Navy of 1,900 sailors. A 1,900-sailor reduction is requested also in the end strength for the Reserve. I'm concerned about the efforts to cut the size of the active and Reserve Navy at a time when the operational tempo has never been higher. Our military personnel are serving extremely well during times of high stress, and I just don't see how we can cut end strength and continue with all of our military missions, and expect our service members to elect to enlist or reenlist in our already stretched military services.

Can you give us your views on that end strength issue?

Secretary ENGLAND. Well, Senator, during my last tenure, we took a lot of steps, frankly, to make the Navy more effective and more efficient, including lower manning levels on our ships. Our

new ships require less personnel, because they're more highly automated, with different technologies. So the plan at that time was, indeed, to reduce the manpower in the Navy and in our Reserves as a function of less manning on our ships and better technology. I will look at that when I return, sir, to make sure that that's still appropriate, and that we're on the right path, but that was the plan about a year ago, Senator.

Senator LEVIN. Secretary England, the administration is planning on deploying a sea-based missile defense system in 2004, despite the fact that it failed its most recent test. Will you support deployment of a sea-based missile defense prior to completion of a successful test program?

Secretary ENGLAND. Senator, I'm not familiar with the test program that's being conducted or how extensive or how long that test program is. Again, I know that we had some successes when I was Secretary of the Navy before. It was extremely promising. I think this is likely a question of risk and the immediacy, in terms of confidence in the design versus the risk. So I would expect this is a risk-management type of a decision. I'm not familiar exactly what those risks are at the moment, because, again, I have not been in that role now for some time. But, again, I'd be happy to get into that in more detail. But I do think it's a risk-based assessment that would be made.

Senator LEVIN. Would you do a little research on that issue for the record, and give us a more complete answer for the record in the next day or so?

Secretary ENGLAND. Yes, sir, I will.

[The information referred to follows:]

SEA-BASED MISSILE DEFENSE

Yes, I support the initial deployment of a sea-based ballistic missile defense system, in accordance with the commander in chief's goals stated in National Security Presidential Directive 23. The Navy and the Missile Defense Agency are executing their sea-based test program with great success, most recently Flight Mission Six (FM–6) in December of last year. In that test, a Navy cruiser fired an SM–3 that successfully intercepted a ballistic missile-like target, meeting all pre-test objectives.

It is important to note that the initial deployment of our sea-based capability would provide surveillance and tracking of long-range ballistic missiles, to support engagements by the Ground Based Midcourse system. Preparations and testing for a sea-based engagement capability will continue, with a flight test planned for early calendar year 2005. I will stay fully engaged with Congress on this issue, and will ensure you are fully briefed prior to a decision regarding future developments.

Senator LEVIN. Would you also—if, in fact, you do support the deployment of that missile-defense system before completion of its test program successfully, would you, in your answer, also let us know if there are any other Navy systems that you'd recommend deploying prior to successful completion of operational tests?

Secretary ENGLAND. Yes, sir.

[The information referred to follows:]

BALLISTIC MISSILE DEFENSE

There are currently no other systems I would recommend deploying prior to completion of operational tests. It would be premature to recommend deployment of a weapon system prior to the completion of adequate testing unless there is a dire national security concern, and then only with the proper risk controls in place.

Senator LEVIN. Then there are just two other questions, given the time. One relates to the Harpoon Enhancement Program, which the Israeli Government has approached the Navy about, relative to a possibility of joint development and upgrading of the Harpoon anti-ship missile. Do you support pursuing a joint development program to improve the Harpoon missile?

Secretary ENGLAND. Well, I did when I was previously Secretary of the Navy. Now, again, sir, I don't know what has transpired since then, but, at the time when it was first discussed, it did sound like a reasonable approach. I don't know what the latest situation is in regard to that. That's another issue. Senator, with your permission, I'll get back with you.

Senator LEVIN. That would be great if you would do that.

[The information referred to follows:]

HARPOON MISSILE

The Navy is overseeing an Israeli Technology Concept Development Study (CDS) which examines the operational and programmatic impacts of integrating Israeli proposed upgrades to the Harpoon Block II weapon system. The U.S. and Israeli Navy—with their industry counterparts—conducted a second Technical Interchange Meeting on 11–15 January 2004, further refining the study's trade-space. The CDS should be completed by September 2004, at which time I will ensure your office is furnished with the results.

Senator LEVIN. Finally, in your current position, since you'll be there for a few more hours, in any event, first, let me thank you for connecting me with Secretary Ridge so promptly. This occurred last week. Your offices worked very well on that, and I appreciate it.

Secretary ENGLAND. You're welcome.

Senator LEVIN. Could you remind the Secretary, while you're still there, that he owes Senator Collins and I an answer—the Senate and the country, frankly—on the question of coordination between the Terrorist Threat Integration Center, the Counter-Terrorist Center, and the new Homeland Security Department's Information Analysis Infrastructure Protection Section? Because there could be confusion or uncertainty as to who has the primary responsibility for analyzing foreign intelligence unless that, and until that, is pinned down very clearly. Secretary Ridge knows he owes us that, but please remind him. It's very important that we not have a repeat of the situation before September 11 where the failure to clearly identify responsibility for that analysis, at least in the judgment of some of us, contributed to our lack of preparedness and being able to be ready for that kind of an attack and to know about it in advance. So if you could leave that in your final notes to your Secretary, we'd appreciate that a great deal.

Secretary ENGLAND. I'll do it.

Senator LEVIN. Congratulations again. We look forward to your confirmation.

Secretary ENGLAND. Great, thank you very much. Thank you for your support, sir.

Senator TALENT [presiding]. I'm told that we actually have two votes. We're going to continue until we hear from the chairman about whether he's going to try to get back.

Senator Chambliss is recognized.

Senator CHAMBLISS. Thank you, Mr. Chairman.

Mr. Secretary, I have three outstanding Department of the Navy installations in my State, of which I am very proud. You and I have already discussed that we're going to make sure that you and I have an opportunity to visit those three during your tenure in office this time.

Secretary ENGLAND. Yes, sir.

Senator CHAMBLISS. You were kind enough to visit the Albany facility last time around, and now I look forward to getting you down on the coast, as well as to the Navy supply school at Athens.

As we did discuss the other day in my office, I'm very concerned about what's happening with the Navy and Marine Corps Reserve aviation assets. I'm concerned that the Navy does not have a vision for using these Reserve Forces. I'm told that the active-duty Navy strongly opposed using Reserve F/A–18s from NAS, Fort Worth, in Operation Iraqi Freedom. However, they were used, and they performed magnificently on the U.S.S. *Roosevelt.* I'm told that between now and fiscal year 2006, the Navy is planning to decommission approximately 13 Reserve aviation squadrons, none of which are scheduled to receive new hardware. This approach, if followed, will result in a Reserve component with no equipment, only personnel. The Reserve, in this case, would have no assets to train with and no unit to deploy with. This has been tried before, and the impact on readiness, morale, and retention would be devastating.

While I fully appreciate the need to recapitalize and take advantage of advances in technology, I am extremely concerned about the Navy's approach and the impact it will have on the readiness and capabilities of our Navy and our Nation.

Now, I know, with you just coming back to the Pentagon in this position, you have a lot on your plate at this time. But if you would, I'd like for you to outline what your vision is for the Navy and Marine Corps Reserve, and how you plan to keep them engaged, contributing, and a full member of the Navy team.

Secretary ENGLAND. Well, Senator, just let me say, in general, that the Reserves are a very important part of our Navy and Marine Corps team. My understanding when I left was, we were starting studies, in terms of how we could most effectively utilize those Reserves. Sir, I'm not familiar with the output of those studies or where they are. So, with your permission, I would like to get back with you on this subject, Senator.

Senator CHAMBLISS. Sure.

Secretary ENGLAND. So I will return—if you'll give me just a short period of time, if confirmed, in reporting to my new office, I will make an appointment, and we'll discuss this issue, sir.

Senator CHAMBLISS. Okay. There is one other thing I'd like to comment on. I had the opportunity to visit with General Schoomaker this morning, and I mentioned to him that—the same issue that Senator Levin brought up with respect to force structure and where we're going. I am receiving numerous complaints, not necessarily from the members of the Reserve and the Guard, but more from their families, about the deployment of these folks on a continued basis. In some instances, and I don't know that the Navy is included in this, but we have instances where our Guard and Reserve folks have been called up over the last 4 years virtually every other year. If we continue to do that, recruiting and retention is

going to become more and more difficult. So I think it's absolutely necessary that we start looking at the size of the force structure. Did we downsize too much? If we didn't, are we prioritizing where we need to put our folks? I say that as chairman of the Subcommittee on Personnel here on the Senate Armed Services Committee.

I look forward to dialoguing with you on this over the next several months as we head into the 2005 fiscal year. We need to reevaluate this. I know the Navy has actually asked for a decrease in personnel, but the tempo of operations (OPTEMPO) is going up. So I think we need to continue this dialogue, let's make sure that we're all satisfied that we're on the right track.

Again, I thank you for your service to our Nation. You're the kind of person that the United States really needs in public service. I think by virtue of the fact that—and we didn't want to hurt your feelings that not many people are here, but it is a sign of the fact that everybody on this committee has great respect for you, and we're sure glad to have you coming back as Secretary of the Navy. As with Senator Levin, I want to give you my congratulations in advance. So thank you, Mr. Secretary, and we look forward to continuing to work with you.

Secretary ENGLAND. Senator, thank you, and I look forward to working with you, sir. I look forward to accomplishing a lot for our Navy, our marines, and for our Nation. Thank you for your kind comments.

Senator CHAMBLISS. Knowing that one of your hobbies, as is mine, is fishing, there's great fishing at Kings Bay in places that ordinary folks can't go that I'm expecting you to get me into, so——[Laughter.]

—we're going to make that happen. [Laughter.]

Secretary ENGLAND. Thank you, sir.

Senator TALENT. Maybe we should strike that last remark from the record. [Laughter.]

Senator Warner, I understand, is on his way back. Secretary England and I have had a chance to visit in private about a whole lot of issues, and I don't have any questions for him. There is one vote pending, and they're holding it for Mr. Chambliss and myself, and then another after that. So what I'm going to do is just recess the hearing, if the Secretary would not mind, because the chairman is on his way back, and then he can decide whether he wants to continue, if he has further questions, or if he wants to adjourn the hearing.

Secretary ENGLAND. Great. Thank you very much, Senator.

Senator TALENT. The hearing is recessed until the chairman returns. [Recess.]

Chairman WARNER [presiding]. We will resume the hearing. I will ask staff to advise the chair if any other members are likely to come, and if anyone has knowledge of that we will continue. But I'll proceed with one or two questions here. If no members indicate that they desire to come to the hearing, then we'll conclude.

As you're aware, Mr. Secretary, this committee established a goal for the Department of Defense. By 2010, one-third of U.S. military operational deep-strike aircraft will be unmanned, and by 2015 one-third of all U.S. military ground combat vehicles will be unmanned. What is your assessment of the Navy and the Marine

Corps being able to meet this goal? Do you agree that it's a laudable goal? What views are you willing to share with us this morning on that point?

Secretary ENGLAND. Senator, I'm not sure we're going to meet those specific goals, but I can tell you that there's a large interest in the Department of the Navy in unmanned vehicles of all types—not just in the air, but underwater—and there is a significant interest on my own part. In fact, as Deputy Secretary of Homeland Security I participated in the Unmanned Vehicle Conference here on the east coast of Maryland just recently, to observe all the various types and the technology and what might be applicable. I know before I left, we actually put money in the budget to heighten and increase our effort in this area with unmanned vehicles. So I can tell you, this does have my personal attention and my personal interest. I do know that the Chief of Naval Operations and the Commandant of the Marine Corps are both personally interested in unmanned vehicles of all varieties—land, sea, and air.

So this will be an area that we will continue to pursue, and we will give you a further assessment, Senator. We'll look at this and respond directly, in terms of, can those goals be achieved? They do sound aggressive, but those goals have put us, I believe, on the right path, in terms of unmanned vehicles for the future.

Chairman WARNER. With reference to manned aircraft, I think it was under your leadership that the CNO and the Commandant reached this arrangement by which there's just about an integration of naval and marine air forces, and particularly incorporating larger numbers of marines in the carrier task force operating off carriers. That is something that achieved a dollar savings, training savings, greater utilization of aircraft and personnel. I hope that you can continue that, and even improve on it, and find such other means to make the Marine Corps/Navy team more cohesive.

Secretary ENGLAND. Senator, absolutely. The key word is the Navy/Marine Corps "team." I believe that team is the best it's perhaps ever been. A lot of that is due to the Chief of Naval Operations, Admiral Vernon Clark, and also the previous Commandant, General Jim Jones, and our current Commandant, General Mike Hagee. That's very important. That approach eventually saved the taxpayer tens and tens of billions of dollars; and, in our judgment, we ended up with a more effective force. So this team approach will continue, in terms of improving our effectiveness and also the efficiency of our force. You have my commitment, sir. That's very important to me, personally. I know it's important, again, to the CNO and the Commandant. We are a very close-knit leadership team, and we will definitely work this issue.

Chairman WARNER. I, together with Senator Levin and other members of the committee, made two trips this year to the region of Afghanistan and Iraq, and I actually had an opportunity to spend several days with the Marine Amphibious Ready Group (ARG)—that is the task force offshore Liberia. That task force had been in an operational status for a considerable period of time, and it was due for rotation when I was there, I was told—this was 10 days, almost 2 weeks now—rotation October 1. But in visiting with all levels of troops, it was clear to me that you're working with the Secretary of Defense to maintain schedules of your forward-de-

ployed units, schedules where not only the members in uniform, but their families, know, as best you can, of the period of those deployments and the return dates. If they have to be extended, then, as quickly as possible, inform the families, and there will be valid reasons for that extension given. But I cannot emphasize the importance of keeping the uniformed members and the family members on a timetable, on a schedule, so that they can fulfill their missions abroad, but, at the same time, fulfill their commitments to families at home. I hope that that will be one of your top priorities.

Secretary ENGLAND. It is. Again, we agree with you, Senator. The Navy and the marines, we are a deployed force, so our forces are always deployed. Our men and women look forward to those deployments. We do try to schedule them so that we have fixed time dates. Obviously, in time of war they change somewhat. But I need to tell you, Senator, our retention is at an all-time high, our recruitment is at an all-time high, and morale is very high. So I believe the CNO and the Commandant have just done a superb job, in terms of deploying our forces and bringing them home at the appropriate time. We're very sensitive to that, and we will continue to be so, sir.

Chairman WARNER. Well, I felt that the force that the President, I think, very wisely and properly ordered to be deployed off the coast of Liberia, performed its mission in a very commendable way that ARG is still there. It's due, I think, to rotate 1 October or thereabouts. What I would hope you would consider is due recognition for their services in that operation, because it was successful.

Secretary ENGLAND. Absolutely. Again, Senator, this Navy/Marine Corps team, we deploy for a purpose, and being everywhere around the world is very important to our Nation, and that is our mission. We will continue to do that, and we appreciate these magnificent men and women who do that for our country, and we'll make sure they are recognized, sir.

Chairman WARNER. I share those views.

One of the President's highest priorities is defending the Nation, its allies, and friends, and deployed forces from ballistic missile attack. While Navy-based ballistic missile defense efforts have achieved recent test successes, those efforts have also undergone significant change since the cancellation of the Navy Area Defense Program. How important is ballistic missile defense as a Navy mission? Should the next-generation Navy surface combat ship be DD(X), and its radar be built to support the missile defense mission? What role do you believe the Navy should play in helping defend the U.S. coastline from shorter-range ballistic missiles that could be launched from other than naval vessels or barges or other craft?

Secretary ENGLAND. Senator, the Navy does have a unique capability in this regard, since our ships can deploy almost anywhere in the world. So we can position our ships for this mission. It is a mission uniquely suited to the United States Navy. We have had a number of successes in this area. I will follow up with you in the detail of exactly where we are in those development programs and deployments. But it is an important capability for our Navy/Marine Corps team, and it's also an important capability for the Nation.

So hopefully we'll continue to have test success in that regard and deployment.

Chairman WARNER. All right.

[The information referred to follows:]

BALLISTIC MISSILE DEFENSE

The President considers protecting the American people from these threats his highest priority. The Navy is uniquely positioned to provide some of this capability and we consider it to be among our top priorities. We do not envision DD(X) as being a ballistic missile defense asset. The Navy and the Missile Defense Agency will ultimately equip eighteen cruisers and destroyers for the Ballistic Missile Defense (BMD) mission, and Navy plans to build a BMD capability into the CG(X) class of ships. The Department of Defense has authorized the Navy and Missile Defense Agency to undertake a sea-based terminal defense experiment that should provide additional information on this type of coastal threat. The results of this test should be complete by the middle of calendar year 2005 at which time I will ensure these results are made available to your office.

Chairman WARNER. In 2001, the Commission to Assess the U.S. National Security Space Management Organization, also known as the Rumsfeld Commission, made a number of recommendations to improve DOD oversight of space programs. Do you believe that the current Department of Defense management structure for space programs sufficiently addresses Navy space equities? In your view, how actively should the Navy be engaged in the management of space programs?

Secretary ENGLAND. Well, Senator, my understanding is that we are a full partner in those programs. We do participate with the National Reconnaissance Office (NRO) directly, and we are a part of their team. But, with your permission, I will get back with you on that subject, sir, after I become more familiar with exactly where we are with those programs. During my last tenure we were a full partner. We were training and equipping people. But I would be pleased to respond to you, sir, in more detail on that question.

[The information referred to follows:]

NATIONAL SECURITY SPACE MANAGEMENT STRUCTURE

The Rumsfeld Commission considered how to strengthen our national security space program given our growing dependence and vulnerability in this area. The commission presented a thorough, independent, and objective assessment of our national space program. Implementation of the 10 recommendations approved by Secretary Rumsfeld are transforming the Nation's space programs to a more comprehensive management and organizational approach—an approach that is necessary to assign clear responsibilities and accountability for particular space programs.

The Department of the Navy is working as a partner with the Under Secretary of the Air Force/Director of the National Reconnaissance Office [the DOD Executive Agent for Space] in the overall space decisionmaking process. The current structure does sufficiently address Navy equities. Within the DOD, there is appropriate Navy leadership representation at National Security Space stakeholder meetings, Defense Space Acquisition Boards, and other decisionmaking fora. Specifically, the Navy is designated the executive agent for developing and fielding the next generation Ultra High Frequency Satellite Communications (UHF SATCOM) for which it has long been a leader. The Navy leads the Program Office for development, acquisition, and deployment of the Mobile User Objective System satellite communications system, which will be used by all DOD components for their future UHF communications needs.

The Navy should be, and is, actively engaged throughout the spectrum of space requirements (including those for future space capabilities), acquisition and operational processes, and space science and technology/research and development (S&T/R&D). We have organized internally to ensure appropriate management of space programs, and are finalizing a revised Naval Space Policy to reflect the changes in

the National Security Space environment. The Navy has also established a Space Cadre Advisor to assist in the development and assignment of its space cadre, as directed by Secretary Rumsfeld.

Chairman WARNER. The Department of the Navy is working with both the Marine Corps and the Army to develop a Lightweight 155mm Howitzer. Are there other programs or areas that can beneficial to both the Marine Corps and the Army, which would lead to lower development costs and improved interoperability? Are you familiar with that program?

Secretary ENGLAND. I am familiar with the lightweight 155. It is a joint program. It is very successful. As I recall, we were going into production during the last budget, we were starting our initial production. So I expect that program is now in the production phase. But we do work closely with all the Services. Secretary Rumsfeld's approach is to have a very joint military, so we do work with all the Services, in terms of all of our programs, to make sure we have as much interoperability and commonality as we can, Mr. Chairman, and we will continue to do that. That is a major thrust of the Secretary of Defense, and we will certainly continue those initiatives.

Chairman WARNER. On my way to Liberia, I accompanied the Majority Leader to South Africa. It is my practice, when I visit nations, to call on the defense establishment. In that context, some remarkable achievements that South Africa has had in recent years were brought to my attention in the development of field artillery delivery systems and, most particularly, the shells they used. I was advised that the Army is now testing some of their shells, which, according to certain representations, outperform our current inventory of artillery shells by a margin of two to one. They've incorporated some high-technology innovative systems, and it's working.

Would you have the Marine Corps take a look at those systems in the context of the question I've just asked?

Secretary ENGLAND. Absolutely.

Chairman WARNER. The Defense Science and Technology Program is recovering after years of declining budgets. However, the budget request for S&T still falls short of the Secretary of Defense's goal of dedicating 3 percent of the total Defense budget to science and technology. In particular, the Navy Science and Technology Program has declined significantly over the past 2 years. Subject to confirmation, how do you plan to address the shortfalls of the Navy Science and Technology Program and to try and meet the Secretary of Defense's goal?

Secretary ENGLAND. Mr. Chairman, it is hugely important to us, this whole science and technology investment. My only comment would be that we also do a lot of S&T work particularly in our very classified programs and at some of our R&D accounts. So I think if you look at the total S&T that we do across the Navy, we likely do about 3 percent. I believe the number is actually larger than it appears. But, also, along with the 3 percent is the effectiveness of the R&D and the efficiency of the S&T that we do. So I think there are multiple dimensions to this. It is important to our future. It is an issue that I will pay particular attention to. So this is an issue that does have my attention, Senator, and I will be pleased to peri-

odically report back to you on how we're doing in this whole area of S&T.

Chairman WARNER. The record will remain open for further questions to be propounded to the nominee by members of this committee. We'll keep it open for 48 hours, subject to the inclusion of such questions as may be put in, and your responses. This hearing will be concluded this morning, subject to that exception.

We wish you well, Mr. Secretary. We've had a good hearing. We have a series of votes on the floor which have detained a number of our members who otherwise would have been present this morning.

The hearing is recessed.

Secretary ENGLAND. Mr. Chairman, I just want to say thank you for your personal support of my confirmation, and also, again, thank you for your great support of the United States military.

Thank you very much, Senator.

Chairman WARNER. I thank you, Mr. Secretary.

[Whereupon, at 12:06 p.m., the committee adjourned.]

[Prepared questions submitted to Gordon R. England by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. You previously have answered the committee's advance policy questions on the reforms brought about by the Goldwater-Nichols Act in connection with your nomination to be the 72nd Secretary of the Navy.

Have your views on the importance, feasibility, and implementation of these reforms changed since you testified before the committee at your confirmation hearing on May 10, 2001?

Answer. No, my views remain the same as when I testified before this committee in May 2001. I remain firmly committed to the complete and effective implementation of the reforms brought about by the Goldwater-Nichols Act.

Question. Do you see the need for modifications of Goldwater-Nichols provisions based on your experience as Secretary of the Navy and Deputy Secretary of the Department of Homeland Security? If so, what areas do you believe it might be appropriate to address in these modifications?

Answer. I do not, at this time, see a need for modifications to Goldwater-Nichols. However, if confirmed, I will again closely examine Goldwater-Nichols and make recommendations for changes to the Secretary of Defense if I think they are needed.

DUTIES

Question. Based on your experience in the Department of Defense and the Department of Homeland Security, what recommendations, if any, do you have for changes in the duties and functions of the Secretary of the Navy, as set forth in section 5013 of title 10, United States Code, or in regulations of the Department of Defense pertaining to functions of the Secretary of the Navy?

Answer. I do not foresee any changes in the duties and functions of the Secretary of the Navy as set forth in section 5013 of title 10, U.S. Code. However, I do recommend clarification of authority and responsibilities between the Service Secretaries and the executive offices within the Office of the Secretary of Defense.

Question. Assuming you are confirmed, what duties do you expect that Secretary Rumsfeld will prescribe for you?

Answer. Secretary Rumsfeld will certainly rely on me to provide effective leadership for the Navy-Marine Corps team. I also expect that the Secretary will seek my assistance to continue to transform the business practices within DOD. Additionally, with a background in both Homeland Security and with DOD, I am uniquely qualified to assist Secretary Rumsfeld in effectively implementing joint DHS and DOD activities. Lastly, I serve the President through Secretary Rumsfeld and will therefore perform whatever duties that fit my qualifications and experience.

Question. What duties and responsibilities would you plan to assign to the Under Secretary of the Navy?

Answer. This depends on the qualifications and experience of the person confirmed for this position. However, I would expect the Under Secretary to lead special project activities as well as to generally perform the following functions: oversight of Naval IG, Naval Audit Service, DON CIO, Naval Space, Financial Management Modernization, and Small and Disadvantaged Business Utilization.

Question. Based on your earlier experience as Secretary of the Navy, if confirmed, how would you anticipate working with the Assistant Secretary of the Navy for Manpower and Reserve Affairs; the Assistant Secretary of the Navy for Installations, and Environment; the Assistant Secretary of the Navy for Financial Management and Comptroller of the Navy; the Assistant Secretary of the Navy for Research, Development, and Acquisition; and the General Counsel of the Navy?

Answer. During my previous tenure as Secretary of the Navy we formed a close-knit leadership team between all the Assistant Secretaries, the Secretary of the Navy, the CNO, the Commandant, and their staffs. This team approach was highly effective in addressing issues and solving problems important for the Navy Department and for DOD. This team process will continue during my second tenure.

MAJOR CHALLENGES AND PROBLEMS

Question. In your responses to previous advance policy questions submitted in May 2001, you identified the Department of the Navy's greatest challenges as improving combat capability, achieving a quality workplace, and enhanced quality of life for sailors and marines in order to create an environment of excellence, improved application of technology and interoperability, and more effective management techniques to systematically improve the efficiency of the Department of the Navy.

What do you consider to be your most significant achievements in meeting these challenges during your previous service as Secretary of the Navy?

Answer. During the summer 2001, the Department of the Navy was seeking a supplemental to provide the funding to continue to steam their ships and fly their airplanes. This shortage of basic capability was indicative of the general state of the Navy at that time. With the support of President Bush, this committee, and Congress, significant funding increases, along with key management decisions within the Navy, allowed the Navy to transform many aspects of the naval services.

For example, in addition to added funding provided by Congress, the Navy has self-generated billions of dollars through better business practices, thereby freeing up additional funds for transformation of the naval fleet and air wings. Numerous prior programs were cancelled, like DD–21, and replaced with programs better designed for our future Navy, like DD(X) and LCS. Navy and Marine Corps Aviation were integrated, thereby providing a far more effective force at less cost to the taxpayers. Important programs were strengthened and many new initiatives started.

Public/private ventures have been implemented across the Navy and the Marine Corps, providing greatly improved housing for our men and women in uniform and their families. Morale, measured by retention, is at an all-time high.

A new vision for the naval team set the foundation for a whole series of new initiatives, including Sea Shield, Sea Strike, Sea Basing, Sea Warrior, Sea Enterprise, and Sea Trial. All these initiatives are underway within the naval services. Perhaps most importantly is recognition within the naval leadership that transformation is not a destination but a journey. The naval leadership has embraced change to continue to meet future threats to our Nation.

Question. Have these challenges changed since your departure in January 2003, and what are your plans for addressing the challenges you now envision?

Answer. Assuming confirmation, during my next tenure, the naval services will continue on the path of transformation to better tailor naval forces to meet new threats to America and to continue to emphasize combat capability, personnel, technology, and business practices.

DEPARTMENT OF HOMELAND SECURITY AND DOD

Question. From January 30, 2003, through the present, you have served as Deputy Secretary of the Department of Homeland Security (DHS).

Describe your assessment of the level of cooperation that exists between DHS and DOD.

Answer. DHS cooperation with DOD precedes the establishment of the Department, because of the longstanding relationships that many of its legacy components have had—the U.S. Coast Guard, for example. Secretary Ridge has set the tone of outreach to DOD for mutual cooperation. Just a few weeks ago he spoke to hun-

dreds of senior government leaders at DOD's Worldwide Combating Terrorism Conference, identifying areas for DHS–DOD cooperation.

DHS participated in DOD's recent Determined Promise 2003 exercise. DHS and DOD have been sharing research and development information; the Technical Support Working Group, for example, hosted the recent Broad Area Announcement that DHS issued to the private sector. DHS participated in and I personally attended the debriefing of the Defense Science Board's Summer Study on DOD Roles and Missions in Homeland Security. DHS Under Secretary Libutti (IAIP) and Under Secretary McQueary (S&T) will shortly be meeting in Norfolk with DOD Assistant Secretary McHale (Homeland Defense) and members of U.S. Northern Command (NORTHCOM) to increase cooperation in a number of areas.

Question. What is your assessment of the effectiveness of NORTHCOM in interacting with DHS?

Answer. As discussed in the previous answer, DHS is a new department; barely 6 months have elapsed since the constituent agencies and personnel reported to it on 1 March 2003. NORTHCOM is the newest combatant command, and not that much older than DHS. Collaboration between the two organizations is developing—for example, DHS participation in Exercise Determined Promise 2003 and future face-to-face meetings between senior DHS and NORTHCOM personnel cited in the previous answer. Representatives from the Coast Guard and from our Emergency Preparedness and Response Directorate (FEMA) are already on the staff at NORTHCOM.

Question. What recommendations would you make to Commander, NORTHCOM and to the Secretary of Defense for improving the performance of NORTHCOM in enhancing homeland security.

Answer. I would simply encourage Secretary Rumsfeld and General Eberhart to continue—perhaps even accelerate—the efforts at sharing information and participating in joint exercises that have begun. I would also commend to them the thoughtful analysis and recommendations that the Defense Science Board has done on the issue of DOD roles and missions in homeland security.

Question. What changes would you recommend to improve the coordination and effectiveness of both DOD and DHS in enhancing national defense and homeland security?

Answer. At this point, because both DHS and NORTHCOM are such new organizations, I think it would be premature to recommend any changes to the coordination processes that are currently being developed by DOD and DHS. The organizations deserve an opportunity to work through that process and thoroughly test all of the coordination mechanisms before any assessment is done and changes recommended.

Question. What role would you advocate for the National Guard in homeland security missions?

Answer. The National Guard is a splendid nationwide organization that is potentially postured to be of enormous help to the Nation in performing homeland security tasks—whether under DOD control in time of national emergency (title 10) or under State Governor control in a more localized event (title 32). It is important that the National Guard be structured and trained for homeland security missions, and it is the understanding of DHS that this transformation is taking place.

Question. Do you advocate any changes to . . . title 18 or title 10 . . . or any other laws or regulations affecting the use of military forces for civilian law enforcement?

Answer. I have no recommended changes.

PRIVATIZATION

Question. The Department of Defense has been engaged in the privatization of many of its support functions. Among the most significant privatization efforts involve military family housing units and utility systems.

What are your current views about the feasibility of housing and utility privatization initiatives?

Answer. Housing privatization is an effective mechanism to improve the quality of life for our sailors, marines, and their families. By leveraging commercial partners in awarding ten military family housing privatization projects, the Department of the Navy will be able to provide quality housing for our sailors, marines, and their families.

But most importantly, the result of these projects will be the renovation or replacement of over 8,400 inadequate family housing units, and the addition of over 2,600 new units in critical housing areas. Housing privatization will allow the Department of the Navy to eliminate inadequate military family housing by 2007.

Thanks to congressional authorization for three pilot projects, the Department of the Navy is expanding this approach to improve barracks for our single sailors and marines. Planned projects are at Norfolk, VA; San Diego, CA; and Camp Pendleton, CA. From the business perspective, privatization of housing and utilities allows the Department of the Navy to focus on its core missions, and obtain quality support services from businesses who are focusing on their core missions.

Question. What challenges do the Navy and Marine Corps face in implementing housing privatization?

Answer. We have a good business model to implement housing privatization, and have experienced good results. With your support we will be able to provide quality housing for our families.

INVESTIGATIVE REPORTS

Question. Service secretaries are regularly called on to make decisions regarding accountability of military and civilian personnel based on investigative reports of service Inspectors General and field commanders.

What is your opinion about the quality and reliability of the investigative reports assessing accountability of individual members, including flag and general officers, based on the reports of the Navy and Marine Corps Inspectors General and of line commanders during your previous tenure as Secretary of the Navy?

Answer. I have high confidence in the quality and reliability of investigative reports assessing accountability of individuals, including flag and general officers, conducted by the Navy and Marine Corps Inspectors General.

From my previous tenure as Secretary of the Navy, I know that each of investigations of this type are conducted carefully and thoroughly by the staffs of the Inspectors General and then go through multiple layers of review within the chain of command. I am confident that the reports of the Inspectors General can be relied upon to uphold the standards of the Department of the Navy.

Question. What steps do you believe that a Service Secretary should take in a case in which the Secretary has doubts about the quality and reliability of the legal and factual conclusions in an investigative report?

Answer. In any case in which there is any doubt about the quality and reliability of the legal and factual conclusions in an investigative report, there are a number of options. I can return the report to the Inspector General for further investigation and analysis of the facts and applicable legal standard, pointing out areas of concern. In the alternative, I can obtain additional evidence, often by allowing additional comment from the individuals who may be in a position to clarify particular facts. In some cases, the solution may be to request review by the Inspector General of the Department of Defense, or the assistance of an Inspector General of another service.

DELIVERY OF LEGAL SERVICES

Question. As Secretary of the Navy, you witnessed the working relationship between the General Counsel, the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant of the Marine Corps in providing legal counsel and services within the Department.

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 (CMC), particularly in the area of military justice?

Answer. It is critical that I, the CNO and the CMC receive independent legal advice from the senior uniformed judge advocates. The uniformed military attorneys in the Navy and Marine Corps are an absolutely critical component of the Department's legal service infrastructure. Both the Judge Advocate General and the Staff Judge Advocate to the Commandant perform functions in their respective organizations that are essential to the proper operation of their service and the Department as a whole. The Judge Advocate General and Staff Judge Advocate to the Commandant work closely with the Navy General Counsel. Their unique expertise and independent judgment and advice complement that of the General Counsel and offer the necessary blend of legal advice to the civilian and military leadership.

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. Uniformed staff judge advocates, assigned worldwide and throughout the chain of command, are essential to the proper functioning of the operational and shore-based Navy and Marine Corps. In addition to the statutory responsibilities of Navy and Marine Corps judge advocates, which are significant, of equal importance

is the reliance that commanders place on staff judge advocates for a wide variety of matters. Legal issues arise at all stages and locations of military operations and staff judge advocates are deployed optimally to provide timely, relevant and independent advice to commanders everywhere. Flexibility and mobility are hallmarks of the judge advocate communities of the Navy and Marine Corps, and assignment policies and career development are structured to ensure sufficient numbers of deployable and well-trained military lawyers are ready to respond to emergent requirements globally. Navy and Marine Corps commanders depend extensively on their staff judge advocates for their unique expertise that combines legal acumen with the well-schooled understanding of military operations and requirements.

TRANSFORMATION

Question. Secretary Rumsfeld has established transformation of the Armed Forces to meet 21st century threats as one of the Department's highest priorities and has stated that only weapons systems that are truly transformational should be acquired.

How would you assess the level of risk to our forces of foregoing or curtailing current acquisition programs in favor of future transformation?

Answer. I would assess this level of risk as moderate. The greater risk is in failing to be transformational, and not developing the systems, infrastructure, and personnel training programs necessary to meet future threats.

Question. Can we afford this risk considering the current level of global threats?

Answer. Yes. We must achieve a balance of meeting our operational risk today while mitigating our future challenges with a long-term commitment to transform and recapitalize.

Question. The Navy has expended a great deal of effort in developing transformation plans.

Please describe your understanding and assessment of the Navy's transformation plans.

Answer. The Navy is approaching transformation from many fronts. Navy is developing new acquisition programs such as DD(X), LCS, and the JSF. We are reconfiguring some platforms to meet future needs, specifically SSGNs and Cruiser Conversion. Sea Enterprise will improve the efficiency and responsiveness of our shore support organizations, while Sea Warrior will improve our personnel readiness. Navy is also reviewing Reserve programs to ensure their best employment. Previous strategies addressed regional challenges. Today, we must think more broadly. The combination of traditional and emerging dangers means increased risk to our Nation. To counter that risk, our Navy is expanding its striking power, achieving information dominance, and developing transformational ways of fulfilling our enduring missions of sea control, power projection, strategic deterrence, strategic sealift, and forward presence.

Question. What is your vision for Navy and Marine Corps transformation?

Answer. The emerging challenges of the 21st century demand a joint, netted, power projection force that offers modern and ever-evolving combat capability. Together, under the supporting services' visions of Seapower 21 and the Marine Corps Strategy 21, now called Naval Power 21, are funded for a full array of transformational initiatives in our R&D, investment, and operational programs. As an example, the CVN–21 program will provide transformational capabilities for Sea Strike and Sea Shield while Tactical Air Integration provides new capabilities and answers the American taxpayer's demand of doing the job smarter and more efficiently.

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. The challenge in manning low density/high demand units and occupational specialties is particularly important for the Navy and Marine Corps now, and will become even more so in the future as technology continues to increase in sophistication with the result that fewer, but more skilled and more multi-functional, sailors and marines are needed to make up our force.

The issue is fundamentally one of transforming the way we look at manpower and training. It impacts whom we recruit, the way we train sailors and marines throughout their careers, the way we assign people, and the force structure of our Navy and Marine Corps.

The Chief of Naval Operations and the Commandant of the Marine Corps have embarked on a number of transformational initiatives with the goal of increasing

the flexibility of our forces to be able to bring the right mix of combat capability and skill to the fight at the right time as part of the global war on terrorism. The Sea Warrior component of the Navy's Sea Power 21 vision statement and leadership guidance is focused on this issue, and includes changes in the Navy's recruiting, ratings classification, training, manpower distribution, career development, retention, and mentoring programs. In the same way, the Navy is exploring different ways of structuring and deploying its forces.

If confirmed, I will focus my attention on the on-going initiatives already underway in the Navy and Marine Corps to meet the need for high demand/low density forces. I will work with the Secretary of Defense and Congress to ensure we have those forces ready to fight where and when we need them, and that we do so in a way that does not wear out our people and equipment in the process.

Question. What units, if any, do you believe that the Navy and Marine Corps need more of and what time line do you see in fielding such units?

Answer. High demand/low density assets have been a continuing issue for several years in the Navy. I know various initiatives have been under taken by the CNO and CMC. If confirmed, I will review the situation and report back to Congress.

FLEET RESPONSE PLAN

Question. The Chief of Naval Operations has directed that the Navy implement the Fleet Response Plan (FRP) in order to provide an enhanced surge capability for naval assets. The plan is predicated on increased efficiencies in both maintenance and training, with the aim of providing higher levels of readiness within existing resource levels.

In your view, what are the most significant benefits and risks to successful implementation of the FRP?

Answer. Implementation of the FRP is critical to ensuring the Navy is positioned to respond to the requirements of the Defense Guidance. In the past, adversaries have counted on our predictability, but FRP will change how we employ our forces allowing us to be much more flexible. This added flexibility is an important part of confronting the new threats posed as we prosecute the global war on terrorism. As for risk, the greatest one I see is failing to change the force in response to known changes in our external environment. Of course, change is often difficult, so from a practical viewpoint, one of the central challenges to implementing this plan will be in changing a Navy culture that has been accustomed to fairly fixed operating intervals. I am confident, however, that our Sailors and the Navy's uniformed leadership are up to the challenge.

Question. If confirmed, what steps do you envision taking to help ensure that FRP is successful?

Answer. If confirmed, I will continue to place great emphasis on the critical components that will allow us to effectively implement FRP: personnel, training, and maintenance. We must ensure that our sailors are employed effectively and fairly, that they are highly trained, and that the ships on which they serve are in the best possible material condition.

ACQUISITION WORKFORCE

Question. The Defense Acquisition Workforce Improvement Act (DAWIA) established specific requirements for managing the Defense Acquisition Workforce and authorized a series of benefits for the workforce.

Please give your assessment of the strengths and weaknesses of the Department of the Navy's implementation, to date, of DAWIA.

Answer. The department has a strong and vibrant implementation of the DAWIA. We have in place the training, mentoring, and developmental programs to ensure that we have a quality workforce at all levels. Our senior acquisition leadership continues to show the innovation, business acumen, and strong management skills necessary to function well in the current and future acquisition environments.

In the past year, the Department has implemented a number of changes in the structure of our Program Executive Officers and Systems Commands that has better aligned us to our core acquisition areas and have helped better focus the workforce on those key areas. Particular emphasis has been placed in better integrating combat systems, open systems, and command, control, communications, computers, intelligence, surveillance, and reconnaissance (C^4ISR) across the Navy-Marine Corps team and in the joint environment. These changes also provide the acquisition leadership better tools and leverage when dealing with the defense industry as it continues to consolidate into a small number of large, cross functional companies.

Question. In your judgment, does the Department of the Navy's current acquisition workforce have the quality and training to adapt to new acquisition reforms,

as well as to the increased workload and responsibility for managing privatization efforts?

Answer. I believe the Department of the Navy's current acquisition workforce does have the necessary quality and training to operate in the current and future acquisition environments. A key component of DAWIA is the strong emphasis on training and experience as personnel gain greater expertise in acquisition and achieve higher levels of certification. This well-defined process ensures that changes in acquisition policy and skills, as well as best practices, can be spread throughout the workforce. More importantly, the requirement for the workforce to achieve at least 40 hours of continuous learning each year ensures they remain knowledgeable on the most current business practices and policies.

READINESS DEFICIENCIES

Question. In response to advance policy questions in connection with your previous confirmation hearing you indicated that the Navy was working to mitigate of combatant commands readiness deficiencies and that you would continue that effort if confirmed.

How would you assess your accomplishments during your previous service as Secretary of the Navy in improving the readiness of the Department of the Navy and eliminating deficiencies?

Answer. I am very pleased with the progress that was made not only during my tenure as Secretary but also in the aftermath. As you are aware, with congressional support we made an investment of roughly $6 billion into the readiness accounts in recent years with these additional resources being used to fund the Flying Hour Program, Ship Depot Maintenance, Ship Operations, and Sustainment, Recapitalization and Modernization. These investments had a tangible impact in improving aviation material readiness, reducing the ship depot maintenance backlog, and improving our Force Protection. Of equal importance, we made very good progress in improving retention of our personnel, who are at the center of the readiness formula.

Question. What do you view as the major readiness challenges that remain to be addressed and, if confirmed, how will you approach these issues?

Answer. There are a number of challenges that the Navy must be prepared to address. We must, of course, not lose sight of the continuing need to invest in readiness so that we can build on the early successes I just mentioned. We must also transform our Navy to provide a more agile, surge-ready force capable of decisively confronting threats associated with the global war on terrorism. Finally, we must be careful to ensure that while confronting these threats we do not overlook the need of tomorrow's Navy. Adequate future readiness is only sustainable if we capitalize on technologies that permit us to deliver superior platforms and systems to our operational commanders and the fleet at large. If confirmed, I will lend my personal focus to these important areas of concern.

LAW OF THE SEA TREATY

Question. The United States generally follows the provisions of the United Nations Convention on the Law of the Sea but has never ratified the treaty.

What are your personal views about whether the United States should ratify the treaty? Please explain.

Answer. Historically, Navy leadership has supported ratification of and accession to the Law of the Sea Convention. If confirmed, I will review this issue in more detail.

OUTSOURCING OF COMMERCIAL ACTIVITIES

Question. Over the past several years the Department of Defense has increased its reliance upon the private sector to perform certain activities including equipment maintenance and facility operations.

Do you believe that the naval services need to retain a core capability to perform certain activities, and what approach would you take to allocate workloads between the public and private sector?

Answer. I am committed to ensuring the DON applies its resources in an effective and responsible way. Part of finding the right way to do that involves making sure we have the right functions performed by the right people. In some cases that should be our military and civilian employees; in others, the private sector possesses the best capability to provide support and services. There isn't a one-size-fits-all answer. We need to focus on those core competencies that we must do to accomplish our mission and then determine what the best source is to accomplish those functions that support those core competencies.

Question. Do you believe that outsourcing can yield substantial savings for the Department of that Navy?

Answer. Studies have shown we consistently produce savings when we make sourcing decisions in a competitive environment: whether the outcome is continued use of government employees or outsourcing. The process itself causes us to look closely at what needs to be done and find better ways to do it. Competition is healthy and fruitful to our Nation.

SCIENCE AND TECHNOLOGY PROGRAM

Question. The DOD science and technology program is recovering after years of declining budgets. However, the budget request for defense S&T still falls short of the Secretary of Defense's goal of dedicating 3 percent of the total defense budget to science and technology.

If confirmed, how do you plan to increase the Navy science and technology program to meet the Secretary's goal?

Answer. The 3 percent for the S&T account is a worthy goal but may need to take into consideration other categories of investment in measuring compliance. For example, in some large naval programs there are large embedded S&T investments outside the S&T line item. Additionally, the efficiency and effectiveness of S&T are equally important measures. My approach will be to invest wisely in technologies important to the naval services with clearly stated objectives, measures of progress, and exit criteria.

DEVOLVEMENT

Question. This year the Office of the Secretary of Defense (OSD) devolved (transferred) several programs to the Services. Many of these programs reside in OSD because of the inherent jointness of the program.

If confirmed, how do you plan to maintain the integrity of those programs devolved to the Department of the Navy?

Answer. The decision by OSD to transfer the execution of programs to the services is exactly the right decision. The services are responsible for the execution of OSD policy and programs and have the work force trained and experienced to do so. I view these programs no differently than many other "Joint Programs" for which the Navy has execution responsibility. The current philosophy of integrated product teams that include all key players, works well in many acquisition programs today and will work well for these "devolved" programs. My philosophy is to put the best qualified people, representing the key stakeholders in charge of execution, regardless of service or community. A prime example of this is the V–22 program, where we selected an Air Force Officer as the program manager.

NAVY AND MARINE CORPS PERSONNEL 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. The Navy and Marine Corps have been very successful in recruiting for the past 2 years. The percentage of recruits with High School Diplomas, some college experience, and high entrance exam scores is the highest ever. The current retention rate for high caliber personnel is at a historic high. Over the past 4 years, the Navy has seen significant success in raising reenlistment rates and lowering attrition across all zones. The current retention is higher across the board when compared to that of a year ago, for example first term Zone A sailors is 64 percent which is 4 percent higher than during the same period in fiscal year 2002. On the Marine Corps side, we have consistently improved the quality of enlistees, and current year enlistments are no different. The Marines Corps has exceeded the DOD quality goals in both high school graduates and the upper mental group.

Question. What initiatives would you take, if confirmed, to further improve the attractiveness of active and Reserve component service?

Answer. I think there are a number of areas that deserve further study. These include performance-based compensation, promotion rates, pay grade growth, spouse employment portability, improvement of career development and choices, and closer integration of active and Reserve components. If confirmed, I will ensure these areas are studied and appropriate steps are taken to make changes where necessary to improve the attractiveness of service in the Navy.

Question. What effects on recruiting and retention do you foresee as a result of the current tempo of operations?

Answer. The full impact of the current operational tempo has yet to be realized, however, data to date indicates that recruiting and retention continue to be at an all time high.

NAVAL SURFACE FIRE SUPPORT

Question. In your responses to the committee's advance policy questions submitted before your last confirmation hearing, you endorsed the need for the Navy to provide fire support from the sea for the Marine Corps, the Army, and other expeditionary forces.

Do you continue to support this capability and its underlying requirement?

Answer. Without question. Fulfilling this requirement is why we need to keep DD(X), and the development of gun systems similar to that selected for DD(X), on track.

Question. What progress did you make during your earlier tenure as Secretary, and what initiatives would you now take, if confirmed, to improve on the naval gunfire support capability?

Answer. We developed DD(X) to respond to this need and pressed forward with challenging but important research and development programs to enable delivery of this important capability. We will continue to examine and develop promising new options as well. If confirmed, I will continue to support DD(X) and deliver improved NSFS capabilities to the fleet as soon as possible—DD(X) and the 5 inch/62 ERGM program are significant steps toward meeting the requirements in Surface Fire Support.

ORGANIZATION OF THE NAVY STAFF

Question. Section 5038 of title 10, United States Code, establishes a requirement to maintain a position of Director of Expeditionary Warfare on the staff of the Chief of Naval Operations. This officer's duties, as described in that section, are to provide staff support for issues relating to "amphibious lift, mine warfare, naval fire support, and other missions essential to supporting expeditionary warfare." Congress took this action after the 1991 Persian Gulf War in an effort to address critical shortfalls in these areas, particularly in the area of mine countermeasures capabilities. There have been recent press reports that the Department of the Navy intends to abolish this office.

What is your understanding of the Department of the Navy's plans, if any, for changing the current status of the Director of Expeditionary Warfare and the functions the director is responsible for?

Answer. Although I've not been briefed on this issue, I am aware that the CNO is continuing to examine how best to align the organization to support the concepts articulated in "Seapower 21." I would expect to be briefed in full regarding any changes that might impact the role of the Director of Expeditionary Warfare.

MINE COUNTERMEASURES CAPABILITY

Question. Congress has been particularly interested in the Navy's ability to respond to the asymmetric threat posed by mines. The Navy has had mixed results in providing for robust mine countermeasures capabilities.

If confirmed, what steps would you take to ensure that the Navy maintains its focus on achieving robust mine countermeasures capabilities for the fleet?

Answer. I am committed to delivering an Organic Mine Countermeasures capability in fiscal year 2005, and the Navy is on track to do that. If confirmed, I will continue to support the development and fielding of capabilities to meet this important mission. LCS is also a response to the littoral mine threat, and I fully support that program and its important mission—we need to begin construction of the first LCS in fiscal year 2005 so that we can respond to the changing littoral warfare environment.

BALLISTIC MISSILE DEFENSE

Question. Do you regard ballistic missile defense a core mission of the Navy?

Answer. Ballistic missile defense is an important capability for the Navy, and Navy systems and tests have shown great promise in recent years. I fully support the recent agreements between the Navy and the Missile Defense Agency (MDA) that committed an Aegis Cruiser full-time to MDA, along with the plan to modify other Aegis ships to conduct MDA missions when required.

Question. Do you support the current division of responsibility in which the MDA is responsible for ballistic missile defense research and development and the services are responsible for procurement of ballistic missile defense systems?

Answer. Regarding development and procurement funding, Navy and the MDA are working together to develop and field the systems that will deploy on board ships. I believe that both organizations are doing what they do best to support the delivery of a range of capabilities from terminal-phase to national missile defense.

Question. In your view, should the Navy or the MDA be responsible for the research and development necessary for the spiral development of deployed ballistic missile defense systems?

Answer. If confirmed, I will look further into this issue.

CRUISE MISSILE DEFENSE

Question. In your view, how serious is the cruise missile threat to the Navy and are current Navy efforts to address this threat adequate?

Answer. Without question, the cruise missile threat is serious and will continue to grow in the foreseeable future. We have the best air defense systems in the world today, but there are always new challenges. There are several countries committed to proliferation of this relatively cheap way to threaten naval forces at sea, and they are working hard to develop better and better ways to defeat our cruise missile defense capabilities. As a counter, we continue to improve our systems and countermeasures in every area, from signature control to soft kill to hard kill systems and weapons; the Navy's efforts support the implementation of Sea Shield under the global concept of operations plan, and should sufficiently protect the force.

NUCLEAR DETERRENCE

Question. What is your view of the Navy's long-term role and mission in nuclear deterrence?

Answer. Although the Cold War has ended, and the threat of global nuclear war has diminished, proliferation of nuclear weapons remains a great concern and the threat of nuclear attack still exists. As the most survivable leg of the Nation's strategic forces, the Navy's *Ohio*-class ballistic missile submarines, or SSBNs, provide launch capability from around the globe using the Trident ballistic missile weapon system. Although recent changes in the world environment allowed us to decrease the number of SSBNs from Cold War levels, these platforms and their weapons will retain their mission and utility for the forseeable future.

MILITARY SPACE

Question. Do you believe that the current Department of Defense management structure for space programs sufficiently protects Navy space equities?

Answer. The Navy is a full partner in the Department of Defense management structure for space programs.

Question. In your view, how actively should the Navy be engaged in the management of space programs?

Answer. It is imperative that the Navy/Marine Corps team remain highly engaged to ensure the continued development of operational space requirements and capabilities for naval warfighting. We are committed to developing a cadre of space experts to achieve this objective.

Question. In your view, is the Navy adequately involved in the requirements process for space programs?

Answer. Yes. One of the guiding principles of the Commission to Assess United States National Security Space Management and Organization Report of January 2001, was to formalize an operationally and technically savvy space cadre, experts who could advocate Navy and Marine Corps requirements in the joint community and the joint program offices. We've identified those people, certified their expertise, and continue to strengthen their identification as a valuable group of professionals.

Question. What is your view of the Navy's appropriate long-term role in space systems, other than as a user of space information and products?

Answer. Space has long been and will remain critical to naval warfighting. The Navy has been in the forefront of operationalizing space, from the global positioning system, to early tactical satellite communications, to the Classic Wizard system, and to bringing real time targeting to the cockpit and in-flight weapons. The Navy and Marine Corps need space for increased situational awareness, speed, precision and lethality and thus want to operationalize space and bring it to every level of operations. The Navy's contribution to space has been reflected and continues to be reflected in such major programs as the Mobile User Objective System (MUOS), various DOD satellite terminal systems and innovative space-smart people.

DIRECTED ENERGY

Question. In your view, how important are directed energy weapons to the future of the Navy?

Answer. Directed energy weapons could be a primary weapon in the arsenal of the future Navy. The Navy has unique platforms to utilize this technology. Specifically, many Navy ships have large power generation capability and sufficient space and volume to ease design constraints. That said, directed energy weapons still require large R&D efforts to field effective weapons for the Navy.

JOINT OPERATIONS

Question. If confirmed, what recommendations, if any, would you make to the Secretary of Defense to improve joint force integration?

Answer. One of the primary tenets of joint force integration is commonality of sensors, weapons, and systems. A second is interoperability of sensors, weapons, and systems. I would recommend that commonality and interoperability across services receive high priority.

NAVY AND MARINE RESERVE FORCE STRUCTURE

Question. Suggestions have been made that the Navy and Marine Corps Reserves need to make significant changes and transform so as to be of maximum utility and relevance in future conflicts. Deactivating underutilized units and shifting their manpower to new military skills, putting units under the operational command of Active Forces, and focusing more on homeland defense missions are a few of the changes that have been proposed.

What are your views regarding the current organization and assigned missions of the Navy and Marine Corps Reserve components?

Answer. The Navy and Marine Corps Reserves are critical to the Department of the Navy's total force. We have learned many lessons about the mobilization and functioning of the Reserves in Operations Enduring Freedom and Iraqi Freedom. If confirmed, I will review those lessons learned and will support Navy leadership in making changes to transform the Reserves into a more relevant and useful resource for the changing world.

Question. What changes in the composition, strength, and mission of the Navy and Marine Corps Reserves, if any, would you seek to implement if confirmed?

Answer. It is my understanding that studies addressing these questions are being undertaken in the Department of the Navy. If confirmed, I will ensure that this scrutiny continues, that lessons learned are heeded, and that changes are made accordingly so that the Reserves are best positioned to maximize their contribution to the total force.

SHIPBUILDING PLAN

Question. The Navy recently submitted its 30-year shipbuilding plan.

What level of funding do you think the Navy will need to execute this plan, and considering competing priorities, do you believe this level of funding is realistic?

Answer. The Navy's 30-year plan accurately documents the funding requirements and the Navy's budget submissions support the requirements with a balanced funding approach that meets the needs of the shipbuilding budget as well as the other funding challenges ahead. The Navy's fiscal year 2004 budget requested roughly $12 billion for shipbuilding, a significant commitment toward achieving our needs. The shipbuilding funding level must continue to grow, and the Navy's budget plans accurately reflect that need.

Building a force of about 375 ships will take a major commitment of resources. The Navy's shipbuilding plan is realistic in stating an average of $14 billion will be required for an average build rate of approximately 11 ships per year. In addition to new construction, an average of $2 billion per year is required for conversion and overhauls.

If confirmed, I will continue to devote significant effort toward building the right fleet with the right capabilities.

LITTORAL COMBAT SHIP

Question. The Navy has selected three teams of contractors to develop concepts for the Littoral Combat Ship. There is much effort going into the development of the sea-frame for this ship.

Do you believe that there is enough emphasis on the focused mission modules, both from a funding and technical maturity standpoints?

Answer. Yes. Much of the work in mission modules is not new, whereas the platform work requires a great deal of initial design effort. The mission modules for Flight 0 LCS are being selected from technologies that can be deployed in the near-term. The LCS requirements team reviewed over a thousand mission module system candidates, and several sufficiently mature candidates emerged—those are the systems being developed for Flight 0 LCS.

TACTICAL AVIATION INTEGRATION

Question. The Navy and the Marine Corps have presented a plan that would result in a greater integration of their respective tactical aviation components. This plan will result, however, in the disestablishment of a number of squadrons, including two Reserve squadrons, one Navy and one Marine Corps, in fiscal year 2004.

What level of risk, if any, do you believe will result from this force structure reduction?

Answer. The integration of Navy and Marine Air resulted in a force structure with equal or enhanced capability at lower cost. Therefore, in my judgment, this force structure will not result in any increased risk.

SURFACE COMBATANTS

Question. With the early retirement of *Spruance*-class destroyers, the Navy surface combatant fleet is declining significantly below the levels recommended by the 2001 Quadrennial Defense Review. While *Arleigh Burke* destroyers are still being built, the current Future Years Defense Program has *Arleigh Burke* construction stopping well before any DD(X) destroyers are near completion.

Do you think it is wise to end construction of one class of destroyers before the next class is further along in design and construction and what is the level of risk associated with such an approach?

Answer. The budgets submitted by the Navy are reflective of the delicate balance between force structure, industrial base, and the relative maturity of follow-on designs, and I will continue to keep that balance as a central consideration in my future budgetary submissions. In this case, the end-year of the DDG production line corresponds with the start-year of production for both LCS and DD(X). We have an acceptable level of tactical and strategic risk at this point, and we need to move forward with the new platforms needed for the future.

Without question, both Navy and industry are committed to the success of the DD(X) program. It is the centerpiece of our future Navy, and we cannot afford to wait to get these ships to sea. We decided to assume a manageable level of risk to achieve important capability gains in our future surface combatants. The Engineering Design Models for DD(X) are moving forward, LCS is moving forward as well, and I believe at this point that the risk associated with both the DD(X) and LCS programs are acceptable, and we will achieve our goals on time.

OFFICER PROMOTION SYSTEM

Question. We consider promotions to general and flag officer ranks as identifying military officers for very senior positions that should be filled only by officers with the very highest values and qualifications. The technology and procedures that support this system must be of the highest caliber to ensure prompt forwarding of nominations and thorough evaluation of pertinent information, including adverse information. The Navy has had problems in the past with antiquated information systems supporting promotion selection boards and delays in forwarding reports of selection boards.

What is your understanding of the adequacy of the information systems that support the Navy's promotion selection board processing?

Answer. Through a number of system upgrades since 2000, the Navy has steadily improved the processing of board records. This has furthered our goal of assuring a fair, accurate, and unbiased process. Further upgrades to streamline the reporting process are under development. Navy is also addressing reporting requirements to ensure commanding officers make potentially adverse situations known before promotion. If confirmed, I will demand that constant improvement to the selection board process is continued in order to ensure only those officers with unquestionable integrity are selected.

Question. If confirmed, what steps will you take to ensure that complete and accurate reports of selection boards are forwarded to the Senate in a timely manner?

Answer. The Navy is presently reviewing the processing of selection board reports with the Department of Defense and other reviewing authorities to ensure timely submission to the Senate. I support this effort. I am confident that ongoing efforts

address standardization and improved processing timelines. If confirmed, I will remain sensitive to this issue.

INVESTMENT IN INFRASTRUCTURE

Question. Witnesses appearing before the committee in recent years have testified that the military services under-invest in their facilities compared to private industry standards. Decades of under-investment in our installations have led to increasing backlogs of facility maintenance needs, created substandard living and working conditions, and made it harder to take advantage of new technologies that could increase productivity.

Based on your private sector experience, do you believe the Department of the Navy is investing enough in its infrastructure?

Answer. The funding situation has improved in recent years. The Department of the Navy continues to develop programs and budgets to achieve recapitalization and sustainment rates based on private sector best business models.

IMPLEMENTATION OF SPECIAL COMPENSATION FOR COMBAT RELATED DISABILITY PAY

Question. What is your understanding of the Navy's progress in implementing a system for payment of combat related disability pay?

Answer. My understanding is that the Navy is doing very well in the implementation of Combat Related Special Compensation (CRSC). In April of this year, the Naval Council of Personnel Boards was identified as the organization within the Department of the Navy to review all CRSC applications. The CRSC division stood up, and began reviewing applications on 1 June. Since that time, approximately 5,400 applications have been received. It is my understanding that the division is currently capable of reviewing 1,000 applications per month.

Question. How many applications has the Navy processed since implementation earlier this year, and how many will be processed before the end of 2003?

Answer. The Navy has now received approximately 5,400 applications. The total number of applications that will be received is unknown. However, the Navy estimates that they will receive approximately 22,000 applications during the first 2 years of the program.

NAVY MARINE CORPS INTRANET

Question. It has been reported that the attack of the Welchia Worm on August 18, 2003, infected over 75 percent of the Navy Marine Corps Intranet (NMCI) workstations.

Can you describe what has been done to secure the NMCI network since then?

Answer. An automated tool was developed that eliminated the worm code, and patched the vulnerability it exploited. This fix occurs automatically when either workstations on the network are re-booted or when they are re-connected to the network. Additionally, the Navy has begun an inquiry to determine the sequence of events leading to the Welchia event, its root cause, and the full scope of operational impact, including the specific circumstances that made NMCI vulnerable to this particular problem. The lessons learned will be applied as appropriate changes to our operating processes and procedures to minimize similar future incidents.

Question. What is the current status of the implementation of the NMCI program?

Answer. Currently EDS manages over 273,000 Navy and Marine Corps workstations. Of these, over 106,000 are NMCI seats and the remainder are legacy systems awaiting cutover to NMCI.

NAVY TRAVEL CARD PROGRAM

Question. The Navy has been criticized recently by the General Accounting Office (GAO) for its management of its purchase and travel card programs.

What actions have been taken by the Department to implement GAO's recommendations and provide more effectively oversight of these programs?

Answer. The Department of the Navy has taken aggressive steps to address both the delinquency and misuse issues associated with card programs identified by the GAO. Specifically, the Department has greatly reduced the number of outstanding cards by over 150,000, implemented mandatory split-disbursement of travel claims for military personnel, provided expanded training for unit program coordinators to better enable them to detect card misuse, and worked with the contractor bank to identify merchants engaging in deceptive practices intended to mask inappropriate use of the travel card. Additionally, Echelon II commanders that have delinquency reports in excess of the departmental goal of 4 percent are now required to report in person on a quarterly basis to the Assistant Secretary of the Navy (Financial

Management & Comptroller) on their actions taken to improve performance. In short, the Department has focused increased command attention at all levels to address the problems identified by GAO. This increased attention is yielding results, but the effort must be sustained. Should I be confirmed, it is my intention to continue the practices that have led to the positive developments in these programs and pursue further improvements.

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, 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 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

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR PAT ROBERTS

THE NAVAL RESEARCH LABORATORY

1. Senator ROBERTS. The Naval Research Laboratory (NRL) is the corporate research lab of the Navy Secretariat and the only installation not controlled by the Navy's uniformed officers. This dates back to the creation of the laboratory and reflects the intention of Thomas Edison when he urged the Navy to create the NRL. The Navy is currently undergoing a consolidation of naval facilities under a newly established Commander, Navy Installations (CNI). It has come to my attention that certain functions of the NRL will now be under the command of the CNI. If confirmed, is it your intention to cede any functions of the NRL to the CNI? If so, do you feel this conflicts in any manner with Public Law 588, which establishes the Office of Naval Research?

Secretary ENGLAND. It is not my intention to cede any functions considered essential to NRL's research and development mission. However, I feel the transfer of certain facility and base operation support (BOS) functions not essential to NRL's mission is appropriate, and does not conflict with the Public Law 588.

Public Law 588 (10 U.S. Code, section 5022) allows the Secretary of the Navy judgment in respect to the research and development functions of the Office of Naval Research (ONR), together with any or all personnel, buildings, facilities, and other property used in the administration thereof. This authority includes the NRL. The Department of the Navy utilized this authority to transfer most of NRL's facility and BOS functions to the Naval District Washington and the Naval Facilities Engineering Command during the 1992 Public Works Center (PWC) regionalization and the 1997–1998 Installation Claimant Consolidation.

On 1 October 2003, the Navy consolidated management oversight of all Navy shore installations into a single Navy Installations Command, as a further commitment to improving management effectiveness and enterprise-wide alignment. This consolidation will achieve economies of scale, increased efficiencies, and a reduction of staff overhead. As part of this process, the CNI and NRL staffs worked together to identify additional functions or other economies and efficiencies not previously captured by earlier consolidations. The two staffs identified and transferred functions that provide for economies of effort, but that do not infringe on NRL responsibilities or authorities. Those functions identified as inseparably imbedded within NRL's research mission will remain under the laboratory's control.

By consolidating the facility and BOS functions under CNI, we have provided for a consistent level of facility and BOS support for all naval installations, while re-

moving NRL's administrative burden associated with managing functions not essential to their mission. This will allow the NRL staff and leadership to more effectively focus on their primary functions of research and development.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

NAVY END STRENGTH

2. Senator CHAMBLISS. I noted with some concern the Navy's reduction of 1,900 Navy personnel in the fiscal year 2004 budget request. The President's fiscal year 2004 supplemental budget request, which Congress received last week, includes additional funds for Navy and Marine Corps personnel to pay for personnel maintained on active duty above current end strength levels and to pay personnel affected by stop-loss programs. The supplemental budget request contained additional funds for personnel in all of the Services, however only the Navy is asking for additional money and decreasing end strength at the same time. With missions growing and length of deployments increasing, how will the Navy maintain a sustainable OPTEMPO while reducing end strength?

Secretary ENGLAND. Navy's strength requirements continue to be refined through an ongoing process that factors current and future manning requirements of our ships, squadrons, units, and associated supporting functional areas, in the context of Global Force Presence requirements.

Navy exceeded the fiscal year 2003-budgeted end strength of 375,700 by approximately 7,000 as of 30 September 2004. Since Navy had not anticipated retaining these individuals into fiscal year 2004, funds necessary to pay the costs associated with them were not included in the fiscal year 2004 budget request. The Navy requested additional funding in the fiscal year 2004 supplemental to cover the costs associated with having those additional personnel on board in fiscal year 2004.

SEXUAL HARASSMENT AND CLIMATE AT THE NAVAL ACADEMY

3. Senator CHAMBLISS. Yesterday former Congresswoman Tillie Fowler released her "Report of the Panel to Review Sexual Misconduct Allegations at the Air Force Academy." Among their findings, the panel noted that the highest levels of Air Force leadership had known of serious sexual misconduct problems at the Academy since at least 1993 but failed to take effective action. This is an issue that I and every member of this committee take extremely seriously. The Air Force is the only Service that has to deal with this issue publicly. However, I think all of us would agree that no Service Academy is immune to these problems and every academy has cultural and discipline issues that need to be addressed and monitored. As you have watched this story unfold, what have you learned about what can be done proactively to ensure these kinds of problems don't develop, and what is the proper role of leadership at your level in creating the proper climate and accountability within the Navy so that people below you get the right messages about the kind of behavior expected of our current and future military officers?

Secretary ENGLAND. We are taking action in three areas to prevent sexual harassment and sexual assault. First, I articulated my expectation that sexual harassment and sexual assault are not tolerated within the Department of the Navy. This is true in every Navy and Marine command as well as at the Naval Academy, and every commander must foster a command climate that meets this expectation. Early in my tenure, I met with the Chief of Naval Operations and the superintendent, and we began a review of Naval Academy policies in light of the Fowler Panel recommendations. Both the Chief of Naval Operations and the superintendent are keenly aware of the importance of this issue, and the superintendent personally emphasizes to the brigade of midshipmen the high standards of personal conduct that apply to Navy and Marine officers and midshipmen.

Second, I will ensure that the Department's programs and policies allow problems to be addressed comprehensively and quickly if a problem occurs. The Naval Academy Sexual Assault Victim Intervention (SAVI) program is based on Department-wide policies but contains unique aspects tailored to the Naval Academy environment. We are reviewing the Naval Academy's SAVI program with the assistance of The Honorable Tillie Fowler, and will look closely at the policies, procedures, and processes involved. To the greatest extent possible we must ensure that victims feel free to report incidents of sexual assault, that they receive the necessary assistance, that these incidents are fully investigated, and that offenders are held accountable. The Fowler Panel Report notes that perhaps the most important challenge is to

strike the right balance between providing the option of victim confidentiality and the need to fully investigate sexual assault incidents and hold offenders accountable.

Third, I will ensure that senior leaders in the Department of the Navy remain aware of and engaged in issues affecting the Naval Academy. I concur with the Fowler Panel Report comments in this regard, and have decided to establish an Executive Steering Group to provide high-level awareness of issues facing the Academy and a forum for continually assessing the effectiveness of our policies and procedures.

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

DOD MANAGEMENT

4. Senator LEVIN. At the beginning of the administration, the Secretary of Defense indicated that he intended to use the Service Secretaries to operate in a manner similar to a board of directors to manage the Pentagon. Does that characterization agree with how things operated while you served as Secretary of the Navy previously?

Secretary ENGLAND. Absolutely. While title 10 clearly states that the Secretary of Defense is ultimately responsible for all matters related to the Department of Defense (DOD), Secretary Rumsfeld went to great lengths to ensure departmental decisions were well informed. In order to do so, Secretary Rumsfeld established several organizations to ensure his board of directors—my fellow Service Secretaries and the Under Secretaries of Defense—were involved. Both the Senior Leadership Review Group (SLRG) and the Senior Executive Council (SEC) were utilized to provide oversight on those decisions. As part of its oversight function, the SLRG and SEC reviewed and discussed Department plans on numerous strategic issues. Our counsel and recommendations were often the basis on which strategy, plans, and resource allocation decisions were made.

5. Senator LEVIN. What understanding do you have about the manner in which your talents will be utilized in managing the Department of Defense if you are confirmed as Secretary of the Navy?

Secretary ENGLAND. The President and Secretary Rumsfeld have asked me to serve as Secretary of the Navy based on my 30 years as a leader in the defense and technology industries. I see my role as incorporating current commercial business practices into the business of defense in order to improve the efficiency and effectiveness of the DOD and the Department of the Navy.

I will work with the Secretary of Defense and the other Service Secretaries to support the sustained, iterative, and dynamic process of change within the Department. Specifically, we will work together to champion transformation—both from a warfighting and business perspective. After all, we cannot fully transform our warfighting capabilities without first improving our business practices.

As Secretary of the Navy, I will play a large role in the Senior Executive Council (SEC) and the Senior Leadership Review Group (SLRG), which work much like a board of directors, to systematically implement improved management techniques such as activity-based costing, and comprehensive performance measures and metrics to improve processes that improve products. The initiatives developed from the SEC and SLRG will enable us to increase our combat capabilities with the expectation that we become more efficient, agile, flexible, and reliable at a reduced cost of doing business.

Secretary Rumsfeld expects me, along with my fellow Service Secretaries, to energize efforts to transform DOD practices in order to free the resources necessary for improved combat capability. I will not let him down. I am committed to working with the Department of Defense leadership to improve the efficiency and effectiveness of the Department in order to increase combat capability, improve support to our people, accelerate the insertion of advanced technologies, and implement better business practices.

SCIENCE AND TECHNOLOGY WORKFORCE

6. Senator LEVIN. The Director of Defense Research and Engineering recently expressed concerns over the effect that the proposed National Security Personnel System (NSPS) and Best Practices Initiatives would have on the Department's laboratory and test center workforce. He recommended that the NSPS proposal be modified to permit laboratory directors to retain the authorities they currently have under existing congressionally authorized personnel demonstrations. He also rec-

ommended that the proposed Best Practices Initiative Federal Register announcement be delayed until it can be revised to better support laboratory and test center missions. Similar concerns have been raised by the Director of the Naval Research Laboratory and directors of some of the Navy's technical centers, who are currently successfully managing existing personnel demonstration programs. What actions do you plan to take to support these directors in their attempts to retain control over the Navy's scientific and technical workforce?

Secretary ENGLAND. The statute authorizing the NSPS purposefully excluded the Office of Naval Research, the Naval Research Laboratory, the Naval Sea Systems Command Centers, and the other defense research centers. The law states that NSPS shall not apply to these laboratories before 1 October 2008, and shall apply on or after October 1, 2008, only to the extent that the Secretary of Defense determines that the flexibilities NSPS provides are greater than the flexibilities currently provided to the labs.

The directors of the naval research and technical centers will retain current flexibilities available under their separate personnel demonstrations, as authorized by the Secretary of Defense. The current flexibilities exist because Congress provided the Secretary of Defense authority to conduct personnel demonstration projects in section 342 of the National Defense Authorization Act for 1995, as amended by section 1114 of the National Defense Authorization Act of 2001. The authority allowed the Secretary of Defense to conduct experiments with new and different personnel management concepts to determine whether such changes in personnel policy or procedures would result in improved Federal personnel management.

In March 2002, the DOD established a Human Resources Best Practices Task Force to review all demonstration projects, to include several outside of DOD, in order to compile best practices that show promise in terms of DOD's civilian human resources strategy. The best practices identified by the Task Force were reviewed, revised, and approved by a steering group of senior leaders, with the intention of broadly applying the results. These results were included in a Federal Register announcement in April 2003. The practices are intended to provide for a common architecture of personnel management within the Defense Department science and technology community. These have not yet been implemented.

It is my intention to support the Secretary of Defense in pursuing the ultimate objectives of the NSPS and the National Defense Authorization Acts of 1995 and 2001; that being the identification and implementation of a civilian personnel management system that best recruits, manages, and maintains a healthy scientific and technical workforce.

7. Senator LEVIN. Do you support a delay in the release of the final Lab Demo Best Practices Federal Register so that it can be modified to better meet the concerns of the Navy's labs and technical centers?

Secretary ENGLAND. Congress provided the Secretary of Defense authority to conduct personnel demonstration projects in section 342 of the National Defense Authorization Act for 1995, as amended by section 1114 of the National Defense Authorization Act of 2001. These demonstrations are experimenting with new and different personnel management concepts to determine whether such changes in personnel policy or procedures would result in improved Federal personnel management. The experiments are occurring in the eight defense science and technology centers.

The objective of these demonstrations is to examine the results and lessons to determine the best civilian personnel management policy. In March 2002, the DOD established a Human Resources Best Practices Task Force to review all demonstration projects, to include several outside of DOD, in order to compile best practices that show promise in terms of DOD's civilian human resources strategy. The best practices identified by the Task Force were reviewed, revised, and approved by a steering group of senior leaders, with the intention of broadly applying the results. These results were included in a Federal Register announcement in April 2003. The practices are intended to provide for a common architecture of personnel management within the Defense Department science and technology community. These have not yet been implemented.

It is my intention to support the Secretary of Defense in pursuing the objectives of the National Defense Authorization Acts of 1995 and 2001; that being the identification and implementation of a civilian personnel management system that best recruits, manages, and maintains a healthy scientific and technical workforce. The concerns of the naval research and technical centers are being addressed in this process.

8. Senator LEVIN. Do you support an aggressive implementation of existing congressional authorities, possibly to include the establishment of a separate personnel system for laboratories and technical centers?

Secretary ENGLAND. Congress provided the Secretary of Defense authority to conduct personnel demonstration projects in section 342 of the National Defense Authorization Act for 1995, as amended by section 1114 of the National Defense Authorization Act of 2001. The authority allows the Secretary to experiment with new and different personnel management concepts to determine if such changes in personnel policy or procedures would result in improved Federal personnel management across the DOD.

In March 2002, DOD established a Human Resources Best Practices Task Force to review all demonstration projects, to include several outside of DOD, in order to compile best practices that show promise in terms of DOD's civilian human resources strategy. The best practices identified by the Task Force were reviewed, revised, and approved by a steering group of senior leaders, with the intention of broadly applying the results. These practices are intended to provide for a common architecture of personnel management within DOD's science and technology community. They have not yet been implemented.

Congress recently authorized DOD to implement the NSPS; also aimed at determining a new civilian personnel management system for DOD. This statute purposefully excluded the naval science and technology centers until 1 October 2008, and only applies the NSPS to the extent that the Secretary of Defense determines the flexibilities NSPS provides are greater than the flexibilities currently provided to the labs.

The Department will consider both initiatives in establishing an appropriate personnel management system. It is my intention to support the Secretary of Defense in pursuing the ultimate objective of the NSPS and the National Defense Authorization Acts of 1995 and 2001; that being the identification and implementation of a civilian personnel management system that best recruits, manages, and maintains a healthy scientific and technical workforce.

[The nomination reference of Gordon R. England follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 3, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Gordon England, of Texas, to be Secretary of the Navy. (Reappointment)

[The biographical sketch of Gordon R. England, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF HON. GORDON R. ENGLAND

Gordon England was confirmed as the first Deputy Secretary in the U.S. Department of Homeland Security on January 30, 2003. The Department of Homeland Security was established on January 24, 2003, to integrate 22 different agencies with a common mission to protect the American people.

Previously, Secretary England served as the 72nd Secretary of the Navy from May 24, 2001, until confirmation as Deputy Secretary. As Secretary of the Navy, Mr. England was responsible for an annual budget in excess of $110 billion and over 800,000 personnel.

Mr. England served as executive vice president of General Dynamics Corporation from 1997 until 2001 and was responsible for two major sectors of the corporation: Information Systems and International. Previously, he served as executive vice president of the Combat Systems Group, president of General Dynamics Forth Worth aircraft company (later Lockheed), president of General Dynamics Land Systems Company and as the principal of a mergers and acquisition consulting company.

A native of Baltimore, Mr. England graduated from the University of Maryland in 1961 with a bachelor's degree in electrical engineering. In 1975 he earned a master's degree in business administration from the M.J. Neeley School of Business at

Texas Christian University and is a member of various honorary societies: Beta Gamma Sigma (business), Omicron Delta Kappa (leadership) and Eta Kappa Nu (engineering).

Mr. England has been actively involved in a variety of civic, charitable, and government organizations, including serving as a city councilman; Vice Chair, Board of Goodwill, International; the USO's Board of Governors; the Defense Science Board; the Board of Visitors at Texas Christian University; and many others.

He has been recognized for numerous professional and service contributions from multiple organizations such as Distinguished Alumnus Award from the University of Maryland; the Department of Defense Distinguished Public Service Award; the Silver Beaver Award from the Boy Scouts of America; the Silver Knight of Management Award from the National Management Association; the Henry M. Jackson Award and the IEEE Centennial Award.

[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 Gordon R. England in connection with his nomination follows:]

September 5, 2003.

Hon. JOHN WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Secretary of the Navy. It supplements Standard Form 278, "Executive Personnel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I nor any member of my immediate family will invest in any organization identified as a DOD contractor or any other entity that would create a conflict of interest with my government duties.

I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity. If confirmed, I am committed to serve in this position at the pleasure of the President throughout his term of office.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I am a member of certain organizations and professional societies, which are either listed below or have been previously provided to the committee. None of these should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

GORDON R. ENGLAND.

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 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.)
Gordon Richard England.

2. **Position to which nominated:**
Secretary of the Navy.

3. **Date of nomination:**
September 3, 2003.

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 15, 1937; Baltimore, Maryland.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Dorothy Marie Hennlein.

7. **Names and ages of children:**
Gordon England, Jr.; age 40.
Margaret Kristen Rankin; age 38.
Marisa Claire Walpert; age 31.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Graduate, Mount St. Joseph's High School, Baltimore, Maryland, June 1955.
Graduate, Univ. of Maryland, College Park, Maryland, BSEE, June 1961.
Graduate, Texas Christian University, Fort Worth, Texas, MBA, May 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.
President and General Manager, General Dynamics Fort Worth Company, Fort Worth, Texas, July 1991 to March 1993.
President and General Management, Lockheed Fort Worth Company (GDFW prior to sale to Lockheed), March 1993 to march 1995.
Self employed President, GRE Consultants, Inc., Fort Worth, Texas, March 1994 to March 1997.
Executive Vice President, General Dynamics Corporation, Falls Church, Virginia, March 1997 to May 2001.
Secretary of the Navy, Department of the Navy, Washington, DC, May 2001 to January 2003.
Deputy Secretary, Department of Homeland Security, Washington, DC, January 2003 to present.

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.
Benbrook Texas City Council and mayor pro tem, 1982–1986, no party affiliation.

Member of the Defense Science Board from 1991 to 1996.

Member of the Defense Science Board Acquisition Subpanel from 1997 to 1998.

Member of the Defense Science Board Task Force on Globalization and Security from 1998 to 1999.

National Research Council, Vice Chairman of Study on the Future of U.S. Aerospace Infrastructure, 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.

Member, Omicron Delta Kappa (leadership).

Member, Beta Gamma Sigma (business).

Member, Eta Kappa Nu (engineering).

Lifetime member, Navy League of the United States (Mr. and Mrs. England).

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.

GD PAC contributions (withheld from paycheck)

1998 - $2,600.

1999 - $2,600.

2000 - $1,000.

Personal Contributions

2003 - Kay Granger Re-election - $2,000.

2002 - Good Government Fund (Senator Kay Bailey Hutchinson, sponsor) - $5,000.

2002 - Congressman Joe Barton Committee - $2,000

2001 - Kay Granger Re-Election Campaign Event, April 11, 2001 - $1,000

2000 - Johnson for Congress 2000 - $1,000

2000 - Texas Freedom Fund - $1,000

2000 - Friends of Max Cleland - $1,000

2000 - Tiahrt for Congress - $1,000

2000 - Re-Election Campaign of Cong. Chet Edwards - $1,000

2000 - Common Sense, Common Solutions PAC - $500

2000 - Lazio 2000 - $2,000

2000 - RNC Victory 2000 - $2,000

2000 - Texas Freedom Fund PAC, Inc. - $1,000

2000 - Kay Granger Campaign Fund - $1,000

2000 - Kay Granger Campaign Fund - $1,000 (by Dorothy H. England)

1999 - George Bush for President Exploratory Committee - $1,000

1999 - Feinstein 2000 - $1,000

1999 - Texas Freedom PAC - $1,000

1999 - Murtha for Congress - $1,000

1999 - Kay Granger for Congress - $1,000

1999 - Joe Barton for Congress - $1,000

1999 - Kay Granger Campaign Fund - $1,000

1999 - Re-Election Campaign of Cong. Todd Tiahrt - $1,000

1998 - Snowe for U.S. Senate - $1,000

1998 - Leahy for U.S. Senate - $1,000

1998 - Governor Bush Committee - $500

1998 - Murtha for Congress - $500

1998 - 6th District Republican Association - $1,000

1998 - National Republican Congressional Committee Operation Breakout - $10,000

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievements.

Department of Defense Medal for Distinguished Public Service

Department of the Air Force Exceptional Public Service Award
Department of the Army Exceptional Public Service Award
University of Maryland 2002 Distinguished Graduate Award
Henry Jackson Award for Public Service
Silver Knight of Management Award National Management Association
Silver Award National Defense Industrial Association
Selected to Aviation Heritage Hall of Fame
Institute of Electrical and Electronics Engineering Centennial awardee

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Boston Herald - U.S.S. *Constitution* a reminder of our heroes, July 4, 2002
Washington Times - Chief Executive Transformed - September 10, 2002
Naval Institute Proceedings - One Team - One Fight - November/December 2002
Sea Power Magazine - Our Mission is Clear - December 2001

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.

Two copies each of representative speehes attached.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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.

GORDON R. ENGLAND.

This 5th day of September, 2003.

[The nomination of Gordon R. England was reported to the Senate by Chairman Warner on September 25, 2003, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on September 26, 2003.]

NOMINATION OF MICHAEL W. WYNNE TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS

TUESDAY, NOVEMBER 18, 2003

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

The committee met, pursuant to notice, at 4:12 p.m. in room SR–222, Russell Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, McCain, Inhofe, Allard, Sessions, Chambliss, Levin, Akaka, and Clinton.

Committee staff members present: Judith A. Ansley, staff director, and Gabriella Eisen, nominations clerk.

Majority staff members present: Brian R. Green, professional staff member; William C. Greenwalt, professional staff member; Carolyn M. Hanna, professional staff member; Ambrose R. Hock, professional staff member; Gregory T. Kiley, professional staff member; Patricia L. Lewis, professional staff member; and Thomas L. MacKenzie, professional staff member.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Madelyn R. Creedon, minority counsel; Creighton Greene, professional staff member; Peter K. Levine, minority counsel; and Arun A. Seraphin, professional staff member.

Staff assistant present: Michael N. Berger.

Committee members assistants present: Christopher J. Paul, assistant to Senator McCain; John A. Bonsell, assistant to Senator Inhofe; Jayson Roehl, assistant to Senator Allard; Arch Galloway II, assistant to Senator Sessions; Clyde A. Taylor IV, assistant to Senator Chambliss; Christine O. Hill, assistant to Senator Dole; Mieke Y. Eoyang, assistant to Senator Kennedy; Davelyn Noelani Kalipi, assistant to Senator Akaka; William K. Sutey, assistant to Senator Bill Nelson; Rashid Hallaway, assistant to Senator Bayh; and Andrew Shapiro, assistant to Senator Clinton.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. The committee will now come to order.

We're very pleased to have before the committee this afternoon Michael W. Wynne, nominee to be the Under Secretary of Defense for Acquisitions.

Mr. Wynne has been serving as the acting Under Secretary of Defense for Acquisition, Technology, and Logistics since May of this

year following the departure of Mr. Aldridge, and we commend him for his service to our country.

How many times have you been up here, Secretary Wynne?

Mr. WYNNE. Sir, I've been here about four times.

Chairman WARNER. I mean Pete Aldridge, he was——

Mr. WYNNE. He was confirmed four times.

Chairman WARNER. Four times.

Mr. WYNNE. Yes, sir.

Chairman WARNER. Remarkable career.

Mr. WYNNE. What a remarkable career.

Chairman WARNER. This position, for which the President has nominated you, is one of the most important in your department—you know that well. It was established by Congress to implement a recommendation of the 1986 David Packard Commission, to place a senior official in charge of defense acquisition to improve the effectiveness and efficiency of acquisition management.

I had the privilege of serving in the department as Navy Secretary under David Packard. He was a remarkable man. Did you get to know him?

Mr. WYNNE. Sir, I met Mr. Packard a couple of times, and he is very impressive.

Chairman WARNER. He was an impressive man.

As the senior acquisition official of the Department of Defense (DOD), the Under Secretary is responsible for making critical decisions on major defense acquisition programs, such as the Joint Strike Fighter, the F–22, the *Virginia*-class submarine and the future combat system.

This is not an easy job; it's a very challenging one. Every sailor, soldier, airman, and marine depends upon your service and your decisionmaking to ensure that their equipment is the best that can be obtained by the American taxpayers.

I trust, Mr. Wynne, that if confirmed, you will be a hard worker to meet this important objective. You certainly have been one in the years that you've been in the department here recently.

We welcome you and your family and thank you for the willingness to serve again. Would you kindly introduce your family at this time?

Mr. WYNNE. Thank you very much, Senator, I certainly will.

This is my wife, Barbara, sitting to my right, and my brother, Peter, who has traveled here from Texas to see what goes on here in the Senate——

Chairman WARNER. We'll not disappoint him.

The family support, as I said, over the many years I've been privileged to be here, it's absolutely essential to the discharge of the functions of this office and the other senior offices, and indeed, throughout the Department of Defense. So we thank your family for joining you in this challenging assignment.

Your previous confirmation hearing took place on June 22, 2001. You were sworn in your current job on July 12 of that year.

Mr. Wynne is a graduate of the United States Military Academy at West Point and served for 7 years on active duty in the Air Force. He has an impressive record of achievement in industry, retiring as a senior vice president from General Dynamics, with responsibility for international development and strategy.

During the course of his career at General Dynamics he was instrumental in the development of various complex and vital programs, including the F–16, the Abrams battle tank, and space-launched vehicles, including the Atlas and the Centaur.

He has a wealth of experience and accomplishment, both in government and the private sector.

You're eminently qualified for this position, and I commend the President for elevating you to this important post.

Senator Levin will give his statement as soon as he comes, but, in the meantime, the committee has asked our witness to answer a series of advance policy questions; he's responded to those questions and, without objection, I'll make the questions and the responses part of today's record.

There are also standard questions that the chair of this committee, throughout the many years, has asked every nominee who's appeared before this committee, and I will now do that.

Have you adhered to applicable laws and regulations governing conflicts of interest?

Mr. WYNNE. Yes, sir.

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

Mr. WYNNE. No, Senator.

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

Mr. WYNNE. Yes, sir.

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

Mr. WYNNE. Yes, sir.

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

Mr. WYNNE. Yes, sir. Absolutely.

Chairman WARNER. Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views are somewhat different from the administration under which you serve?

Mr. WYNNE. Yes, sir.

Chairman WARNER. Do you have any remarks that you wish to make?

Mr. WYNNE. Yes.

Chairman WARNER. Unless my colleague, the Senator from Hawaii—do you wish to make any comments on behalf of Senator Levin before we get started?

Senator AKAKA. Yes, Mr. Chairman, thank you very much.

I would just like to add my welcome to Mr. Wynne and Barbara and also Peter. It's good to have the family support here.

Thank you very much.

Chairman WARNER. Thank you very much.

Colleagues, it is my intention to have our witness address the committee unless anyone desires to have an opening remark or two.

Fine.

Mr. Secretary?

STATEMENT OF MICHAEL W. WYNNE TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS

Mr. WYNNE. Thank you, Mr. Chairman.

Mr. Chairman and members of this committee, I am honored to appear before you today as the President's nominee for the position of Under Secretary of Defense for Acquisition, Technology, and Logistics.

I'd like to thank President Bush and Secretary of Defense Rumsfeld for their confidence in me and for this nomination that you are considering.

If confirmed, I look forward to leading a crucial part of the Department of Defense team and to working with Congress, and especially this committee, on the many challenges facing us all. I look forward to applying the skills that I have learned in many differing assignments in the military and career positions within the defense industry and, of course, during my last 2 years in the Department of Defense.

I believe that serving on behalf of the American people, in particular our brave military men and women and the civilians who support them, is a noble calling, particularly when our men and women in uniform are in harm's way.

I thank you for acknowledging the presence of my wife, Barbara, who has stood by me throughout all these assignments, in addition to raising our wonderful children. I also want to thank my brother, Peter, who has traveled from his job in Texas to be with us today; and I also thank my colleagues from the Department of Defense for being here in support.

While we can point to many successes, both in our recent combat operations around the world and in the transformation of our defense establishment, we have urgent work remaining. In that regard, I applaud this committee for the effort involved in the recent authorization bill and thank you for your leadership in providing both authority and guidance to continue our transformation to the future force.

Mr. Chairman, I thank you for the opportunity to appear here today and to reintroduce myself and provide you insight into my approach in the challenging post that I have been nominated for. If I am confirmed, I look forward to working with Congress, and especially with this committee.

I'll be happy to answer any questions that you might have.

Chairman WARNER. There is a matter on the floor. I wanted to ascertain whether or not we're going to have voice or recorded votes so the committee can be aware of this.

I don't know whether I'm going to be able to resolve it, so I'll start in on my inquiry. We'll each take 6 minutes.

The consolidation of the defense industry, Mr. Secretary, has been a matter of some concern to many of us throughout the 1990s. It raises a question of the adequacy of competition. You stated in your responses to the committee's advance policy questions that in several defense markets it has become more challenging to obtain that level of competition that is necessary to get the best cost and the best products.

What do you propose to do, in your present position, to try and maximize the benefits of competition in light of this lessening number.

Mr. WYNNE. Senator, this is an excellent question because the consolidation of the industrial base is something that we worry about every day.

Every year, we survey the defense industry to determine whether or not we have sufficient health in that industry to conduct our affairs. Unfortunately, our marketplace has been going down over the years.

I can recall from my days in college when we had many prototypes and many companies in play across the Nation, to perform our products. That has been steadily dwindling down to where we currently have, if you will, a top 5 and perhaps a top 10, of second-tier vendors.

That having been said, each time that we want to conduct a competition we find that it is, in fact—adequate if you look across the broader scope of the world—that we have adequate competition for the vast majority of our products. In a few cases, they are limited. What I am doing to try to expand that is to work with the Small Business Administration to get non-traditional suppliers to come to the game.

We have been relatively successful at doing that. With your permission, we will get authorization to use commercial-style practices and Federal Acquisition Regulations (FAR) Part 12. We have some very innovative small businesses coming to our marketplace. That's the way I think we need to address our future.

Sometimes our future is not really anymore in major platforms, which are often associated with the industrial base, but rather an information technology and communications technology, and then in our power to fuse sensor data.

Chairman WARNER. By coincidence, I just had a visit in my office earlier this afternoon, by a gentleman, Rich Carroll, whom I've known for many years. He established a very successful company which, coincidentally, was just sold to General Dynamics. He's been a strong advocate of the Small Business Innovative Research program, and I hope that you know that program.

Mr. WYNNE. Yes, I know that program——

Chairman WARNER. We talked a little bit about that program and hopefully how you'll even strengthen it.

Mr. WYNNE. Small Business Innovative Research is a tremendous area where I have personally taken an interest in making sure that we can fund these small companies that come to us with an idea. I am a big supporter of the Small Business Innovative Research Program.

Chairman WARNER. Well, I encourage you to do that, because he's proven, with his company, that it can be quite successful.

Mr. WYNNE. Yes, sir, it can.

Chairman WARNER. All the ideas don't reside in the big companies, even though you're proud of your past in the big ones.

Mr. WYNNE. Yes, sir. I have personally been involved in several small businesses and recognize the talent that lies there.

Chairman WARNER. Let's turn to the subject of Buy America. The committees of the House and the Senate have just recently concluded their rather lengthy conference with that key item.

I'm not here to discuss the pros and cons and exactly what occurred in that conference. The final result is soon to be a matter of public law as soon as the President signs it.

But, there was quite a debate over Buy America legislation, and a number of nations abroad paid close attention to it. I wonder if you might first comment on how you're going to implement this new legislation. Then, on what you can do to reassure the world that we're going to follow, strictly, the President's philosophy of trying to encourage as free a trade as we possibly can.

Mr. WYNNE. Sir, I greatly appreciate the opportunity to respond to that because my background—I'm a little bit biased—I've been working in international programs for many years, and I will tell you that our international trade has always been to the benefit of the United States.

I think it's almost 3:1, at this point, where we do $75 billion in exports and I believe we only do about $25 billion in imports, from the international community.

That having been said, many of the people that I just met at a North Atlantic Treaty Organization (NATO) meeting recently, were very concerned. I applaud the leadership in this committee for taking the route that you did and standing firm on the area of free trade. I do think that it is not necessarily a good time to tell our coalition partners that we are not interested in doing trade with them.

Chairman WARNER. I concur in what you say, and I certainly want to commend the administration. They gave to Congress some very helpful guidance on that point.

Quickly, on the Joint Strike Fighter Program, there had been some delays associated with weight problems. I go back to the days of the TFX and the A–12. You know about those programs.

Mr. WYNNE. Yes.

Chairman WARNER. I don't believe that, in any way, this program is likely to follow in that path, but I think it's important that you give your reassurances now, to the committee and those following this hearing.

Mr. WYNNE. The Joint Strike Fighter Program—I was just down to the program manager's review to all of our partner nations, which was an extraordinary meeting. The 9 partner nations were all there, plus the 2 Services, which may, in some views, be 11 partner nations.

But, the fact is that that program is going very well. I was down there to witness the first light of the engine.

They do have, at this stage of the design period, some concerns with weight. It appears that the short take-off and landing variant is having the hardest time to control because of the structural requirements inside the skin of the airplane.

I think, though, that they have a pathway forward. It appears that the products all work and they fly very well, and it's an extraordinary airplane. The partners are all looking forward to participating, and they're all looking forward to a long, stable program.

Chairman WARNER. Well, this committee has had a very active role, really, in the origination of that program, and its oversight, so I ask you to kindly keep us informed. We'd prefer to hear from you rather than reading in the paper either good news or bad news.

All right?

Mr. WYNNE. Yes, sir.

Chairman WARNER. Quickly, to the F–22 Raptor program, what can you give us in the way of a short report on that?

Mr. WYNNE. The F–22 program is coming along slowly but surely, especially in the software area. We put another tiger team together to go take a very strong look at how they were developing the software.

Frankly, we found discipline problems in the way they were doing that. If confirmed, I intend to continue to nurture that program and make it a success. I do believe in what started in the 1980s as a three-pronged program of stealth and speed and precision.

Chairman WARNER. Lastly, the V–22, the Marine Corps program—bring us up to date on that one.

Mr. WYNNE. The V–22 program is also a program that is coming back strong. Frankly, the test discipline has been reinstalled, the program manager is on top of it, and this program is coming back. I cannot give you a full assurance, because I do believe if lightning strikes that airplane, it's going to be, "The troubled V–22 crashes." On page 50, it's going to say, "The cause was allegedly lightning."

When a troubled program is in trouble, sir—but I think it's really going——

Chairman WARNER. Right now, you have a very positive feeling about it?

Mr. WYNNE. I really do.

Chairman WARNER. All right. Thank you.

I'll have further questions later.

Senator Levin, do you wish to make some opening remarks?

Senator LEVIN. I just have a very brief opening statement. Should I either go right into questions as well?

Chairman WARNER. Whatever your pleasure.

Senator LEVIN. Thank you.

STATEMENT OF SENATOR CARL LEVIN

Senator LEVIN. Mr. Chairman, let me join in welcoming our nominee and his family to the committee. We're well acquainted with him, and he's well-qualified for the position to which he has been nominated.

The Under Secretary remains the Department's point man on a wide range of very difficult management issues, including: the effective management of the Department's major weapons programs; the revitalization of defense, science, and technology; the continuation of acquisition reform and logistics modernization; and the even-handed management of the public-private competition.

I've been disappointed that this administration appears to have begun a process of dismantling the position in one area by stripping the Under Secretary of much of his responsibility for the acquisition of space systems and missile defense systems, but none-

theless, it obviously remains an extremely important position, even with those lesser responsibilities.

The questions that I have for you, Mr. Wynne, are in three or four areas.

First, relative to contracting in Iraq. This has been a very major issue for a lot of us and concerns have been raised for some months now about the lack of competition and the excessive rates that have been charged on some contracts for Iraqi reconstruction.

There have been a number of concerns raised—and I've been part of the group that has raised the concerns—about a sole-source contract for reconstruction of the Iraqi oil industry that the department awarded to Halliburton—a so-called temporary bridge contract.

Now, that temporary bridge contract probably had to be entered into in order to move very quickly. But the problem is that temporary has become forever. Time and time again, the department has pushed back its schedule for replacing this contract, and it has continued to grow in size by about $100 million for every month of delay.

We were assured that it would be replaced by competitive contracts many months ago, then 1 month ago, and this month. Recently, we've been told that none of those assurances have panned out, by the way. Recently, we've been told that the Department plans to replace the Halliburton contract with two separate follow-on contracts, one covering Southern Iraq and one covering Northern Iraq.

Can you tell us how long it will be before we have fully competitive contracts in place to replace the Halliburton bridge contract?

Mr. WYNNE. Well, sir, there are two aspects to the Halliburton contract. First it's the repair of the oil fields, as you've talked about. That has been competed. The award is in preparation. I have been assured of that because I did inquire that it should be by the end of the year that that is replaced. You were correct. It will be replaced by a north oil company and a south oil company repair business.

The second part of it is the fuel delivery. They are actually asking the Defense Energy Service Center of the Defense Logistics Agency (DLA) to take over three out of four. The fourth should be replaced by early next spring.

Senator LEVIN. Now why did the Department decide to have two contractors with exclusive territories rather than requiring them to compete against each other?

Mr. WYNNE. What we had, Senator, was two contractors with common capabilities so that we could compete them for follow-on tasks within their scope of record. What we wanted to have is one that was generally associated with the north oil company and one that was generally associated with the south oil company to build the infrastructure and to bring forward teams of capability such that we could compete in other areas of that pipeline.

Senator LEVIN. What steps will you be taking to ensure that the contracts awarded with money made available under the recently enacted Iraq Supplemental Appropriation Act are entered into on a basis of full and open competition?

Mr. WYNNE. Sir, we intend to comply with the law as written. I realize there is a concern on the follow-on. But in fact, I have detailed my own director of contracts and services, have augmented her staff to write the proper scopes to do a proper competition on all of that money that has been authorized.

Senator LEVIN. In the missile defense area—following the President's decision to deploy a national missile defense in September of next year, the Pentagon revealed that it had canceled 9 of the 20 national missile defense intercept tests planned from 2003 to 2007. As a result, there are only two intercept tests now planned between now and the deployment date. The targets used in these tests are not going to be realistic. The radar needed for the system will not be properly tested at all.

In the fiscal year 2004 Defense Authorization Bill, there is $100 million to conduct an additional intercept test and for other risk reduction activities. I understand there is already a test planned, the so-called IFT 16A, which currently is not an intercept test, but which could easily be converted into an intercept test with this extra funding. Will you use that funding for an additional intercept test to ensure that we have as much testing as possible prior to deployment?

Mr. WYNNE. Sir, I have a two-part answer to that. First, we are trying to involve the Director of Operational Test and Evaluation in a maximum sense to assure ourselves that we're going forward, both on a sub-system basis and on a system basis prior to our assessment of capabilities and deployment.

I don't know how the $100 million is planned to be assessed. But I will say that I know that there is great concern that we make sure that we have the kind of system that the American taxpayers paid for. I meet with the missile defense officials biweekly to ensure that.

Senator LEVIN. So, you will be ensuring that the Department of Operational Test and Evaluation has a strong and clear role in the missile defense programs during the development?

Mr. WYNNE. They have over 100 people involved today, sir. We will ensure that they will have a strong presence throughout.

Senator LEVIN. Thank you. My time is up. Thank you so much. Again, congratulations to you.

Chairman WARNER. Senator McCain.

Senator MCCAIN. Mr. Wynne, you are aware of the authorization bill signed by the President last Friday?

Mr. WYNNE. Yes, sir.

Senator MCCAIN. Do you intend to implement the authorization bill's section 135, which concerns Boeing aircraft under one contract or two?

Mr. WYNNE. Sir, I read your letter and the colloquy that was associated with it. I want to again thank this committee for coming to a compromise. I read it very carefully. It seems to me it's going to be very hard to implement under one contract. But I know the Department is currently reviewing it, and there are some smarter people than me that may bring some innovative approach forward.

Senator MCCAIN. When do you expect to reach a decision?

Mr. WYNNE. I would say, sir, that the balancing of resources against the needs—but by the end of the year, I think we will be close to a decision on that.

Senator MCCAIN. Will you renegotiate the purchase price of $131 million per tanker?

Mr. WYNNE. I cannot assure you that that will be renegotiated, but what I can say is it's certainly going to be reevaluated because of the probable change in some of the scheduling.

Senator MCCAIN. Will you pay on delivery or at the time of order?

Mr. WYNNE. At the incremental funding release that was allowed, sir, I believe it requires payment on time of order.

Senator MCCAIN. Do you intend to structure the finance and acquisition or construction of tankers around a special purpose entity?

Mr. WYNNE. I think the first 20 airplanes will probably continue to be a special purpose entity in the sense that they will continue to be leased as to the terms of the original contract.

Senator MCCAIN. You testified before this committee on the Boeing tanker deal on September 4. At the time, we discussed a June 23, 2003, e-mail. In this e-mail, a Boeing executive named Tom Soins described a meeting he had with Air Force Secretary Roche where Secretary Roche apparently expressed serious concern about a letter from the Director of Program Analysis and Evaluation (PA&E) at the Office of the Secretary of Defense (OSD), Ken Krieg. I have a copy of that if you'd like for me to revisit it.

It basically says, "Our analysis shows—fails to meet the requirement of Office of Management and Budget (OMB) circular A–11 because of a lease less than 90 percent of the—our calculations show that lease payments are more than 93 percent, exceeding the requirements of the definition and that was arguing against it."

Their director, Krieg, as I say, concluded that the original Boeing proposal failed two OMB accounting rules and, therefore, violated authorizing legislation. According to the e-mail, Secretary Roche—and I quote the e-mail, asks, "Boeing to put pressure on you to convince PA&E to write a new letter essentially undoing the first letter."

The e-mail also indicated that he was not going to answer: "We'd get in trouble no matter how he answered. Secretary Roche was going to talk to Wolfowitz tomorrow." Did you interact with Boeing in any way regarding PA&E being a problem?

Mr. WYNNE. No, sir. There was no pressure put on me, especially by Boeing.

Senator MCCAIN. Did you interact with Boeing in any way regarding PA&E being a problem?

Mr. WYNNE. No, sir.

Senator MCCAIN. What concerns about PA&E did Secretary Roche convey to you at this time?

Mr. WYNNE. Secretary Roche only called to tell me that Ken Krieg had issued the letter, and that he was purportedly unhappy.

Senator MCCAIN. That who was unhappy?

Mr. WYNNE. Secretary Roche.

Senator MCCAIN. He told you that they had issued the letter and Secretary Roche was unhappy?

Mr. WYNNE. Right.

Senator MCCAIN. But he asked you to take no——

Mr. WYNNE. He did not ask me to take an action, sir.

Senator MCCAIN. No, but according to his e-mail, he asked Boeing to put pressure on you. That's according to the e-mail. That's not according to me.

Mr. WYNNE. Very interesting.

Senator MCCAIN. Do you recall anyone ever putting any kind of pressure on you?

Mr. WYNNE. No, sir.

Senator MCCAIN. Well, another e-mail, which we didn't describe last time, indicates that Secretary Roche suggests to Boeing that it direct its efforts to OSD in order to undercut PA&E. A December 17, 2002, e-mail from Boeing executive Andy Ellis to Rudy DeLeon describe, "some quick notes from Jim Albaugh's meetings today." It instructs, "Please don't redistribute this e-mail."

Under an entry labeled, "Meeting with Secretary Roche," the e-mail described, "PA&E now a problem on tankers. Arguments include price, 767 footprint, and prospects for used 767s. Boeing needs to do more on behalf of tankers in OSD. PA&E working to convince Aldridge to delay reengine while doing an analysis of alternatives."

"We should vector Hill support for tankers at Aldridge. Said he's very comfortable with the price Air Force has on tankers and very comfortable with the overall deal. It's the right time to do this deal. He's waiting until early January to push on OMB. Wants to deal with the next Congress, not the current. Boeing needed to work White House and especially OSD."

Do you know anything about that?

Mr. WYNNE. No, sir. This is all new news to me.

Senator MCCAIN. All right. You are going to conduct an analysis of alternatives (AOA)?

Mr. WYNNE. Sir, I believe an analysis of alternatives——

Senator MCCAIN. That's according to the language of the authorization.

Mr. WYNNE. Yes, it's underway.

Senator MCCAIN. How long will that take?

Mr. WYNNE. I understand that it's also scheduled for mid to late December.

Senator MCCAIN. You are going to do a corrosion study?

Mr. WYNNE. That one I will say that——

Senator MCCAIN. That's required by the law, too.

Mr. WYNNE. I believe it is required by the law.

Senator MCCAIN. Well, there are a lot of other things that are so unsavory about this tanker deal. But just a vignette, Mr. Chairman, that you and the ranking member are aware of. Our staff went down to Tinker Air Force Base, and Tinker gave a briefing. The staff asked for the briefing documents. They couldn't find them. They said Mr. Winslow's on temporary duty. We are unable to track him down. The colonel who briefed is also off base on an appointment.

Well, anyway, to make a long story short, after going back and forth and back and forth, they received these documents, and they were doctored. They were doctored documents from those that were

briefed. They added information at the top that was not in the briefing for the staff, and they deleted information at the bottom, which indicated that there was not a corrosion problem at Tinker Air Force Base. How do you justify this kind of behavior, Mr. Wynne?

Mr. WYNNE. Well, sir, I cannot justify that kind of behavior.

Senator MCCAIN. These are facts. I'll be glad to have our staff testify.

Mr. WYNNE. The facts were shared with your staff, sir. I have no understanding of why they would be doctored en route to delivery.

Senator MCCAIN. I mean, I could show you—well, I guess I don't want to take up the committee's time.

I asked you for documents related to the tanker deal e-mails, et cetera. I received an answer from Mr. Wolfowitz that those would not be forthcoming. Is that the case?

Mr. WYNNE. I very much appreciate the opportunity to respond to that question. You know the leadership that's been provided by this committee has been fabulous in concluding the tanker compromise. I am pleased the debate was robust and fact-driven. The Department provided access to over 200 documents as well as provided testimony to fulfill the need for information regarding the Department's decision to procure tankers. The compromise forged by this committee stands as a testament to them.

There is no doubt that you desire information, and I want to be responsive to your need. That having been said, the position of the Department, as expressed by Secretary Wolfowitz, is to preserve in the Department the pre-decisional debate so vital to informed decisionmaking while still providing a full and open account of the Department's decision to take action. I really hope that this committee will allow that debate, so vital to informed decisionmaking, to continue.

Senator MCCAIN. Well, my time has expired, Mr. Chairman.

Chairman WARNER. Take another minute or 2.

Senator MCCAIN. When we got these e-mails from Boeing, Mr. Wynne, which reflect the most incestuous, unsavory relationship that I have ever seen—people called by their first name saying you have to pressure this guy, you have to do this, we can't do an AOA. All of that I got from Boeing.

It peaks one's curiosity about what went on in OSD given the incestuousness of the relationship between Boeing and OSD. For me to be told that we have been given all information that's relevant simply strains credulity to a degree that I can't accept.

I thank you, Mr. Chairman.

Chairman WARNER. The committee will continue to examine the basis on which the Department feels it cannot provide these documents. I judge from your testimony that that decisionmaking, understandably, is—as we say, above your pay grade with the Secretary and the Deputy Secretary, but Senator McCain has raised a very legitimate question. You recall when I asked you the standard questions, including "Will you provide witnesses and briefers in response to congressional requests?" That incorporates by reference documents. You acknowledged yes.

The same questions were put to Secretary Wolfowitz, and the committee put the same questions to Secretary Rumsfeld. I hap-

pened to be chairman at the time of his confirmation. So I find that the proffer of this testimony, while it's the best this witness understands, it is inconsistent with the way we conduct the business of this committee. We will continue.

I might add that you said that you examined the colloquy, in the singular. There were two colloquies by my able colleague here, one between myself and Senator McCain and another between the Senator from Illinois is my recollection.

Senator MCCAIN. Mr. Chairman, the Budget Committee.

Senator LEVIN. I believe it was Senator Nickles.

Chairman WARNER. We feel very strongly on this matter. I commend Senator McCain. You said twice, the "robust debate." This is the Senator that got the "robust debate" started. Some of us may have had a role as it has gone along. But the outcome, we feel, is clearly embraced in the conference report which will become statutory law in the very near future.

This committee intends to have very frequent and close oversight of this contract—this acquisition process by whatever means. As you indicate, that decision hasn't been made yet, but it seems to me the statute is clear on that.

Senator MCCAIN. Mr. Chairman, could I interrupt just for a second?

Chairman WARNER. Yes.

Senator MCCAIN. The reason why I bring up this issue of doctored documents is the only way that this committee can make informed decisions is through accurate information. We dispatched the staff. Actually, you and Senator Levin dispatched the staff to check on the corrosion problems at Tinker Air Force Base. They were given certain information. That information was surprising to them, because it showed very little problems with corrosion.

So after repeated requests, doctored information was sent back with information on the top which gave a different version and information deleted at the bottom that indicated that the corrosion problem was not serious.

Mr. Chairman, if we're going to get doctored information from the United States Air Force, how in the world can we make informed decisions? I think there ought to be an investigation as to why this committee was given doctored documents which differed radically from the information that they received in a briefing which was requested. I don't see how we can do business if we have a branch of our service that doctors information and then provides it to us.

Chairman WARNER. I indicated earlier that this matter is going to be fully examined by the committee in due course.

I thank the Senator.

Senator LEVIN. Would the chairman yield on that for just one point?

Chairman WARNER. Yes.

Senator LEVIN. I am someone who very much favored the compromise which was reached. I applauded the chairman for his efforts and supported those efforts. I applauded Senator McCain for the position that he's taken here, which is a position that is heartfelt and felt very strongly by Senator McCain.

This question of vacuums, however, is related, but it's an issue which we have to deal with regardless of what one's opinion is on the tanker deal. I mean, we cannot be in a position where the Defense Department is telling us that there is some internal document which is not available to this committee.

Unless the Department is asserting a privilege, the Senate has a right to those documents. I don't know what is in those documents. I'm talking about the principle here. So I would suggest, Mr. Chairman—and I know you've expressed some real sensitivity about this in pursuing it, that you're determined to continue the inquiry here.

But I will support the chairman in any effort made to get any document that we are entitled to. We're entitled to those documents. We're also entitled to an explanation on the changes in the documents which were submitted to us that Senator McCain mentioned. But I will support any effort to get any documents that we're entitled to in the absence of a claim of executive privilege.

The way you read that explanation there, it didn't sound like there was a claim of executive privilege. It just sounded like, well, we want to keep our discussions confidential. That's all well and good as a desire, but that is not an acceptable answer to the United States Senate. Maybe it should be. Maybe we ought to create a new executive privilege for conversations that occur inside the executive branch.

But there is no such executive privilege. No Senators worth their salt will ever accept such an executive privilege unless there is a basis such a privilege. Unless someone wants to assert it, I think we're entitled to it. I will support any effort made to obtain those documents, as well as to get an explanation of the changes that apparently have been made in those graphs or charts or exhibits that were presented to our staff.

Chairman WARNER. The chair notes the presence in the hearing room of the Assistant Secretary of Defense for Legislative Affairs. We will take it up with him in due course.

Thank you very much, Senator McCain.

Senator Akaka.

Senator AKAKA. Thank you very much, Mr. Chairman. I would like to continue on the issue of corrosion. The National Defense Authorization Act for Fiscal Year 2003 included a provision, as mentioned by Senator McCain, requiring the Secretary of Defense to designate a senior official or organization to coordinate and oversee DOD's efforts to prevent and mitigate corrosion. In your position as Deputy Under Secretary, you were designated as the senior official responsible for corrosion.

So, what are your views on efforts to prevent and mitigate the corrosion of military equipment and facilities?

Mr. WYNNE. First of all, I'd like to compliment the creative nature of your introduction of that into your bill. In conversation with your staff, especially as the entire issue that welled up, if you will, concerned corrosion. With your leadership, I was designated the corrosion official. We have made tremendous strides in coordinating and centralizing the information flow and the wherewithal as to how we, not only stop corrosion, but stop its, if you will, silent tax on the taxpayers of this country.

Senator AKAKA. Apparently there are problems. What do you see as the most serious obstacles to effective prevention and mitigation of corrosion across the Department?

Mr. WYNNE. One of the biggest problems that we have, I think, is enforcement of standard, commercial specifications, if you will, which would inhibit corrosion and highlighting to the program managers and the contracting officers that they have to be installed. As a result of your designation and my ascension to the role of the corrosion official, I have included it in the Defense Acquisition Board reviews to make sure that corrosion is not only highlighted, but is on everybody's mind.

Senator AKAKA. The Department's long-term strategy to address corrosion as required by last year's bill was due to Congress last week. When do you expect this strategy to be delivered?

Mr. WYNNE. Sir, I have signed it forward recommending the signing and delivery. It should be out literally within days. We have a corrosion conference coming up in December. In fact, this Thursday I'm going to go down and basically lay out for them what that long-term strategy is. I think there are over 6,000 people signed up, so we have made an impact.

Senator AKAKA. The Department of Defense is heavily reliant on contractors, not only for the reconstruction of Iraq, but also to provide much of the basic infrastructure and services needed by American forces in that country. Over the last several months, a number of contractor employees have been killed or wounded in Iraq. There have also been reports of contractor employees who have refused to go to Iraq or who have decided to leave Iraq without performing assigned tasks because of the concern for their personal safety and security.

What, in your view, are the implications of the security problems facing contractor employees for the reconstruction of Iraq and the future use of contractors on the battlefield?

Mr. WYNNE. First let me salute the contractors who do support our Armed Forces around the world. They are as patriotic as can be, and many times have stood the test of bravery and courage. That having been said, contractors on the battlefield is an issue we face today. Their support has been tremendous.

Senator AKAKA. Mr. Wynne, do you know how much of a premium we are paying, if any, to attract contractors and their employees to perform services in Iraq, to provide security to the employees, and to accommodate the lost productivity due to increased security needs? If not, would you have the Department prepare an estimate for the committee?

Mr. WYNNE. Yes, sir. I will take that for the record.

[The information referred to follows:]

This estimating of security costs is an inexact science at best until the construction is complete and the costs are paid. No matter what number anyone picks it could be wrong. We are working hard to control all costs, but the environment dictates the level and corresponding costs for security. It will change over time, and the costs (percentages) could go up, stay the same, or go down. Predicting costs, even based on past data from other sources, may be very misleading. This information is not "knowable" in advance like the cost of cement or pipe.

The Program Management Office (PMO) expects to award a contract in May 2004 that will provide the security services necessary to protect life by deterring terrorist attacks against PMO employees. The contract also will provide for the coordination of security planning and execution of the 10 prime contractors and their subcontrac-

tors for design/build construction as they deploy, occupy work sites, and perform reconstruction activities throughout four regions in Iraq. As part of this effort, the contract will provide for planning, mobilization, and start-up for a comprehensive security management development team. This team will provide close personal protection, movement/escort security, antiterrorism support and analyses, and security program management. The security management development team will take the lead in implementing a much-anticipated Security Operations Center.

Senator AKAKA. Over the last several months, Congress has passed a number of laws addressing the manner in which the Department of Defense conducts public and private competitions. If confirmed as Under Secretary of Defense for Acquisition, Technology, and Logistics, you will be in charge of and charged with administering these new laws. Section 334 of the National Defense Authorization Act for Fiscal Year 2004 prohibits the Department of Defense from implementing arbitrary deadlines for conducting public, private competitions.

The Department is required to extend any otherwise applicable deadline if the official responsible for managing the competition determines that sufficient personnel, training, and technical resources are not available to meet the deadline. Will you ensure that this requirement is implemented throughout the Department of Defense?

Mr. WYNNE. Yes, sir.

Senator AKAKA. Section 235 of the same bill prohibits the Department from implementing any changes to OMB Circular A–76 until 45 days after the Department submits a report describing, among other things, the Department's plans to ensure appropriate phasing of the new rules to provide training to employees in the implementation of new rules and to collect data on the impact of new rules.

Will you ensure that this requirement is implemented and that the Department has appropriate plans and procedures in place to ensure that the new rules can be implemented in a fair and even-handed manner?

Mr. WYNNE. We intend to follow the law, sir.

Senator AKAKA. Thank you for your responses.

My time has expired, Mr. Chairman.

Chairman WARNER. Thank you very much, Senator.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Thank you, Mr. Secretary, for the time that you gave me in looking into these different issues. I was thinking about it during the questions that were asked of you. I asked my staff to check back and see when it was. I remember we had a hearing. I understand it was in February 2001, where they talked about the extended service life. It was the extended service life study of KC–135s.

Mr. WYNNE. Right.

Senator INHOFE. At that time, I believe, there were two of them that had to be—something had to be done by 2030, but the service life would be extended on to 2040. Now they're talking about fatigue life. My question is, would this not have naturally included corrosion at that time?

Mr. WYNNE. It certainly should have. I will tell you that they based it on some of the experiences that Tinker had at the time. My compliments to the Tinker workforce. The productivity that has

been shown there has been dramatic. There are some areas of the airplane that were not normally, if you will, refurbished, because they were so close to basic structure. I think some of the concern that has been expressed by the Air Force really concerns that area where it's not normally penetrated by a refurbishment or a rehab.

Senator INHOFE. There is another thing I have not received an answer for yet—and we've asked for it several times. So I would like to have you just answer for the record, because sometime I want to get to the bottom of it. During the contract discussion, they talked about the amount of money annually it would take to maintain the new 767s. It was about twice that which it takes to maintain the aging KC–135s. So, for the record I'm going to keep asking the question until I find out what the answer is. It might be something very complimentary to Tinker Air Force Base.

Mr. WYNNE. I do know, sir, that if implemented, Boeing intends to continue their partnership with Tinker Air Force Base, but I have to ask that question myself. There could be some setups going on there, but non-recurring. I don't know.

[The information referred to follows:]

Sir, the KC–767A would not cost twice as much to maintain as the KC–135. Comparing the costs based on actual flying hours planned, the KC–767 is much more cost effective. The Air Force estimates the support cost-per-flying-hour (CY02$) for the KC–767 to be $10,800 per hour. The support cost-per-flying-hour for the KC–135E is $27,000 and $17,700 for the KC–135R. These are the estimated costs for operations in 2012 (expressed in CY02$) when 100 KC–767s could reasonably be projected to be in the inventory.

Senator INHOFE. Now, in your new position, of course, you have oversight of the entire military depot structure. Recently, we've started putting some money back into the depots, but we went for years—and I'm sure you are familiar with the condition of many of them right now. I guess I just would ask you to evaluate their current condition, primarily the air logistics centers.

Mr. WYNNE. Sir, I certainly will. My compliments to this committee, by the way, for its support of public, private partnership which, I think, has been a mechanism to infuse both management technology and production technology into the depots and has proven to be a real benefit to both public and private interests.

Senator INHOFE. I know that's the case for Tinker, because the partnering has been very successful there. We've done some things—and Secretary Roche initially went out there when he was first confirmed, and expressed his thoughts and achieved a lot of those accomplishments. I think they should be a model.

When Secretary Wolfowitz was here, he testified that, as we change the depot structure, we need to keep core competencies in the public sector. Yet, to this day I'm still looking for a definition of core competencies. Do you have a definition you'd like to share with us?

Mr. WYNNE. My own personal definition is close to military value. In the case of a depot, though, it has to do with all the skills necessary, if you will, to bring that together, because together they form a military value, not separately evaluated.

Senator INHOFE. Together.

Mr. WYNNE. So my view of core still looks to military value, but military value as you might express it in the combination of personnel to give service.

Senator INHOFE. I appreciate that answer. I look forward to working with you on these issues as time goes by. Thank you very much.

Mr. WYNNE. Thank you, sir.

Chairman WARNER. Thank you very much.

Senator Clinton.

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

Thank you, Mr. Wynne. I appreciated the opportunity we had to meet in my office recently. I look forward to working with you, particularly in the technology area because of my concern about the DOD technology programs and their particular importance at the Air Force Research Lab in Rome, New York.

I want to renew my invitation for you to visit that facility, because I think it's a prime example of the jointness that has become a hallmark of the efforts by DOD to really maximize the military competence and the outcomes in all of the installations. So I hope we'll be able to arrange that at an early date.

I want to follow-up on Senator McCain's comments, because I know how closely he has followed this issue. I listened with great concern to his description of these e-mails and the apparent changes that were made.

I think we want to underscore what the chairman and the ranking member said in following up on Senator McCain's comments that, given everything that's going on now with the Department of Defense, all of the challenges, all of the changes, all of the stresses, it's imperative that this committee have accurate information to conduct its required legislative oversight.

It is troubling to hear the continuing reports out of, not only this Senate committee, but other places, about the difficulty of getting information. I was somewhat concerned with some of the recent comments coming out of, not only DOD but, the White House and other places that Members of Congress will not be given information if it were requested.

So I think it's important that in the position you will be fulfilling that you help us to get whatever information we need across the board with respect to these important issues.

To that end, within the answers to your questions, which I appreciated, I would like some additional specifics that follow-up on Senator Akaka's questions. On page 24, you specifically say, "There's no doubt we face challenges by relying on commercial resources to provide logistic support in theater in Afghanistan and Iraq. We need to explore the use of force projections for commercial contractors, define that core mission, et cetera."

I think that this is one of the critical questions which you raise—to reassess or rely on subcontractors for basic functions. As you move forward in this area, that will be one that I have a great deal of personal interest in because I think we're paying more than we need to pay.

It's not only on no-bid fuel delivery contracts, but it may be embedded in the current system that we have created, which is a kind of gerrymander, that I think is not necessarily the most cost effective or, frankly, the safest way to provide the services that are required.

With respect to the personnel system and the efforts that will be undertaken following the passage of the authorization bill which gives to the Secretary rather far-reaching powers to rearrange and change the makeup of the personnel in the Department of Defense, I notice on page 43 a specific question related to the Director of Defense Research and Engineering about what would happen to the laboratory and test center workforce.

I've heard of others in management positions within the Department of Defense who have expressed similar concerns about what this is going to mean. I have to say that, as one who supported the resolution on Iraq, and as one who is just amazed and appalled at the lack of planning in the follow-up months that we are still seeing, I am somewhat concerned about both the management style and the decisions made by the Secretary. It will be clear that the Secretary is going to be driving this process.

It would be heartbreaking and, I think, counterproductive to wake up in a year or 2 and find that we've decimated a workforce of very accomplished and competent people in the civilian workforce across the board. Again, I'm going to be looking for a lot of information about how this proceeds. I would hope that this committee would be given that information in a very direct way. I will look to you with respect to your areas of responsibility to provide that.

Mr. WYNNE. Yes, ma'am. Senator, we have been implementing personnel changes the acquisition depots, which is largely a piece part of the National Security Personnel System. I will be free and feel very comfortable coming and seeing you about how it's being implemented in the laboratories. They have specific areas of concern. The best practices have just been released in the Federal regulation, and we intend to use them throughout their transition into the National Security Personnel System. So you'll have a real basis of comparison.

Senator CLINTON. Thank you.

Chairman WARNER. Thank you very much, Senator.

Senator Chambliss.

Senator CHAMBLISS. Thank you, Mr. Chairman.

Mr. Secretary, thank you for your previous service to our country. We look forward to working with you in this capacity. This tanker lease issue just seems to get more and more murky the more we talk about it. I have a question, number one, about how you're going to pay for it. There is language in the bill referencing the fact that you can't pay for it out of existing programs. Is it the intention to find money to pay for it without dipping into existing programs that are authorized and appropriated?

Mr. WYNNE. Senator, one of the things that I really am trying to stand for is stability of programs, so that if their neighbor erupts with a high cost impact, I intend to try to look within the program to avoid, if you will, the contentious nature of having one program knock out another.

In this particular instance, it's going to be a careful balancing of the needs and resources that's going to go on with this program. But this is a large appropriation.

Senator CHAMBLISS. What about the maintenance of that aircraft? Is the maintenance of it included in the lease price?

Mr. WYNNE. Maintenance is not, per se, included in the lease price, although there's a warranty for defects. I think at this point what I can recall is there was an affiliated maintenance contract, and I'm not sure how the law particularly reads on that right now. I think we have to take another look at it.

Senator CHAMBLISS. Well, my understanding originally was that the maintenance would be competed. This is not parochial to me because most of the work's been done at Tinker over the years on our leases. But I am concerned about the precedent we have set with respect to these leases.

If we're going to build in the cost of maintenance, then you're pretty soon going to dry up all the new weapon systems coming into the depot. That seems to be a direction in which we've been heading over the last several years. I would tell you that gives me great cause for concern. Do you have a thought about new weapons systems going into the depot on either contract or competitive contract or public, private partnerships?

Mr. WYNNE. No, sir. I'm fairly open to all methods. I like public, private partnerships because I think it keeps a fairly vital resource healthy. It seems to be a win, win situation for both public and private concerns.

Senator CHAMBLISS. Well, it does work. We are in the early stages, of course, on the C–17. We've done a public, private arrangement between Boeing and Robins Air Force Base. It is working well. I wish we'd get more aggressive with it. I think it saves money for the taxpayer. So I hope we do get a little more aggressive.

There was a study recently—well, I say recently. It's been several months ago now since it was requested by Secretary Roche. The study has been completed regarding the long-term strategy of depots. The report concluded that there is a long-term three-depot strategy for the United States Air Force. Could you give me your thoughts as we move into the next round of base closures relative to how depots are going to be treated with respect to that study and where we're going in base realignment and closure (BRAC)?

Mr. WYNNE. Well, where we're going in BRAC is easier perhaps than some of the other responses. Where we're going in the BRAC process is to have the criteria published by the end of this year. Then, I believe, it's November 2004 when the selection criteria is presented to the commission or the selections are presented to the commission. Then February 2005 is when the commission decides.

That study is one of the scenarios that's being presented to both the integrated steering group and the joint cross-service groups that have studied the supply system as well as the Defense industrial complex. I would say that the depots are going to get a very fair hearing. I think they bring a value, and they should be evaluated on that value.

Senator CHAMBLISS. I will be curious and look forward with Senator Inhofe to following up on this definition of core and core competency. Because I've been asking for a definition for 9 years. That's been the most moving target I've ever seen.

There's nothing in Iraq that moves faster than the definition of core.

So I hope that under your leadership we'll give that issue some real serious consideration. As we move forward through BRAC, we simply have to have that issue better settled than what it is right now. It has to be costing the Air Force a lot of money. If it's costing the Air Force, I know it's costing every other service, too.

So I hope we'll try to figure out a clear definition of core, as well as core competency, as we move forward.

Mr. WYNNE. Thank you, sir.

Senator CHAMBLISS. Thank you very much.

Chairman WARNER. Thank you, Senator.

We're going to another round of questions. Five minutes for each Senator.

As you heard, several years ago this committee established a goal that by 2010, one-third of U.S. military operational deep strike aircraft will be unmanned. I understand your office has recently established the Joint Unmanned Combat Aerial Systems Office, and I applaud you for that initiative.

Is it your assessment that the Department will, hopefully, within reason, reach these goals?

Mr. WYNNE. It is my hope that we can do an operational assessment and evaluation of these unmanned combat air vehicles. I don't know that we can state for the record how many of our combat fighters will be replaced with those vehicles because it's so long in the process of taking over.

I think the plan will be very much in place. That having been said, I just recently signed an order asking for 185 Ravens, small unmanned air vehicles, to support our troops in Iraq, that met their requirements. We're also trying to get more Shadows and more Hunters. My emphasis has been on getting tactical information down to the warfighter, who needs to know not what's over the next ocean, but what's over the next hill.

Chairman WARNER. Can you shed some light on an issue which is very troubling to people all across this country, and that is that during the course of the military campaign in Iraq, there suddenly was a shortage of the proper protective devices that the men and women of the Armed Forces were wearing. Do you know how that occurred?

Mr. WYNNE. Sir, the why of it is I think a misstatement of requirements and a misexpectation of what the violence would be. But the resolution of it, I can fairly report, has been a stepped-up response by our supplier base, and by December 4 of this year it is targeted that all of American forces in Iraq will, in fact, have plates and a full Kevlar vest.

Chairman WARNER. Now, this committee will be examining the Department of the Army tomorrow, and the question will be more fully explored.

Contractor ethics—there have been several recent cases of contractor ethics violations, which have resulted in a number of large contractors being precluded from receiving further DOD contracts. These contractors, however, have received waivers to either compete for new contracts or being awarded additional work. This has led some observers to question whether there are separate ethical standards being enforced for the Department of Defense for small and large contractors.

Can you elaborate on this, and what do you intend to do with this very important subject?

Mr. WYNNE. I cannot but express my outrage at any ethics violation that occurs at any level and can't tolerate it if we're to have acquisition integrity, which is one of the hallmark goals not only of myself, but also of my predecessor.

That having been said, when operations are in violation of ethics, many times they are about to perform a very sensitive national act which will help defend the soldiers, sailors, and airmen. It's a delicate balance as to whether this is a reward or whether it would be worse for our country to forego the service that has been contracted.

I realize that in recent times that has been, in fact, waived and launches have been done. I believe this is concerning the Evolved Expendable Launch Vehicle (EELV) contract.

I can't talk very much about that because I was actually an employee of Lockheed Martin in Denver, not during the actual time of any wrongdoing being found. But it turns out during the time that the wrongdoing was being performed. So I will tell you that I feel very strongly about ethics in contracting——

Chairman WARNER. In other words, you're going to judiciously enforce those standards?

Mr. WYNNE. Yes, sir.

Chairman WARNER. All right.

Senator McCain.

Senator MCCAIN. Mr. Wynne, I have the thing that I've been looking at for hundreds of nominees for 17 years now as a member of this committee, and it's the standard questions. We come and we leaf through them. They change from time to time, but they've been fundamentally the same.

The last question is: Do you agree to ensure that testimony, briefings, and other—this is your answers to advanced policy questions—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? Your answer is yes.

Do you want to amend that answer yes and have it say, "with the exception of communications of information and briefings concerning the Boeing lease deal?"

Mr. WYNNE. Sir, the question that you've asked is a very good one. It goes to protection of proprietary information. I will tell you that we have provided, I think, sufficient access to allow very——

Senator MCCAIN.—communication of information?

Mr. WYNNE. Sir, I must respectfully respond with the fact that Dr. Wolfowitz in his memo tried to preserve for the Department the integrity of internal debate, and I don't know where else to go.

Senator MCCAIN. So we lay it off on Dr. Wolfowitz that you won't provide communications of information concerning the Boeing deal.

Mr. Chairman, I can't accept that. I don't think the committee can accept that kind of caveat when we're talking about a $20 billion deal which the Congressional Budget Office alleged, at least in its original form, would cost the taxpayers an additional $5.7 billion.

Mr. Wynne, I strongly suggest that you amend your answer to question #4 under the advance policy question on Congressional

Oversight, because no rational interpretation of that question could say the answer is yes. It would have to be, "Yes, except information concerning Boeing aircraft," because we asked for briefings and other communications of information regarding the Boeing deal.

Mr. WYNNE. Sir, I intend to be as cooperative and open as I possibly can with this committee.

Senator MCCAIN. I won't comment on that response.

Finally, Mr. Wynne, I have in front of me the air refueling program, or operational requirements document (ORD) level review, and it has a Navy input. It says, "Critical the aircraft must have the capability to refuel two receivers simultaneously. The rationale is that you should maintain the current dual refueling capability of the KC–10 and the KC–135 aircraft for probe-equipped aircraft."

Does the 767 have a provision for two receivers?

Mr. WYNNE. Not that I'm aware of. I believe it has a center boom.

Senator MCCAIN. So the Navy's requirement here was either deleted or ignored again in this deal for the 767.

I have no further questions, Mr. Chairman. Thank you.

Chairman WARNER. Mr. Secretary, we've had a very thorough hearing here, and we will examine your responses. This committee will meet upon the call of the chair to review your responses and such other material as is pertinent to this confirmation process.

I cannot at this time give you any schedule, but you have my assurance that I'll try and move, as requested by the Secretary of Defense, as expeditiously as possible.

Mr. WYNNE. Mr. Chairman, thank you very much.

Chairman WARNER. I thank you and your family.

I urge the Assistant Secretary for Legislative Affairs to work with the staff of this committee to see if we can resolve some of these questions raised by Senator McCain, myself, and Senator Levin, because in many respects I think you're following the instructions of your superior, the Deputy Secretary of Defense.

The hearing is concluded. Thank you very much.

[Whereupon, at 5:23 p.m., the committee adjourned.]

[Prepared questions submitted to Hon. Michael W. Wynne by Chairman Warner prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. You previously have answered the committee's advance policy questions on the reforms brought about by the Goldwater-Nichols Act in connection with your nomination to be Deputy Under Secretary of Defense for Acquisition and Technology.

Have your views of the importance, feasibility, and implementation of these reforms changed since you testified before the committee at your confirmation hearing on June 22, 2001?

Answer. My views have not changed. The reforms, resulting from the implementation of the Goldwater-Nichols Act over the past 15 years, have become entrenched in our daily business. From an acquisition perspective—those changes, particularly the placement of the acquisition function under the control of civilian leadership within the military departments, have been an important factor in enabling the acquisition community to more efficiently and effectively deliver the capabilities that the joint warfighters need to meet the challenges of the 21st century.

Question. Do you see the need for modifications of Goldwater-Nichols provisions based on your experience to date as Deputy Under Secretary of Defense? If so, what areas do you believe it might be appropriate to address in these modifications?

Answer. Although I believe that the implementation of Goldwater-Nichols has been successful and consistent with congressional intent, I also believe it is important to continue to look at how well our current processes and structures meet the demands of a dynamic environment such as the one with which we are faced with today. There are several initiatives and studies currently addressing these kinds of issues; however the results are not yet finalized.

DUTIES

Question. Section 133 of title 10, United States Code, describes the duties of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)).

Assuming you are confirmed, what duties do you expect that Secretary Rumsfeld will prescribe for you?

Answer. As Under Secretary of Defense for Acquisition, Technology, and Logistics, I will perform for the Secretary of Defense and the Department the statutory functions of establishing policies on acquisition matters for all elements of the Department of Defense, I will also exercise supervision on behalf of the Secretary and Deputy Secretary of Defense over the military departments' acquisition systems and processes. These statutory functions and duties are promulgated in the Department of Defense Directive 5134.1, the charter of the "Under Secretary of Defense (Acquisition, Technology, and Logistics)," on April 24, 2000; and Department of Defense Directive 5000.1, "Defense Acquisition" on May 12, 2003.

I would serve the Secretary as the Defense Acquisition Executive with responsibility for supervising the performance of the Department of Defense Acquisition System; establish policy for acquisition plans and strategies, validate program acquisition requirements, and develop acquisition program guidance; set policy for acquisition matters, including contracting, research and development, production, logistics, developmental testing, procurement, and training and career development of acquisition personnel; serve as the Defense Logistics Executive with Responsibility for integrating the global supply chain; set policy for administrative oversight of defense contractors; serve as the Department of Defense Procurement Executive; serve as the National Armaments Director and Secretary of Defense representative to the semi-annual NATO Five Power conference and Conference of National Armaments Directors; establish policies for, and oversee developmental testing and evaluation, and coordinate with the Director, Operational Test and Evaluation (DOT&E) on the Test and Evaluation Master Plan for Acquisition Category (ACAT) 1 programs, oversee the Joint Test and Evaluation Program with the DOT&E, and manage the Foreign Comparative Test Program; develop international memoranda of agreement and memoranda of understanding relating to acquisition matters; supervise the Defense Science Board; and chair the Nuclear Weapons Council assisted by a structure of overarching integrated product teams that relate to the acquisition process.

Question. Do you recommend any changes to the provisions of section 133 of title 10, United States Code, with respect to the duties of the USD(AT&L)?

Answer. No.

Question. If confirmed, what duties and responsibilities would you plan to assign to the Deputy Under Secretary of Defense for Acquisition and Technology and the Deputy Under Secretary of Defense for Logistics?

Answer. I would assign the Deputy Under Secretary of Defense for Acquisition and Technology as my principal assistant, and empower him/her to act in my stead. He/she will also serve as my Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics. He/she would advise and assist me across the full range of my responsibilities in providing staff advice and assistance to the Secretary and Deputy Secretary of Defense, particularly with regard to overseeing policies and procedures governing the DOD Acquisition System and overseeing the development, implementation, and management of the Defense Procurement program.

I would assign the Deputy Under Secretary of Defense for Logistics and Materiel Readiness (DUSD (L&MR)) as my principal advisor on logistics and materiel readiness, and as the principal logistics official within the senior management of the DOD. He/she would advise and assist me across the full range of my responsibilities in providing staff advice and assistance to the Secretary and Deputy Secretary of Defense. In this capacity, the DUSD (L&MR) would monitor and review all logistics, maintenance, materiel readiness, strategic mobility, and sustainment support programs.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the USD(AT&L)?

Answer. Those most important include, not only reaching my seven goals mentioned below, but also the following:

- Providing the necessary supplies and force protection equipment to our men and women in Iraq and around the world;
- Matching limited resources with DOD's Joint Vision (increasing acquisition program requirements and decreasing financial resources);
- Implementing a capability-based acquisition process;
- Reducing acquisition cycle time;
- Maintaining international cooperation;
- Preparing for the upcoming BRAC;
- Developing and accurately costing software and integrating it into weapon systems;
- Fielding missile defense;
- Preserving intellectual capital (strategic workforce planning coupled with knowledge transfer from our aging workforce); and
- Improving the logistics and business process with commercial style productivity improvements.

I am sure there will be others, but I am confident that the Department—working with Congress—will meet any and all future challenges to our national security.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. I have developed a set of seven goals to address my major challenges and they are as follows:

1. Acquisition Excellence with Integrity
2. Logistics Integration and Efficiency
3. Systems Integration and Engineering for Mission Success
4. Technology Dominance
5. Resources Rationalized
6. Industrial Base Strengthened
7. Motivated, Agile Workforce

ACQUISITION, TECHNOLOGY, AND LOGISTICS GOALS

Question. Secretary Aldridge established five goals to improve defense acquisition: (1) achieve credibility and effectiveness in the acquisition and logistics support process; (2) revitalize the quality and morale of the DOD AT&L workforce; (3) improve the health of the defense industrial base; (4) rationalize the weapon systems and infrastructure with defense strategy; and (5) initiate high leverage technologies to create the warfighting capabilities, systems, and strategies of the future.

What progress has been made toward achieving these goals?

Answer. The Department has made significant progress towards achieving the five goals set by Secretary Aldridge.

Goal 1: *To achieve credibility and effectiveness in the acquisition and logistics support process,* we have made several significant changes. We have revitalized the Defense Acquisition Board, replacing the assistant secretaries for acquisition from each military department with the secretaries themselves. This change better reflects the breadth of issues we face in acquisition matters. It has brought some welcome stability to many programs, while reducing the decision time. It brings to bear all the resources of each military department. We have mandated evolutionary acquisition as DOD's preferred strategy for acquiring weapons and information systems. This is enabling us to field capable equipment more rapidly and at lower cost and less risk. We are also demanding that all of our major weapon system programs be properly priced and fully funded. These programs are being budgeted to realistic cost estimates as developed—in most cases—by the DOD Cost Analysis Improvement Group (CAIG). Consequently, while many of the Goal #1 acquisition metrics (e.g., "Annual Rate of Acquisition Cost Growth" and "Development Acquisition Cycle Time") have not yet shown favorable trends, they are expected to in the near future. These revised program costs and schedules will provide a more realistic baseline from which future changes will be measured. Realistic funding and scheduling will reduce the persistent cost and schedule growths of the past and improve DOD's overall credibility.

We also continue to make progress in the transformation of defense logistics. Working with the Services, the United States Transportation Command, the United States Joint Forces Command, and the Defense Logistics Agency, we have been de-

veloping a Logistic Enterprise Architecture that will provide knowledge-enabled logistics. As a part of this work, we have completed a comprehensive review of all logistics enterprise systems and ensured compliance of the logistics domain with the Business Modernization Enterprise Architecture (BMEA) effort. We also made changes in the following key areas. In the enterprise integration area, we have eliminated over 400 legacy systems. In the weapon system area, we implemented performance-based agreements on 60 weapons programs including the C–17 and the M1A1. In the maintenance area, we have forged over 100 Government/industry partnerships at our principal depot maintenance facilities in order to combine Government strengths in maintenance and tactical operations with industry's strengths in engineering and supply chain management. In the distribution business area, we implemented dramatic revisions to the material management and distribution regulations to exploit best business practices in our end-to-end services for the warfighter.

Goal 2: *To revitalize the quality and morale of the DOD AT&L workforce,* we have taken several initiatives. We have continued the Civilian Acquisition Personnel Demonstration Project (AcqDemo) and have consolidated and dramatically improved our acquisition education. Since it was first implemented in January 1999, the AcqDemo has grown to approximately 8,000 participants. It remains the only active demonstration project that crosses component lines and the authority for the project was extended by last years National Defense Authorization Act to run through September 2012. Both this and our efforts in education are vital if we are to exercise the innovative and progressive management of our own technology and systems development efforts.

Additionally, we are attempting to broaden the quality and expertise of the workforce by recruiting from a much larger pool of people. We are exploring and pursuing various employment avenues to bring the experience, expertise, and best practices that personnel from private industry, colleges, laboratories, and other sources may bring to the defense acquisition workplace. Casting the net both inside and outside the Federal Government will help bring into the Defense Acquisition Workplace the new experiences and best practices that personnel from private industry and elsewhere have to offer. With these efforts and others, we have measured our progress by looking at five metrics. We achieved progress on all five measures—morale, as measured by a survey of the workforce, has remained above 75 percent in two perspectives, current job satisfaction and anticipation of future job satisfaction. The quality of our existing workforce continues to exceed our goal, with 86 percent of our personnel being certified at or above the level required for their position.

Goal 3: *To improve the health of the defense industrial base,* we have taken several important steps. We are monitoring the financial viability of the aerospace-defense industry, encouraging and monitoring technology investments, enhancing competition, and encouraging increased efficiency. We are encouraging major defense firms to invest at least 2.7 percent of sales in Independent Research and Development (IR&D) by the end of 2005. IR&D spending as a percentage of sales dropped during 2002 from 1.89 percent to 1.77 percent—a negative trend that should reverse as the projected DOD budget increases materialize. To increase innovation and competition, the Department is encouraging non-traditional suppliers to enter the defense marketplace. The Department's goal was to increase the entry of new corporate segments doing business with DOD by 5 percent in fiscal year 2001 and 10 percent in fiscal year 2002. In fiscal year 2001, the actual increase was 8.6 percent; in fiscal year 2002 it was 12.0 percent. Also to increase competition, the Department seeks to enhance the ability of U.S. defense firms to compete in the international marketplace by improving DOD's export license review times. Through March 2003, the Department had improved its average review time to about 19 days. To encourage increased efficiency, the Department added a new cost efficiency factor to its profit policy to reward contractors for reducing costs. Initial data collection to measure the effectiveness of this policy change will be complete by the end of the year. These efforts, along with increased defense budgets, and in spite of a stagnant overall U.S. economy, appear to be paying off. The aerospace-defense sector generally is either outperforming or keeping pace with the S&P 500 index firms as measured by several key indicators: stock price, return on invested capital, debt service capacity, and price-to-earnings ratio.

Goal 4: *In rationalizing the weapon systems and infrastructure with defense strategy,* we have made significant progress. We have rewritten and streamlined the DOD 5000 series, the Directives guiding the Defense Acquisition System, and coupled it with the Joint Capabilities Integration and Development System (JCIDS). This process union between the acquisition community and the Joint Staff is a huge step forward in the Department's effort to transform. This coupling should make capabilities-based acquisition much more efficient and consistent with our Defense

Strategy. We have also put the decisionmaking structure for the next BRAC in place to make the hard infrastructure choices inherent in that difficult, but important process. The Department's transformation effort clearly focuses on this rationalization. With it and with the writing of the next Defense Planning Guidance, we will continue to converge towards this important goal.

Goal 5: *To initiate high leverage technologies to create the warfighting capabilities, systems and strategies of the future,* we have taken several significant actions. Most noteworthy has been the Department's increased investment in science and technology (S&T). The Secretary set the goal of having S&T comprise 3 percent of the DOD budget. While the Department has not yet reached the 3 percent goal, the overall DOD S&T investment has increased by approximately 30 percent over the last 2 years.

Over the same time period, the Defense Advanced Research Projects Agency (DARPA) budget request for S&T increased by approximately 50 percent and our request for the Advanced Concept Technology Demonstration (ACTD) program increased by almost 80 percent. The majority of high-risk, high-payoff DOD S&T activity is conducted by DARPA. To support achieving Goal #5, DARPA has been directed to continue focusing on high risk/high pay-off technologies; that are by their very nature high leverage transformational technologies. Approximately 90 percent of DARPA's $2.9 billion fiscal year 2004 President's budget request is oriented toward these high leverage technologies.

We have also implemented "Technology Readiness Assessments" to ensure that a program has achieved an appropriate level of technical maturity prior to initiation. We are exploiting the enormous potential of ACTDs. The ACTD program works with the warfighter to help transition these technologies through the development of advanced operational concepts and determining the military utility of the technology options via expanded prototyping and demonstrations.

Question. What goals would you pursue for improving the defense acquisition system, if you are confirmed?

Answer. Shortly after becoming the acting Under Secretary of Defense (ATL), I held an offsite with the staff to update the goals and align them with the President's Management Agenda and Secretary Rumsfeld's most recent guidance and initiatives. We thoughtfully considered the goals, objectives and initiatives of our senior leadership and as a result, recast the previous five into seven. These seven goals are specifically targeted to drive performance outcomes that will directly contribute to our joint warfighting strategy and the transformation of our DOD business processes. They are:

1. Acquisition Excellence with Integrity
2. Logistics Integrated and Efficiency
3. Systems Integration and Engineering for Mission Success
4. Technology Dominance
5. Resources Rationalized
6. Industrial Base Strengthened
7. Motivated, Agile Workforce

I see these goals continuing the progress we have made so far under this administration. If confirmed, I intend to continue with these goals and fully establish the objectives and metrics to measure future success.

Question. Describe the approach and progress made by this administration in reducing cycle time for major acquisition programs.

Answer. DOD has made considerable progress in implementing policy that will reduce cycle time and allow us to field capability rapidly and efficiently. Our new policies are streamlined and flexible, and based on an evolutionary or phased acquisition approach. That approach emphasizes maturing technology before we commit to major investment decisions, but also allows us to field some capability earlier. As a result, we are able to reduce program technical risk substantially, program technical risk can otherwise be a major contributor to lengthy cycle times. The new policies are in effect and we anticipate seeing the cycle time benefits in the next few years.

Question. What specific steps has the Department of Defense taken to adapt incremental and phased acquisition approaches, such as spiral development?

Answer. On May 12, 2003, Deputy Secretary of Defense Paul Wolfowitz issued new policies that identify evolutionary acquisition as the preferred strategy for satisfying operational needs; spiral development is the preferred process for executing such strategies. Our objective is to balance needs and available capability with resources. We must put capability into the hands of the warfighter as quickly as possible, while pursuing an acquisition strategy that will permit growth in capabilities over time.

Question. How will the requirements process, budget process, and testing regime change to accommodate spiral development?

Answer. The new policies were tailored to facilitate evolutionary acquisition. An evolutionary approach delivers capability in increments, recognizing, up front, the need for future capability improvements. Each increment supports time-phased capability needs that are matched with available technology and resources to facilitate rapid development. Each increment will be fully funded before development is initiated and will have a test and evaluation plan designed to evaluate the capabilities associated with that increment.

Question. Would DOD's major acquisition programs be more successful if the Department were to follow the commercial model and mature its technologies with research and development funds before these technologies are incorporated into product development?

Answer. The new DOD acquisition policies are very consistent with successful commercial models because they require technologies to be demonstrated in a relevant environment before a program is initiated. The new policies require formal assessments of technology readiness and, where there are indications that technology is not sufficiently mature, specify that alternative mature technologies be employed that achieve the required capability. This approach is consistent with the most successful commercial business practices, supports an evolutionary strategy, and facilitates less costly and time consuming systems development.

Question. What steps would you take, if confirmed, to ensure that the key components and technologies to be incorporated into major acquisition programs meet the Department's technological maturity goals?

Answer. DOD acquisition policy requires demonstration of key technologies in a relevant, and preferably, in an operational environment before a program is initiated. If confirmed, I will enforce and emphasize that policy because I believe it is fundamental to reducing technological risk and shortening cycle time.

Question. The Department has established a separate set of regulations for the acquisition of space systems. These regulations do not appear to place the same emphasis on technological maturity as the regulations applicable to other programs.

In your view, is the technological maturity of major technologies and components less important for space systems than for other major defense acquisition programs?

Answer. No, in fact our recently approved Space Acquisition Policy requires an independent technology assessment sooner in the weapon system's life cycle than the model contained in the DOD 5000, which is used to guide the acquisition of non-space major defense acquisition programs. As stated in the Space Commission Report (to assess U.S. National Security Space Management and Organization pursuant to Fiscal Year 2000 National Defense Authorization Act), advancement of U.S. technological leadership in space is a fundamental tenet of our National security. Therefore, as you mention, the Department has taken several measures, including the formulation of a separate set of regulations to guide space acquisition programs. This policy acknowledges the importance of technology by mandating risk reduction planning and establishing technology readiness assessments at each milestone.

Question. What steps do you believe that the Department should take to ensure that the development and production of space systems are not undermined by efforts to prematurely deploy technologies that are not yet ready?

Answer. The Department's dependence on technology development, the pace at which this technology is increasing, and its vital role in our Nation's defense warrant a robust process to ensure we don't prematurely deploy technologies. In addition to the establishment of independent technology assessments, the new space acquisition policy implements an exhaustive "peer review" approach to support milestone decisions. These peer reviews provide in-depth scrutiny of program management techniques, including an assessment of the realism of program costs and program risks. Also, it is important to note that these are independent reviews, conducted by teams of individuals with recent acquisition, cost, or operational experience in space programs. We believe this approach will provide an early understanding of critical technologies and its associated maturity necessary to meet the critical communications and intelligence needs our space systems must deliver on-time with cutting edge technologies.

Question. What role do you expect to play, if confirmed, in the oversight of the acquisition of space systems?

Answer. In the Department's response to section 911 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) that requested the Secretary of Defense provide a detailed plan on how the Office of the Secretary of Defense shall provide oversight of acquisition for defense space programs, the need for a strong oversight role was highlighted since space represents a significant military capability given its criticality to maintain and improve the surveillance,

communications, and situation awareness needed to support U.S. military forces. In my role as USD(AT&L), if confirmed, I will ensure a robust acquisition program oversight process remains in place to proactively identify and resolve execution problems. This will be accomplished by the oversight and analysis of funding, cost, schedule, performance, and other program status information to assess the program's progress toward achieving objectives set forth in their milestone reviews. This results-oriented management approach establishes effective controls by initially establishing program objectives at the milestone review and then monitoring progress toward achieving these objectives through review and analysis of oversight reporting information. It should also be noted that the OSD and Joint Staff oversight responsibilities prescribed by law, and further defined in DOD guidance, have not been changed by the Department's alignment of space responsibilities following the Space Commission Report highlighted earlier.

Question. In recent years, Congress has enacted a number of legislative provisions designed to improve oversight of missile defense programs.

What are your views of this legislation?

Answer. The legislation passed as part of the fiscal year 2002 and 2003 National Defense Authorization Acts gave the Department much greater flexibility in how we administer, manage, and fund the Ballistic Missile Defense System program and its component elements. The increased funding levels and ability to use fiscal year 2004 RDT&E funds for items that are not traditionally RDT&E-funded are allowing us to develop and test elements of the Ballistic Missile Defense System at a faster pace than under the standard approach. I would note, however, that the legislation designed to improve congressional oversight of missile defense programs has also increased substantially the quantity of reporting to Congress, which requires resources we believe would be better spent dedicated to fielding our initial ballistic missile defense capabilities. If confirmed, I plan to work with Congress to ensure we meet your oversight requirements while maintaining our increased pace in developing the Ballistic Missile Defense System and deployment of missile defense capabilities.

Question. What role do you expect to play, if confirmed, in the oversight of the acquisition of missile defense systems?

Answer. In January 2002, the Secretary of Defense approved a non-standard approach to acquisition of ballistic missile defenses in order to speed development, while improving senior level oversight of that effort. Under that approach, the Missile Defense Agency has sole responsibility and authority for development; the Services have the bulk of the responsibility for procurement; and both are subject to acquisition oversight by the Under Secretary of Defense (Acquisition, Technology, and Logistics). I plan to use the Missile Defense Support Group to assist in that oversight. In December 2002, the President decided to begin deployment of missile defense capabilities. Since the President's decision, the Department of Defense has been preparing for that step, and we have identified areas where the non-standard approach to acquisition might be improved. If confirmed, I plan to revisit our current approach to acquiring ballistic missile defenses to ensure it effectively meets the Secretary's guidance and the President's direction.

Question. Problems with computer software have caused significant delays and cost overruns in a number of major defense programs. Last year's National Defense Authorization Act required the secretary of each military service to establish a program to improve software acquisition processes. It also required the Under Secretary of Defense for Acquisition, Technology, and Logistics to prescribe uniform guidance for the services to use to establish these programs.

What is the status of this effort and, if confirmed, how would you ensure that you know the status of the software components of major weapon systems in order to avoid additional problems in this area in the future?

Answer. We have begun implementation of the Fiscal Year 2003 National Defense Authorization Act section 804 legislation through policy, uniform guidance, and an oversight mechanism to track status. The revised Department of Defense Instruction 5000.1, states "Acquisitions of software intensive systems shall use process improvement and performance measures. Selection of sources shall include consideration of product maturity and past performance." In March 2003, the Department published a policy memorandum specifically related to section 804 that directs the military departments and selected defense agencies to establish software acquisition process improvement programs. This memorandum expanded the scope of section 804 to provide added emphasis on a number of related acquisition processes and provided specific uniform guidance. It established improvement of the Department's capability to acquire all types of software-intensive systems as a Department-wide objective, and required the affected components to brief the Department's Software-Intensive Systems Steering Group, which reports to me, on the status of those pro-

grams. Each of the military departments and agencies has established their programs, and the Software-Intensive Systems Steering Group has overseen their progress. We have measured progress against the guidance provided and have created a forum for issue discussion, support, and resolution. This forms the mechanism by which we will ensure compliance with the legislation.

Question. Do you believe that the Air Force realignment is consistent with the intent of Goldwater-Nichols acquisition realignment legislation?

Answer. I believe the intent of the Air Force realignment that places three Program Executive Officers (PEOs) for product development closer to the programs they manage and provides them a greater span of control over the resources is consistent with Goldwater-Nichols and the Packard Commission recommendations. I have approved a waiver from the 5000 requirements and asked for a report on the pros and cons. I am concerned about the span that these commanders (Aeronautical Systems Center, Electronic Systems Center, and Air Armament Center) will have, though I was also concerned that the best senior acquisition talent was not being employed in Acquisition Programs where the Air Force could use them. It will place Air Force PEOs closer to the programs they manage and ensure their skills are immediately available to the programs they supervise. I believe the change adds emphasis to our intent to have management in the place where it can be most effective and reinforces our commitment to short, clear command channels.

Question. What steps would you take, if confirmed, to ensure that the Air Force's realignment of the acquisition structure does not result in returning to the problems that the Goldwater-Nichols changes were intended to address?

Answer. The Air Force realignment will not undermine the intent of Goldwater-Nichols and I expect it will improve our ability to manage our acquisition programs. However, I intend to assess the results of the realignment and have directed the Air Force Service Acquisition Executive to provide a report to me in 2 years that specifically addresses PEO responsibilities. I believe the Goldwater-Nichols and Packard Commission recommendations were very helpful, but want to continue to explore how to best implement their intent.

Question. Section 805 of the National Defense Authorization Act for Fiscal Year 2003 established performance goals for procuring services pursuant to multiple award contracts. What steps is the Department now taking to achieve these goals? In your view, are there any additional steps that the Department should be taking?

Answer. We have issued guidance to the military departments and defense agencies concerning the use of performance-based requirements and competition when placing order under multiple award contracts. The Federal Acquisition Regulations have also been modified to reflect these requirements. We are also doing a spend analysis of all service requirements and have instituted a review process for all services. We will monitor the effects of these changes to ensure that they result in the established goals being met.

Question. The Air Force recently announced a revamping of its contractor award fee system. Can you describe the status of this effort and whether Department-wide changes are necessary in this area?

Answer. The Air Force's study on revising the contractor award fee process is not yet complete. Therefore, it would be premature at this time to make any conclusions about what impact their study may have on the policies of the Department. However, in this same general area, I have recently asked various organizations within AT&L to commence a study on industry profitability and to conduct a review of our profit policy.

Question. What is the status of the Department's efforts to implement a management structure in compliance with the requirements of section 801?

Answer. The Department has issued several policy directives to implement sections 801 (a) and (d). On May 31, 2002, the Under Secretary of Defense (Acquisition, Technology, and Logistics) issued a policy memorandum that set up a review structure and process for the acquisition of services. Each of the three military departments has developed a "Management and Oversight of Acquisition of Services Process" to provide a review structure for service acquisitions, as required by the memorandum. The military departments are implementing this infrastructure, which includes approval levels for services acquired through another agency's contract.

The Department recently issued an interim rule to the Defense Federal Acquisition Regulation Supplement (DFARS) on October 1, 2003, establishing approval requirements for contracts and task orders for services. The interim rule requires certain approval to acquire services through the use of a DOD contract or task order that is not performance-based, or through any contract or task order that is awarded by an agency other than DOD. With respect to service acquisitions through a contract or task order awarded by an agency other than DOD on behalf of DOD, the rule requires approval in accordance with department or agency procedures. The re-

sults of these two policy directives have created stronger oversight and control over our acquisition of services.

Question. When do you expect the implementation to be completed?

Answer. The policies developed in response to section 801 were issued in May 2002. The military departments are implementing the infrastructure to support their approved management and oversight processes which include approval levels, etc. We will continue to strive for improvements in the acquisition of services increasing our efficiency and effectiveness.

Question. What is the Department doing to better manage its services contracts?

Answer. The Department is improving the management of our acquisition of services through the implementation of additional oversight, approval, and control measures as well as the development of enhanced spend analysis and strategic sourcing efforts. The policy directive in May 2002 and the interim DFARS rule published in October 2003 established a management structure and process for the review and approval of these acquisitions. We continue our efforts to assess the viability of strategic sourcing initiatives for various service sectors and will implement changes as appropriate.

Question. Does the Department plan to conduct a "spend" analysis, as recommended by GAO?

Answer. The Department initiated a spend analysis covering the acquisition of services in February 2003. During the first phase we utilized available data from our acquisition databases to conduct a review of all DOD acquisition of services. The first phase was completed in September 2003, and we developed a listing of the top twenty commodity categories that we believe may offer potential efficiency increases. We are currently establishing commodity teams to further analyze in greater detail these commodity areas and develop strategic acquisition plans where possible. We expect to identify approximately five commodity areas where we will develop Department-wide acquisition strategies during fiscal year 2004. We are also developing methods to enhance our data visibility and accuracy in order to facilitate this process for future analyses. We have followed commercial best practices as much as possible and will continue to monitor commercial trends in the conduct of strategic sourcing efforts. Additionally, we have regularly briefed GAO on the progress of our spend analysis.

Question. Can you describe the status of DOD's review of the Defense Federal Acquisition Regulation Supplement?

Answer. DFARS transformation has two important components: (1) reducing the regulation and making value-added changes; and (2) improving DOD's rulemaking process using technology to enhance efficiency and transparency.

Effort on the first component was completed on May 2, 2003. We reviewed the DFARS to verify currency, accuracy, clarity, and value of all text, identified opportunities for improvement and reduction to DFARS requirements, and solicited ideas from Government, industry, and the general public through memoranda, press articles, and a DFARS transformation website. We developed 86 significant change proposals and over 700 other recommended DFARS changes.

The Defense Acquisition Regulations Council opened 77 new DFARS cases to implement recommendations for improvements and reductions to DFARS text.

Twenty-seven joint committees are drafting proposed DFARS changes for public comment. Four rules have been published, and publication of additional proposed changes is expected to begin in November 2003. The remaining proposals may result in up to 50 additional FAR and DFARS cases and several proposed legislative changes for fiscal year 2005.

With respect to the second component, our technology plans involve issuing a request for proposals (RFP) for the Defense Acquisition Regulation Integrated System. We are seeking an integrated commercial off-the-shelf capability to eliminate paper processes, enhance world-wide communication, deliberation, collaboration, and archiving within DOD's acquisition rulemaking system. Our plans include issuing the RFP in early calendar year 2004 and demonstrating an alternative solution by June 2004.

TEST AND EVALUATION

Question. The Department has, on occasion, been criticized for failing to adequately test its major weapon systems before these systems are put into production.

What are your views about the degree of independence needed by the Director of Operational Test and Evaluation in ensuring the success of the Department's acquisition programs?

Answer. I believe that there is a very valid need for an independent assessment of the test and evaluation process as part of defense acquisition. Both of our offices

would prefer that test problems be identified as early in the process as practicable. Therefore we are pushing to emphasize Developmental Test and Evaluation and measuring test readiness at decision points. I fully support the test communities' effort to shift their focus to providing as much information as possible (as early as possible) in order to identify operational deficiencies early in the developmental process. This new view of testing should enhance the effectiveness of the DOT&E.

Question. What initiatives in this regard would you take, if confirmed?

Answer. I would continue to work with the DOT&E to achieve continuous information gathering and decisionmaking processes in which operational testing and evaluation plays an even more critical role in forming good acquisition decisions. The T&E process must become as much a tool for early learning as a test for operational effectiveness and suitability—particularly as we continue to implement evolutionary and capability-based acquisition approaches.

Question. The National Defense Authorization Act (NDAA) for Fiscal Year 2003 included several provisions to improve the management of DOD test and evaluation facilities.

Can you outline what has been done to implement these provisions?

Answer. My office is in the process of standing up DOD Test Resources Management Center (TRMC). A charter has been written and is in the final stages of coordination, and an interim staff is already in place. The DOD TRMC is being implemented with a permanent staffing level of approximately 25 Government personnel.

Section 231 requires the TRMC to produce a biennial strategic plan that reflects the needs of DOD with respect to T&E facilities and resources. An initial plan has been prepared by the TRMC with the active participation of the DOT&E, military departments, defense agencies with T&E responsibilities, and other cognizant DOD offices. This first plan is in the final stages of review and will be submitted to Congress within the month. The plan provides a baseline for future TRMC strategic planning efforts. It outlines both an approach for developing future strategic plans and the scope of T&E infrastructure to be addressed. Overarching goals and objectives for TRMC oversight of DOD T&E facilities and resources are provided, and an initial set of modernization requirements is outlined.

Question. Section 232 of the NDAA for Fiscal Year 2003 establishes the objective of ensuring that, by fiscal year 2006: (1) the institutional and overhead costs of the Major Range and Test Facility Base (MRTFB) are fully funded; and (2) the institutional customers of the MRTFB are charged only the direct costs of their testing activities.

What steps has the Department taken to achieve these objectives?

Answer. We have established a group with representatives from the components and the OSD staff, including the OSD accounting policy and budget experts, to determine the most appropriate definitions to use in establishing direction for the components to use in charging no more than direct costs for users at the MRTFB as directed by Congress. The group is expected to complete their work in early December and their definitions will be used by the Services to fully fund their MRTFB facilities for the fiscal year 2006 program to be submitted to OSD next summer.

Question. Do you anticipate that the Department will fully meet the objectives by fiscal year 2006?

Answer. Yes.

Question. What steps do you believe the Department should take to ensure that milestone decision authorities do not field systems before system performance has been adequately demonstrated?

Answer. DOD acquisition policy requires a system to be demonstrated in its intended environment before proceeding to low-rate production. Our policy is to limit low rate production to those articles necessary to assess the effectiveness and suitability of the system via operational test and evaluation. The specified Low-Rate Initial Production (LRIP) quantities are approved by the milestone decision authority (MDA) at the beginning of System Development and Demonstration and reported to Congress in the Selected Acquisition Report. Changes to the quantities would have to be justified by program conditions and, via internal DOD reporting procedures, brought to my attention when the proposed quantities exceed the MDA approved quantities. Consequently, I believe we have sufficient policy and procedural controls in place to prevent "fielding" of a capability prior to adequate demonstration.

That having been said, we have been pressed to fulfill combatant commanders requests for rapid technology insertion, and have responded to those requests repeatedly in Operations Enduring Freedom and Iraqi Freedom. In the case of rapid technology insertion, we continue testing and accept user feedback. We find this process has caused greater interaction between developers and users that has resulted in shorter cycle times and more focused response. I see this as a disciplined application

of the 5000 policy, but with the benefit of actual usage, prior to a larger fielding and service acceptance.

Question. Do you support congressionally-mandated cuts to the acquisition workforce, and do you think further cuts are necessary?

Answer. Reductions in the Defense Acquisition Workforce that are not driven by the Department's strategic planning and efficiency improvements have the potential for exposing the Department to significant risk. We are using our human capital strategic planning process to define the workforce we will need in the future and the actions that we need to take to get there. We have made a number of process improvements that allowed us to increase our productivity, and we are continuing to pursue acquisition excellence which will allow us to make further productivity gains. We will pursue with Congress additional actions to reduce reporting, promote personnel flexibility, and close unneeded bases, all of which will allow us to make further workforce reductions. But I do not in any way support legislated reductions that are not carefully synchronized with DOD's management streamlining efforts and are not supported by our human capital strategic planning.

Question. Please give your assessment of the strengths and weaknesses of DOD's implementation to date of DAWIA.

Answer. Overall, DAWIA has been good for the Department of Defense, and today we have one of the most professional workforces in the Federal Government. We have methods for credentialing our personnel and molding a professional workforce. In fact, we receive many requests for program information from other Government agencies wishing to pattern their programs on our success. However, given the passage of time and the current statutory structure for the defense acquisition, technology, and logistics workforce, changes are necessary. Some portions of the original act have limited the Department's flexibility in achieving the act's purpose. Also, the extreme detail in the act, necessary at the time of enactment, no longer is needed. The Department needs authority to structure the acquisition, technology, and logistics workforce program by regulation so the Secretary could change structural details as needed to continue to meet the policy objectives (e.g., adding career fields, adjusting certification qualifications, changing the way training is delivered, etc.) without needing future legislation. I appreciate the support the Senate has given in supporting DAWIA restructuring in S–1050.

Question. Does DOD's acquisition workforce possess the quality and training needed to adapt to new acquisition reforms, as well as to the increased workload and responsibility for managing privatization efforts?

Answer. This is an area of special concern for me and one that I am also working very hard. In the dynamic defense acquisition environment, our people are challenged with managing an increased workload with a reduced workforce. Consequently, it is very important that the current acquisition workforce have the necessary training and experience to implement new acquisition policies, as well as manage the Department's privatization efforts.

Through the Defense Acquisition University (DAU) and its Performance Learning Model (PLM), the workforce has convenient and economical access to learning products 24 hours a day, 7 days a week—the concept of anytime, anywhere learning. Whether through distributed learning with web-based courses and continuous learning modules, rapid deployment training on the latest acquisition initiatives and best practices, or access to acquisition resources with the new AT&L Knowledge Sharing System, DAU is providing the DOD AT&L workforce with a more flexible, responsive, and agile learning environment.

In addition to formal training on privatization that DAU already provides, I have tasked DAU to develop a web-based privatization resource center. DAU has also fielded continuous learning modules that teach the workforce market research and performance work statement development skills. DAU's communities of practice provide interactive discussion areas so that field practitioners can share lessons learned. I believe that these learning assets will allow DOD personnel to better understand the latest guidance and techniques so they can do a more effective job of implementing and managing privatization efforts.

If confirmed, I will continue expanding our rapid deployment training for these acquisition initiatives. I will also continue to enhance our web-based program for continuous learning and emphasize the deployment of best available workplace learning practices to accelerate acquisition and logistics excellence and enable more cross functional training.

Question. What are your views regarding assertions that the acquisition workforce is losing its technical and management expertise and is beginning to rely too much on support contractors, FFRDCs, and, in some cases, prime contractors for this expertise?

Answer. The DOD AT&L workforce is a critical resource which requires unique education, training, and experience in order to perform acquisition functions. Acquisition personnel perform highly technical and specialized work in areas such as engineering, contracting, and logistics—skills highly sought after in the private sector. However, a decade of downsizing has left DOD with a workforce that is not properly shaped for the future. We have reacted to workforce skill gaps in the past by contracting for support in order to minimize impact to our mission, while maintaining in-house expertise. In response to the pending retirement wave, we have begun to more aggressively manage the AT&L workforce through human capital strategic planning (to identify future skill gaps) and a marketing and recruiting campaign targeted at securing those skills.

Question. What are your views on the current role and responsibilities of the lead system integrator?

Answer. It is important to remember that a lead system integrator is no more, and certainly no less, than a prime contractor. The LSI is still charged with the responsibility of managing all aspects of the contract—technical, financial, subcontractors, etc. The use of the LSI term serves to emphasize the increasingly complex integration of prime and subcontractor efforts required to meet requirements, but should not be taken as a diminution of the other responsibilities of a prime contractor. It is important to remember that these responsibilities are for the execution of contacts awarded for execution of a program. Overall responsibility and accountability for the entire program remains with the Government Program Manager.

Question. How would you define the line between those acquisition responsibilities that are inherently governmental and those that may be performed by contractors?

Answer. The primary responsibilities required of the prime contractor have to do, for the most part, with performance of the contract. This includes such things as design decisions, resource allocation, and subcontractor selections. Once the prime contractor is named, the Government's ongoing formal responsibilities focus on adherence to requirements, and appropriate flow-down to design, funding oversight performance, and issues that may require contract modifications—requirement changes, schedule adjustments, etc.

However, the roles of the prime contractor and Government are really quite intertwined in execution. Through the use of Integrated Product Teams (IPTs) and sharing of real time contractor information, performance decisions are open to wide discussion before they are put in place.

An example of this is subcontractor selection. The prime has the right to choose the vendors necessary to execute the contract, since the prime has overall responsibility for meeting the requirement. But, on occasion the Government gets more involved in the selection process, and it may reserve the right to grant final approval for the prime's selections.

Question. If confirmed, what steps would you take to ensure that contracting mechanisms which maintain adequate safeguards are in place to ensure that lead system integrator access to sensitive and proprietary information is not compromised?

Answer. As mentioned, an LSI is a prime contractor, subject to the same contracting mechanisms governing access to sensitive and proprietary information as any other Government contractor.

Question. What specific steps have—or will—the Department take to monitor the progress of the key technologies for the Future Combat Systems?

Answer. The Department is engaged with Army leadership in the identification of key technologies critical to the success of the Future Combat Systems (FCS). The Army identified thirty-one critical technologies as part of the FCS Increment One definition; they were corroborated by an Army-sponsored independent technical review team and discussed with the Department during the Defense Acquisition Board reviews prior to the FCS Milestone B decision.

In addition to the Army's review, I chartered an independent review of the command, control, communications, computers, intelligence, surveillance, and reconnaissance (C^4ISR) element of FCS, including the key technologies associated with the network. My staff led the review. It involved participation by other OSD staff offices, the military departments, and selected defense agencies. The review looked at FCS in the context of the FCS Family of Systems, the Army's future force structure, and the joint force, as well as how the program fits within the scope of the Global Information Grid. This multi-service/OSD participation on departmental issues impacting the FCS network provided a level of insight that would not have been otherwise possible. The review identified a number of findings associated with the network which, when resolved and implemented, will significantly improve FCS's ability to provide a joint capability. The Army and OSD are making significant progress

resolving and implementing the findings. The results of the review were taken into consideration as part of the Defense Acquisition Board Milestone B decision.

The Acquisition Decision Memorandum (ADM) requires the Army to establish a Critical Technology Risk Mitigation Working-level Integrated Product Team (WIPT) within 90 days of the Milestone B decision. The WIPT is online with functional representatives from the Department fully integrated.

The ADM required the Army to submit updated Critical Technology Risk Mitigation Plans within 120 days of the Milestone decision. Since May 2003, the Department has worked aggressively with the Army and developed Risk Mitigation plans for each critical technology.

The Army is in the process of establishing Technology Transition Agreements (TTA) between the FCS Program Manager and the DOD S&T community. The Army has provided "Draft" TTAs to the Department for review and is expected to provide final TTAs for Department approval by November 15, 2003.

Question. What policies are in place to ensure that the lead systems integrators do not misuse sensitive and proprietary information owned by other contractors and do not unnecessarily limit competition in a manner that would disadvantage the Government?

Answer. The use and protection of subcontractor information is governed by both the contract itself and the subcontract arrangements between the prime and the vendor. In this way, the Government can intervene through the contract terms if necessary, and the vendor can act on its own behalf, if necessary, to protect its rights.

Question. Based on operations in Afghanistan and Iraq, what changes, if any, need to be made to the Defense Logistics Agency's use of prime vendor agreements, virtual prime vendor agreements, and direct vendor delivery in order to streamline the Department's logistics systems for commercial items such as medical supplies, clothing and subsistence, and common hardware items?

Answer. This issue has been studied and independently addressed—for example, the Combat Support Agency Review Team (CSART) report done by the Logistics Management Institute showed that the commercial base of suppliers for medical materiel responded superbly. However, there are some "disconnects" in the process. For example, transportation and "in transit visibility" remain challenges beyond the theater distribution center "last tactical mile"—but perhaps the most important single finding—and this applies across all commodities—is that advance requirements planning from the customers of the process has to be much better. DLA can move materiel from employment to deployment in a matter of days—but if the requirements development and planning process is flawed, the challenge becomes exponentially greater. Overall, though, the commercial logistics support has been exceptional and one of the success stories of the entire theater of operations.

Based on some of the lessons we've learned:

- We are developing prime vendor type contract(s) to provide maintenance, repair and operations (MRO) supplies to support facilities maintenance requirements for South West Asia.
- DLA is working an extensive effort to review the Agency's Direct Vendor Delivery (DVD) contracts for compliance with Uniform Materiel Movement and Issue Priority System (UMMIPS)/Time-Definite Delivery (TDD) standards.
- DLA has directed actions to ensure DVD outside continental U.S. shipments meet requirements of the Defense Transportation System (DTS) when those commercial shipments have to be diverted through DTS entry points.
- DLA is also working to improve requisition visibility to its customers by implementing Total Asset Visibility (TAV) across the enterprise. In-transit visibility is part of TAV, provides information needed to respond more readily and accurately to customer demands, and is an essential ingredient to increasing the efficiency and effectiveness of transportation resources. The Agency's policy is that DVD arrangements will fully support asset visibility objectives and initiatives.
    - DLA is implementing the Distribution Planning and Management System (DPMS) to simplify vendor compliance with this requirement.
    - DLA is requiring vendors to adhere to military standard documentation and marking in accordance with MIL–STD–129, to include, but not limited to military shipping labels and barcoding, and has issued procedures for providing line-item shipment data via radio frequency identification tags, electronic transmission, or telephone calls to support visibility requirements into the United States Central Command area of responsibility.

Question. Should the Department continue to rely on commercial practices that rely increasingly on the private sector to meet the Department's logistics needs, or are there risks inherent in this approach that need to be mitigated?

Answer. There are risks in all supply chains, whether 100 percent organic or increasingly sourced from the private sector. As we continue to evolve to increased reliance on the private sector, the Department is addressing issues such as backup supply sources, alternative methods of transportation, propositioned stocks, and safety levels.

The Department remains committed to adopting best practices in order to provide flexible, reliable, rapid, and effective logistics support to the warfighter. These best practices may be found in the commercial sector, the Government sector, or they may leverage the best of both.

For example, in support of OIF, we deployed the most sophisticated Radio Frequency Identification (RFID) system in the world. This system made extensive use of commercial technology applied to a military environment. Whether or not RFID is a "commercial practice" or a "defense practice," it is a best practice. Commercial off-the-shelf (COTS) software is another area where DOD can continue to modernize by adopting best practice and proven technology in the supply chain. There is no need to reinvent the wheel. We can adopt commercial practice and commercial technology and refine it to meet our needs. All components are aggressively pursuing initiatives that incorporate COTS technology in the military logistics space.

Performance Based Logistics has also leveraged commercial capabilities to deliver superior support to our Warfighters. The F18E/F Super Hornet delivered better than 92 percent operational availability during the combat phase of OIF. JSTARS had a 100 percent MC rate during Operation Enduring Freedom. These are but two examples that show how weapons systems performance can be improved through the integration of best practice into our logistics function, and how commercial capabilities make a difference. We know that commercial ports and freight carriers are doing a superb job moving material to the theater, and there are notable successes in the theater, including warehousing and transportation. At the same time, we must be cognizant of the challenges and risks associated with the fundamental transformation we are making within the Department, and we must use this knowledge to improve . . . to enhance . . . to create the world-class logistics necessary to meet today's threats in the war against terrorism.

There is no doubt that we face challenges by relying on commercial resources to provide logistics support in-theater, in Afghanistan, and in Iraq. We need to explore the issue of force protection for commercial contractors in the battlespace, and make adjustments as required. We must define our core missions in logistics, and ensure that we have a plan to fulfill them. We must assess our reliance on contractors for basic functions like transport and storage in support of the battlespace, for these private sector resources may not be available whenever and wherever we may have to fight. Clearly there are risks to be managed, but we must not forget the greatest risk of all. We must not create risk by failing to transform, by failing to learn how to deliver 21st century warfighting capability. We must apply best practice, whatever the source. Our greatest risk occurs not when we apply best practices, but when we fail to properly apply best practices.

LOGISTICS

Question. In your view, how successful has the Future Logistics Enterprise (FLE) been in streamlining DOD's logistics policies and practices, and on what criteria do you make this assessment?

Answer. The success of FLE in streamlining DOD's logistics policies and practices has been evident in the logistics support provided during the Operation Iraqi Freedom. Criteria supporting this assessment are many: the Department moved a ground force farther and faster than anyone had ever done in history—300 miles in 22 days. DOD moved 15 million square feet of cargo in 60 days, using 100,000 containers that would stretch 379 miles. The effort involved more than 6,000 railcars, 157 vessels, 108,000 truck shipments, and the third largest airlift in history. Even today, we have 2,500 trucks on the road every day between Kuwait and Iraq, carrying—among other things—1.5 million liters of water and more than 300,000 Meals Ready-to-Eat a day.

Question. What additional steps, if any, remain to be taken to improve logistics support to the warfighters, and how will the Office of Force Transformation's work on logistics inform your policy decisions on logistics matters?

Answer. The second phase or implementation phase of FLE is called Force-centric Logistics Enterprise. We've accelerated efforts to bring on additional capability. Additional steps include:

- Improved weapon system support through performance-based logistics and collaboration with industry;
- Examination of mission capability improvements, and working with TRANSCOM, to look at end-to-end distribution performance; and
- Evaluation of how information—knowledge gained from new integrated systems and tools—provides better situational awareness.

The FLE has leveraged "network centric" and "knowledge-enabled" logistics to support the global war on terrorism (GWOT). The GWOT requires fundamentally different supporting structures built on tightly knit collaboration and real-time information—i.e. those that are "network centric". One aspect that we are looking at closely is "sense and respond logistics". In logistics, "network centric" means using information technology to ensure efficiency, stability, and predictability. Knowledge-enabled logistics make it possible to get the right item, in the right place, at the right time.

Additionally, in September the Secretary of Defense established a Defense Logistics Executive (DLE). This will be an additional responsibility of the Under Secretary for AT&L. The DLE will have overall responsibility for integrating the global supply chain. The consolidation of authority under one process owner is aimed at realizing logistics efficiencies by:

- Eliminating existing seams between current distribution processes and standardize the policies, vision and performance goals in DOD's supply chain.
- Driving interoperable information technology solutions and enhance total asset visibility to distribution customers.
- Institutionalizing sustainment planning into our contingency processes.
- Streamlining distribution accountability under a single combatant commander (provide one single accountable person for the combatant commander to contact for their distribution needs).

COMPETITIVE SOURCING

Question. Over the past several years, DOD has increased its reliance on the private sector to perform certain activities, including equipment maintenance and facility operations. Some have supported this effort while others have expressed concern that core activities are being jeopardized by reducing our reliance on military personnel and civilian employees of the Federal Government.

Answer. The Department utilizes the process of competitive sourcing only when it makes military and economic sense to do so. Competition is a driving force within the American economy, causing organizations to improve quality, reduce cost, and provide rapid delivery of better products and services. It is essential that we continue to utilize the process to obtain work that is clearly identified as a commercial function, so that we may improve support to the warfighter and increase readiness efficiently.

Question. Do you believe that public-private competition results in significant savings to the Department? If so, please explain how.

Answer. Yes, competition has produced significant savings for DOD. A review of the DOD Commercial Activities Management Information System indicates that our competitions, from fiscal year 1995 to the present, will produce an estimated savings of nearly $8 billion through the period of performance, regardless of whether the Government workforce or a source in the private sector won the competition. Other independent evaluators, including RAND, GAO, and the Center for Naval Analysis, have consistently found that public-private competitions generate real and substantial savings no matter which source prevails.

Question. What impact will the recent changes to OMB Circular A–76 have on the Department's plan for public-private competitions?

Answer. The recent changes to the OMB Circular A–76 will provide a fresh start for all participants in the competitive process, including the Department, employees and Federal labor unions, and the commercial sector. The new process incorporates provisions of the Federal Acquisition Regulation (FAR), and provides for robust and fair public-private competitions. With the transition to the new process, the Department is taking measured steps to ensure that all planners and decisionmakers involved are adequately trained to carry out their new duties involving significant changes from the old process.

Question. Are there other effective alternatives that would achieve the benefits of public-private competition?

Answer. The Department continues to consider alternatives, including privatization, divestiture, and public-private partnerships. Although such alternatives are capable of achieving savings, I believe that in order for the taxpayers to receive the

best value for their investments, the alternative methods should promote competition.

Question. The GAO Commercial Activities Panel recommended allowing comparable appeal rights to both parties in public-private competition.

Do you agree that the public and private sectors should receive comparable treatment in the bid protest process?

Answer. I agree. I believe that the procedures in the revised circular provide sufficient recourse to Federal agencies for all parties affected by performance decisions. The GAO's jurisdiction, under the Competition in Contracting Act, to review bid protests by Federal employees, is a matter for the GAO to determine.

INFORMATION TECHNOLOGY (IT)

Question. There appears to be potential overlap between the responsibilities of the USD(AT&L) and the DOD Chief Information Officer (CIO) (currently the Assistant Secretary of Defense for Networks and Information Integration (ASD(NII)) with regard to information technology acquisition, particularly with embedded information technologies in weapon systems.

If confirmed, how do you anticipate sharing responsibilities with the DOD CIO to ensure effective acquisition of information technology?

Answer. The ASD(NII) and the USD(AT&L) work very closely on information technology acquisition matters, and I would expect that relationship to continue. For example, the DOD CIO is a member of the Defense Acquisition Board (DAB), which I will chair if confirmed. In addition, his Principal Director for Command, Control, Communications, Intelligence, Surveillance, and Reconnaissance (C^3ISR); Space; and Information Technology Programs leads an Overarching Integrated Product Team that makes recommendations to the USD(AT&L) before such information technology acquisition programs are reviewed by the DAB. Our offices collaborate on a number of other important initiatives, including the implementation of the Department's Software Acquisition Process Improvement Program and the Implementation of Management Initiative Directive 905 on Net-Centric Business Transformation and E-Government. We have also worked as a team to streamline and rationalize the Clinger-Cohen certification process, which is reflected in the recently streamlined 5000 Defense Acquisition System series.

Question. What is your assessment of the Department's ability to rapidly assimilate commercial information technologies?

Answer. The Department has improved greatly in its ability to assimilate commercial information technologies. Many of the largest programs in our business domains are implementing or considering the use of COTS Enterprise Solutions. To make sure such solutions are successful, we are working with the Office of the DOD CIO on a streamlined process for acquiring COTS Enterprise Solutions based on industry best practices. For example, a COTS IT and National Security System (NSS) Software Action Plan, signed by the ASD(NII), provides a set of initiatives designed to increase the use of COTS across the Department. We are working with the Office of the ASD(NII) on this effort. The Enterprise Software Initiative (ESI) Program, started in 1998 under the DOD CIO, offers today a suite of commercial software, hardware, and service products under enterprise licenses, providing major discounts to its customers for a total cost avoidance of $1.3 billion.

Question. Is DOD's growing dependence on commercial information technologies a positive or negative development, in your judgment?

Answer. Using commercial hardware and software reduces the costs and risks of building our own hardware and software for both the manager and the warfighter. Commercial products enable us to more rapidly deliver needed capabilities to our users and exploit commercial best practices. But we recognize and are addressing vigorously the inherent challenges of embedded malicious or foreign code and information assurance.

Question. "Buy America" issues have been the source of considerable controversy in recent years. What benefits does the Department obtain from international participation in the defense industrial base and under what conditions, if any, would you consider it necessary to impose domestic source restrictions for a particular product?

Answer. International sales, purchases, and licensed production are common forms of international defense cooperation. These transactions are important in that they contribute to operational interoperability and promote cost savings, two of the key goals of the armaments cooperation programs. These transactions are heavily regulated by most nations and are often politically sensitive because they involve both national security and public funding.

Although most DOD equipment is from domestic sources, the DOD makes use of a worldwide supplier base. The DOD is somewhat constrained by laws and regulations that limit acquisition of certain non-U.S. products, such as the Buy American Act and annual Appropriations Act provisions that restrict certain procurements to U.S. sources. The DOD has agreements with many allies to facilitate defense trade. The aim of those agreements is rationalization of the defense equipment supplier base so as to achieve the greatest efficiency in equipping our collective forces. The agreements establish reciprocity in the treatment of vendors from the other country.

Congress has encouraged acquisition of defense equipment from U.S. allies to avoid duplication of research and development effort. For example, the Foreign Comparative Testing program is funded by Congress and facilitates testing and acquisition of foreign-developed products when those non-developmental products can meet DOD requirements. This program has resulted in substantial cost-savings through avoidance of development programs.

Foreign-developed products acquired by the DOD are often produced in the U.S. under license. Examples of such products are the Rhinemetall 120mm tank gun used on the M1A1 Main Battle Tank, the Beretta 9mm pistol, the AV–8B Harrier aircraft, the Mark 92 naval fire control radar, and the Oto Melara 76mm naval gun.

In general, I believe that domestic source restrictions are counterproductive. However, in certain limited instances involving national security and the preservation of a key defense technology or production capability, domestic source restrictions may be necessary. I would encourage allied and friendly nations to impose national source restrictions only in similar limited circumstances.

Question. There have been recent indications that the Department of Defense is backing away from decades of opposition to legislated domestic source restrictions. What is the rationale behind this apparent shift in DOD's policy?

Answer. There is no change in DOD policy. Earlier this year we sought changes to such provisions to clarify and simplify their application. The House Defense Authorization Bill for Fiscal Year 2004 contained a number of new domestic source restrictions. DOD opposes these provisions.

Question. Given the outcry from our allies about "Buy America" protections, how will the Department manage the potential damage to defense cooperation with our allies, including such cooperative programs as the Joint Strike Fighter, as well as DOD's longstanding policy of encouraging allied interoperability?

Answer. I support greater defense industrial cooperation. More cooperative endeavors such as teaming, joint ventures, and even mergers and acquisitions can produce beneficial synergies, efficient use of limited resources and healthy competition, so long as it occurs in a positive and constructive manner. One way to encourage more defense industrial cooperation is to ensure that the programs we pursue receive full support and are well-managed programs to the marketplace. The Joint Strike Fighter (JSF) is a prime example of this type of program. Some of the provisions of the original H.R. 1588 directly endangered the JSF program, but we do not expect these provisions to become law. "Buy America" protections will lessen the desire of our allied and friendly foreign partners to cooperate in defense projects. This would adversely affect allied interoperability in the long-term, while driving up acquisition costs to the DOD and driving out competition.

Question. If DOD were to support more protectionist policies, do you anticipate "trade retaliation" by our allies, including the possibility of our allies going elsewhere for their defense acquisitions?

Answer. I do not support protectionist policies. To the extent that Congress enacts protectionist legislation, our allies' reaction will be uniformly negative. Many close allies have expressed concern to U.S. Government officials on the possibility of new legislation in this area. However, the extent of the impact on U.S. defense trade is unknown. While retaliation is certainly a possibility, we will do all that we can to encourage allies to make source selection decisions based on best value, including interoperability with U.S. Armed Forces. If protectionist legislation is enacted as it is currently written, the Department of Defense will sponsor a study to examine the impact of such legislation on U.S. defense trade.

Question. Could such a development jeopardize our $30–50 billion annual trade surplus in aerospace products?

Answer. If other countries are denied access to the DOD market, it is inevitable that they will not continue to grant U.S. companies unfettered access to their defense markets. This retaliation will occur across all product lines but is likely to be most pronounced in the aerospace sector because of our significant trade surplus in that sector.

Question. If the U.S. were to lose this trade surplus, would DOD weapon systems costs rise?

Answer. I would expect costs for both current and future U.S. programs would rise. For example, reduced foreign sales of JSF aircraft would raise the unit cost of the aircraft bought by the U.S., since we would lose the benefit of buying in larger numbers. Perhaps more importantly, our ability to enter into future cooperative defense relationships will likely be severely undermined.

Question. We understand that the Department is considering an approach under which significant domestic source restrictions would be placed in legislation, subject to a case-by-case waiver by the Secretary of Defense. Has the Department estimated how many waivers would be necessary if such legislation were enacted? What burdens would such a case-by-case waiver approach place on the Department of Defense?

Answer. I expect that an important aspect of the language regarding domestic preference will be a 2-year study to evaluate what items should be subject to further restriction. Once this study is complete, we will be better able to evaluate the workload associated with the waiver provisions.

Question. Do you believe it is premature for Congress to enact additional domestic source restrictions without first thoroughly analyzing and studying the impact these restrictions could have on our trade and defense cooperative relationships and the U.S. defense industrial base? Specifically, should a Blue Ribbon Commission be formed to study these issues before Congress enacts any additional legislation in this area?

Answer. While the Department of Defense would prefer no new protectionist legislation, a waiver provision would allow mitigation of the most direct consequences for DOD. However, the impact on trade and defense cooperative relationships may be indirect or subtle. The extent of the impact is currently unknown. If protectionist legislation is enacted as it is currently written, the Department of Defense will sponsor a study to examine the impact of such legislation on the U.S. defense trade. Given the uncertainty concerning the legislation impact on cost of defense industrial requirements, and international cooperation, a commission like study seems appropriate.

THE DEFENSE INDUSTRIAL BASE

Question. What is your view of the current state of the U.S. defense industry?

Answer. Generally the U.S. manufacturing sector that supports defense is healthy, innovative, and responsive. The financial health of the defense industrial base has improved; the aerospace-defense industry sector is generally either outperforming or keeping pace with the S&P 500 index firms as measured by key financial indicators. Increased defense funding associated with the protracted war against terrorism will likely negate any residual effects of the recession/stagnation felt in other sectors of the economy. Additionally, the Department has been successful in efforts to encourage innovative, non-traditional suppliers to compete for defense business.

As the defense environment changes, we will continue to monitor challenges and trends within the defense industrial base and are prepared to take appropriate action to sustain industrial capabilities essential to defense, when required.

Question. What impact, in your view, have offset requirements imposed by other countries had on the U.S. defense industry?

Answer. I believe that offsets are economically inefficient and market distorting. However, I am aware of no instances in which offsets have negatively impacted our ability to meet national defense commitments.

The Department of Commerce has been charged by Congress to evaluate annually the impact of offsets on defense preparedness, industrial competitiveness, and trade. In its latest report, dated July 31, 2003, the Department of Commerce noted almost all non-U.S. purchasers of U.S. defense systems require offsets as a condition of the sale; and that offsets have both a positive and negative impact on defense preparedness. Exports and the revenue generated by export sales are crucial to producers of U.S. defense systems and, by extension, U.S. foreign policy and economic interests. On the other hand, U.S. subcontractors can be displaced by foreign suppliers. On the whole, the latest Department of Commerce report indicates that jobs generated by export sales between 1993 and 2000, significantly exceed jobs lost through offsets (almost 42,000 workyears annually versus less than 9,700 workyears annually). The net is very favorable.

Question. What steps, if any, do you believe the Department should take to address any such impact?

Answer. I believe that the United States should not act unilaterally or bilaterally on this issue. Using an interagency approach, the U.S. Government should encourage multilateral discussions with our trading partners to reduce or eliminate offsets.

We need to be careful in our approach as the U.S. has been a net beneficiary in programs with offset requirements. The Department of Defense should have a prominent role in such discussions.

Question. Over the last decade, numerous mergers and other business consolidations have substantially reduced the number of major defense contractors.

Do you believe that consolidation in the defense sector has had an adverse impact on competition for defense contracts? If so, what steps should be taken to mitigate those effects?

Answer. The number of active competitors in several defense markets has declined and, consequently, it has become more challenging to ensure effective competition in these sectors. Nevertheless, I believe that our active participation in merger and acquisition reviews with the anti-trust agencies has ensured that we continue to have sufficient competition in important defense areas.

When required, we have taken steps to mitigate certain adverse effects of otherwise acceptable mergers and acquisitions, including requiring behavioral or structural remedies to preserve competition. For example, we permitted Northrop Grumman to buy TRW only after ensuring competitors a level playing field. When acting as a system prime contractor, Northrop Grumman must not favor in-house payloads over better value payloads from outside suppliers. Additionally, Northrop Grumman must offer its own payloads on a competitive basis to rival system prime contractors. Finally, we have worked with the anti-trust agencies to block transactions when necessary to preserve competition.

Question. Do you support further consolidation of the defense industry?

Answer. I have no blanket policy of encouraging or discouraging further consolidation or divestiture. Each proposed transaction must be evaluated on a case-by-case basis in the context of the individual market, the changing dynamics of that market, and the need to preserve competition. Considerations include the need to promote innovation for technological advancement; to preserve price competition within mature industries; and to secure adequate supply sources.

A consolidation from five suppliers to four in a product market raises fewer complex issues than a change from three to two. Accordingly, mergers in some market segments may raise competitive issues while mergers in other segments may not. Therefore, while our standards remain constant, prime contractor level mergers in a concentrated industry are more likely to raise competitive concerns than would be the case in an industry that is not so concentrated.

Question. What is your position on foreign investment in the U.S. defense sector?

Answer. In general, I favor foreign investment in the United States, whether for defense industries or non-defense industries, so long as the investment does not pose a threat to national security. Since foreign acquisitions of U.S. defense firms could directly affect both the reliability of suppliers and the transfer of technology under development in the Department, we need to oversee and continue to monitor developments in this area in order to protect our National security interests. The Department of Defense participates in an interagency review organization, the Committee on Foreign Investment in the United States, chaired by the Department of the Treasury, which is charged to identify and address concerns when foreign acquisition of U.S. firms poses credible threats to national security. Fortunately, when foreign acquisitions raise national security issues, we can apply several risk mitigation measures, such as requiring Outside Directors, Technology Control Plans, physical and organizational firewalls, visitation reporting policies, and partial divestitures. Thus we rarely have to recommend to the President that an acquisition be blocked in order to protect national security.

Question. Do you believe that there should be greater cooperation, and perhaps even integration, between defense industries in Europe and the United States? If so, how can such cooperation be facilitated?

Answer. International armaments cooperation, in its many forms, enhances interoperability, improves coalition warfighting, stretches tight U.S. defense budgets, and promotes competition across national markets. Accordingly, I favor industrial teaming, joint ventures, and international mergers and acquisitions with partner nation firms that are pro-competitive and do not compromise national security. I also support judicious use of Government-to-Government agreements to foster closer industrial linkages. Accordingly, we are entering into bilateral Declaration of Principles agreements with allies and friendly nations such as the U.K., Australia, the Netherlands, Spain, Italy, Norway, and Sweden. These agreements foster cooperation in key interest areas such as harmonization of military requirements, research and development, security of supply, sales and export procedures, security of information, ownership and corporate governance, technical information, and promoting defense trade. Finally, we also can encourage transatlantic cooperation by using Government-to-Government agreements to bring efficient, well-managed inter-

national programs to the marketplace. The Joint Strike Fighter is a good example of such a program.

Question. What is your view of the adequacy of the tools and authorities available to DOD to ensure that its contractors are responsible and have a satisfactory record of integrity and business ethics?

Answer. An offeror must be judged to be responsible before it may receive a Government contract. Having a satisfactory record of integrity and business ethics is one of the seven criteria that must be met before a contractor may be determined to be responsible. We have adequate tools necessary to ensure we deal with responsible entities in the defense industry.

Throughout the contract period, the government will record how well the contractor performed and consider this information when awarding future contracts. We have made prohibited behavior clear to all involved. For example, the regulations explain how to evaluate violations of the Procurement Integrity Act, improper gratuities, kickbacks, and any activity that unfairly restricts competition. A range of corrective actions are permitted for differing circumstances. Our contractors understand what is expected of them, and we rely heavily on competition and corporate self-governance to ensure that all offerors observe acceptable standards of behavior.

When ethics programs are not effective, violations, regardless of the size of the entity, may be resolved by criminal and civil penalties authorized in law, adjustment or cancellation of contracts, or suspension or debarment proceedings. We are permitted to consider which course of action best furthers the Government's interests and ensures that the needs of the Government are met.

Regarding the issue of suspension and debarment, it must be stressed that these actions are not intended to punish contractors for wrongdoing. Punishment is the responsibility of the Department of Justice. DOD must protect its business interests to ensure it is dealing only with entities that are responsible and conduct themselves with integrity. We also feel it is in our interests to work with those entities that appear to be straying from expected practices generally by entering into administrative agreements in lieu of suspension or debarment and provide them with an opportunity to effect positive change. This will allow these contractors to conduct business in a transparent fashion and provide the goods and services needed to support the warfighter.

LEASING POLICY

Question. Advocates of leasing capital equipment have argued that leases enable the Department to obtain new equipment without requiring significant upfront funding. Opponents of such leases have argued that this approach, without adequate justification, shifts to future leaders, today's budget problems.

Question. What criteria would you use, if confirmed, in determining whether to support a major lease of capital equipment by the Department of Defense?

Answer. In order to determine whether or not to support a major lease of capital equipment by the Department of Defense, I would put each lease proposal through a thorough review process conducted by the Leasing Review Panel. The Under Secretary of Defense (Acquisition, Technology, and Logistics) and the Under Secretary of Defense (Comptroller) serve as co-chairs of the panel, which includes representatives from Program Analysis and Evaluation (PA&E), the Office of General Counsel, and the Joint Chiefs of Staff, among others. The Leasing Review Panel will also consult with the Office of Management and Budget on each proposed lease. Each proposed lease would have to be considered on a case-by-case basis and all aspects of the lease agreement would be scrutinized, including the urgency of the need to the Department and the warfighter.

Question. For the last two decades, the Department of Defense has been subject to statutory goals for contracting with small businesses and minority small businesses.

Do you believe that these goals serve a valid and useful purpose in the Department of Defense contracting system?

Answer. Yes, the overall small business goals serve a worthwhile purpose by focusing top DOD leadership attention on small business matters and serve as a stimulus for continuous improvement to the DOD Small Business Program. To achieve these goals, DOD fosters an acquisition environment that provides the maximum opportunity for small business to participate, both as prime contractors and as subcontractors. Small business participation in defense acquisition is vital to the Department of Defense. To maintain our worldwide military superiority, we must take full advantage of the talent and technology that resides within American Small Business.

Question. DOD has a number of programs to improve small business participation in defense contracts. These include among others the so-called "rule of two", which provides that if two or more small businesses are capable of performing a contract, competition will be limited to small business, the Section 8(a) program, and the DOD mentor-protégé program.

Question. In your judgment, how could the overall DOD small business program be improved to ensure that it is providing the right results for the Department in meeting its acquisition needs, and also by developing dynamic, entrepreneurial, small businesses that can compete in the global marketplace?

Answer. One opportunity to improve the overall DOD small business program is to strengthen the mentor-protégé program. DOD recently made advances toward improving this program by transitioning the execution of the program to the military services and defense agencies. This streamlines the process, resulting in an increase in agreements and the number of small businesses (protégés) receiving technical and business infrastructure training from DOD prime contractors (mentors). We are strengthening oversight of the mentor-protégé program through the use of performance metrics that track cost, schedule, and performance.

Another opportunity is to similarly strengthen the Small Business Innovation Research and Small Business Technology Transfer Programs. Under these programs, small entrepreneurial companies with the capability to fill a DOD technology need are awarded contracts. We are strengthening these programs to emphasize the future commercial application of their products. We have also upgraded the application process and we will continue to improve program oversight.

In addition to strengthening these programs, we are refocusing our analysis capabilities to identify those industry categories where small businesses could be more successful. More importantly, we are attempting to identify those categories where small businesses might add value to the Department's future needs. With this capability we will be better equipped to assist small businesses with developing their future capabilities and with targeting their marketing efforts.

Question. What is your view of contract "bundling"?

Answer. I remain concerned about contract "bundling" and specifically the effects that such a practice may have on the small businesses that have continuously supported the Department of Defense in meeting our mission requirements. The small business community has consistently provided high quality products and services in a timely manner that supports our military men and women; and they do so at fair and reasonable prices, which is also good for the taxpayer. These small businesses are a well-spring of innovation, flexibility, and competition that the Department can ill-afford to take for granted.

I think it is important to note that the Department of Defense has issued five Department policy memorandums in regard to "contract bundling". The purpose of the memorandums is to sensitize our contracting community of the importance that small business brings to the Department of Defense. The memoranda challenge program executives, managers, and contracting personnel to continuously understand how "contract bundling" impacts small businesses. If any requirements are "bundled," they must meet the statutory requirement that the bundle offers measurably substantial benefits to the Government and proves to be necessary and justified. It is our policy that when a "bundled" requirement is necessary and justified, the contracting office shall mitigate the effects on small business to the maximum extent practicable.

Question. Do you believe that there is a value to having small businesses contract directly with the Federal Government, rather than being relegated to the role of subcontractors?

Answer. I believe there is great value that small businesses have the opportunity to contract directly with the Federal Government. I also believe it is critical to the Department that we continue to support small business subcontracting opportunities. Small businesses bring innovation, flexibility, and necessary competition to our procurement process. Small businesses produce more patents and innovations per employee than large business. They are part of the solution in maintaining and expanding the defense industrial base and are key to meeting our future needs. The Department continues to build on the talents, capabilities, and capacities that the small business community brings to both our prime contracting and subcontracting tables.

One of the reasons that I believe in maximizing small business subcontracting opportunities is that most of the small business prime contractors are introduced to the Department through the subcontracting program. It is noted that subcontracting remains the small business standard path to prime contracting opportunities.

Question. What is your view of the appropriate degree of competition for contracts for the reconstruction of Iraq?

Answer. I believe that we need to push for competition wherever possible on contracts for the reconstruction of Iraq. There are many U.S. firms that can perform the work and they need to be given the opportunity to contribute to the rebuilding of Iraq while affording the best value for the American public and the Iraqi people.

Question. Do you believe that the Department should take steps to expedite the award of competitive contracts and minimize the use of sole-source contracts now in place?

Answer. We are taking steps to expedite the award of competitive contracts. At the same time, we are working to use the existing sole source contracts for immediate needs only, and not for larger, longer term efforts.

CONTRACTOR LOGISTIC SUPPORT

Question. More and more of the Department's maintenance and support functions are outsourced. These contractor logistics support agreements have resulted in the increased reliance on civilian contractors in combat areas.

What are your views regarding contractors on the battlefield?

Answer. The benefits and risks of contractor support are considered on a case-by-case basis. The challenge for commanders at the operational level is how to make the most effective use of contractors and to balance the increased capabilities brought by contractors with the added challenges. Commanders evaluate each function, define the acceptable level of risk, and balance the mix of military and contractor support accordingly. When using contractors, commanders do not necessarily face more risks, but they do face different risks. These benefits and risks must be placed in perspective, properly assessed, and dealt with. For example, use of contractors may actually reduce operational risk because the contractors represent capabilities, or increments thereof, that otherwise may not be available to commanders.

Question. Has the Department, in your judgment, gone too far in outsourcing maintenance and support functions?

Answer. No. Maintenance and support functions include such things as facilities and equipment maintenance, and other functions readily identifiable as commercial and available within the private sector. These are logical candidates for a "Competitive Sourcing" study to determine who is able to best provide the services in support of our mission. The Department only does this when it makes military and economic sense. With respect to depot-level maintenance, the Department retains core functions and contracts for performance only as permitted by title 10 of the United States Code.

Question. What changes to current policy would you recommend regarding the outsourcing of maintenance and support functions?

Answer. With the record of success the Department has enjoyed in conducting "Competitive Sourcing" studies on maintenance and support functions, I believe the current policy is adequate.

Question. Recent work done by the GAO for this committee highlighted several challenges related to contractor support of deployed forces, including ineffective implementation of existing policy guidance.

Do you believe that the Department's existing regulations are adequate to address these challenges?

If confirmed, what steps would you take to ensure compliance with existing regulations and policies?

Answer. DOD and the military departments have several policy documents that describe how to design long-term contractual support vehicles that consider the operational risks associated with outsourcing and how to plan for specific contingencies. They do a good job of addressing the risks associated with using contractors on the battlefield. Theater planning by combatant commanders also addresses risk and many of the issues that arise when using civilian contractors to better prepare the Joint Task Force commander and mitigate the risks in advance. Although risk assessment approaches vary among DOD components, all approaches call for effective risk assessment on the use of contractors on the battlefield and none does anything that jeopardizes our warfighting capability.

In light of the increasing use of contractors on the battlefield, the DOD has been working with the RAND Arroyo Center to further examine our decisionmaking and risk assessment processes affecting use of contractors and to recommend improvements. Interim findings from the RAND effort indicate that recent Army doctrine has effectively captured the conceptual risks relevant to using contractors and choosing between contract and organic sources and that Army doctrine on risk assessment provides a reliable framework for improving Army sourcing decisions. RAND further adds that the challenge now is to transform this doctrine into prac-

tice by training our personnel in the subtleties of risk analysis relevant to sourcing decisions.

The challenge for commanders at the operational level is to make the most effective use of contractors and to balance the increased capabilities brought by contractors with the added challenges. Commanders evaluate each function, define the acceptable level of risk, and balance the mix of military and contractor support accordingly. When using civilian contractors, commanders don't necessarily face more risks, but they do face different risks. These benefits and risks must be placed in perspective, properly assessed, and dealt with. For example, use of contractors may actually reduce operational risk because the contractors represent capabilities, or increments thereof, that otherwise may not be available to commanders.

Question. In many cases, the original equipment manufacturer ends up with a significant role in contractor logistics support (CLS) contracts.

What procedures are in place to ensure that CLS contracts are not awarded to the original equipment manufacturer for the life of the CLS without appropriate competition among qualified vendors?

Answer. Competition is the law of the land. Under the Competition in Contracting Act, we must conduct competitive procurements unless a statutory exemption applies, such as when only one source of supply is available.

Ideally, we define our procurements in terms that are flexible enough that many suppliers are capable of meeting the Government's need. Supportability of equipment is something that we consider when we design a system. We instruct our program managers through the acquisition regulations to ensure that a flexible, performance-oriented strategy to sustain systems is developed and executed. This usually increases the opportunities for more firms to support fielded equipment than would be the case when we procure specific models of a particular equipment manufacturer.

In addition, we have a network of Competition Advocates throughout the Department who are charged with seeking ways to increase competitive opportunities for particular procurements. For example, they challenge requirements that are not stated in terms of functions to be performed, performance required, or essential physical characteristics. They can be most effective when industry expresses an interest in competing for an item or service that we believed to be available from a single source. So I would encourage any firm that believes it can be an effective provider of logistics support to make the local Competition Advocate aware of its capabilities and areas of interest.

ROLE OF THE USD(AT&L) IN THE SCIENCE AND TECHNOLOGY PROGRAM

Question. If confirmed, what role would you play in the oversight of the Services' and DARPA's science and technology programs?

Answer. If I am confirmed, the oversight role will remain as currently in place. The Director of Defense Research and Engineering (DDR&E) reports to the USD(AT&L) and is responsible for the direction and content of the Department's science and technology program. The Services and agencies coordinate their programs through the Project Reliance chaired by DDR&E.

Question. What is the relationship between the USD(AT&L), the DDR&E, and the Director of DARPA in developing and executing DARPA's research and technology development programs?

Answer. I will continue with the same reporting structure, with the Director of DARPA reporting to USD(AT&L) through the DDR&E. The DDR&E will continue to exercise authority, direction, and control over DARPA. The DDR&E will be charged to ensure that DARPA's portfolio is balanced, supports the warfighter, and continues cutting edge research. In short, DARPA executes; DDR&E sets priorities and objectives and provides oversight.

SCIENCE AND TECHNOLOGY PROGRAM

Question. The defense science and technology program is recovering after years of declining budgets. However, the budget request for defense S&T still falls short of the Secretary of Defense's goal of dedicating 3 percent of the total defense budget to science and technology.

If confirmed, how would you plan to increase the Department's science and technology program to meet the Secretary's goal?

Answer. The Department's goal, established in the Quadrennial Defense Review (QDR), is to grow the S&T investment to be 3 percent of the total defense budget. While the fiscal year 2004 President's budget request (PBR) and future years defense program (FYDP) do not achieve this goal, they do increase S&T funding from the fiscal year 2003 PBR and exceed 0 percent real growth in fiscal year 2004 and

throughout the FYDP. We did not make the 3 percent goal because of the topline growth. The table below shows the fiscal year 2004 PBR and FYDP for S&T funding, and shows that the buying power of Department's S&T investment is increasing across the FYDP. If confirmed, I will continually support increasing the buying power for our S&T investment and believe it is essential that the Department fund S&T at a level adequate to ensure the technological superiority of our Armed Forces.

[In millions of dollars]

DOD S&T Funding (TY)	Fiscal Year						
	2003	2004	2005	2006	2007	2008	2009
Fiscal year 2004 President's budget request	10,000 [1]	10,232	10,541	10,790	11,193	11,541	12,134
0 percent Real Growth from fiscal year 2003 PBR		10,186	10,384	10,592	10,805	11,018	11,231
Delta over 0 percent Real Growth		+46	+157	+198	+388	+523	+903
Percent of DOD Top Line	2.64	2.69	2.63	2.57	2.54	2.50	2.51

[1] $10,000B was the fiscal year 2003 PBR (includes DERF and NPR). $10.773B was appropriated in fiscal year 2003.

SCIENCE AND TECHNOLOGY WORKFORCE

Question. The Director of Defense Research and Engineering recently wrote to you expressing concerns over the effect that the proposed National Security Personnel System (NSPS) and Best Practices Initiatives would have on the Department's laboratory and test center workforce. He recommended that the NSPS proposal be modified to permit laboratory directors to retain the authorities they currently have under existing congressionally authorized personnel demonstrations. He also recommended that the proposed Best Practices Initiative Federal Register announcement be delayed until it can be revised to better support laboratory and test center missions.

Do you support the laboratory directors and the DDR&E in their attempts to retain control over DOD's scientific and technical workforce?

Answer. In some ways, the laboratory directors and the DDR&E do in fact exercise control over DOD's scientific and technical workforce. Neither the laboratory directors nor the DDR&E have, however, taken the position that they desired "control" over the human resources system under which our scientists and engineers work. They clearly have had, and retain, an interest in shaping that system in ways which they felt would enhance the technical quality of our laboratories. The fact is that the laboratories and the DDR&E, in collaboration with P&R, have been extremely successful in achieving this goal. As a result of much hard work and effective collaboration by all of the interest groups, we are now in final convergence on a "Best Practices" design that we believe will truly serve the needs of the laboratory directors, the DDR&E, and the human resources community. That we've obtained this convergence has been a notable achievement for DOD. So the true story here is not where we started; rather, it's where we are ending. This is a success story.

Question. Do you support a delay in the release of the final Lab Demo Best Practices Federal Register so that it can be modified to better meet the concerns of the laboratory community and DDR&E?

Answer. I do not support a delay in the "release" of the final Lab Demo Best Practices Federal Register Notice. Further, the Director of Defense Research and Engineering has never petitioned for such a delay. For clarification, let me point out that some in the laboratory community favored a delay in its implementation until the NSPS design was finalized. Their issue was simply that of avoiding multiple near-term conversions of personnel practices. This I believe was a totally rational concern.

I support the immediate release of the Best Practices Federal Register Notice when the final design tradeoffs are completed. This does not say that I believe that we've got it perfectly right this first time. What's important here is that we begin transforming the entire DOD S&T personnel system, and that we have a way of adjusting and refining this system as mission needs evolve. I don't see these adjustments and refinements as having the form of "exceptions for individual laboratories." Rather, I think what could be necessary is some fine tuning of the overall umbrella system.

DEVOLVEMENT OF RESEARCH PROGRAMS

Question. This year the Office of the Secretary of Defense devolved (transferred) several programs to the Services. Many of these devolved programs resided in OSD because of the inherent jointness of the program.

If confirmed, how would you plan to maintain the joint nature of those programs devolved to the Services?

Answer. Senior review groups with members from the Office of the Secretary of Defense will remain in place to ensure particular military departments meet the "core/joint service" objectives and metrics of the programs. The senior review groups have already reviewed execution plans of these programs and have recommended withholding funds from selected programs until joint issues have been resolved. These same review groups will review execution plans and metrics again at mid-year and make recommendations concerning future funding allocations. This process has been effective in the past and we would expect to continue it.

For example, the Armed Services Biomedical Research Evaluation and Management Committee, has oversight of the Department's investment resources. This committee recommended withholding research funds from Army and Navy programs that were formerly a part of OSD pending clarification of program goals and objectives.

JOINT UNMANNED COMBAT AIR SYSTEM (J–UCAS)

Question. As you are aware, this committee established a goal for the Department of Defense that by 2010 one-third of U.S. military operational deep strike aircraft would be unmanned and by 2015 one-third of all U.S. military ground combat vehicles would be unmanned.

What is your assessment of the Department's ability to meet this goal? In particular, please provide the committee with the role that USD(AT&L) will play in the oversight of this effort.

Answer. The Department recognizes the inherent advantages of unmanned systems in military operations. I am encouraged by the continuing advancement of technology maturation for unmanned systems. Technology advancements are in computational capabilities, sensor integration, and onboard intelligence. Critical to the continued evolution and expansion of unmanned system capabilities is the continuing development of a robust, industry standard architecture. I might add that in the Army's design for the Future Combat System's Unit of Action, well over 33 percent of the Increment 1 combat vehicle force consists of unmanned ground vehicles.

Additionally, I believe my oversight role in the development and deployment of unmanned systems is critical. I currently have OSD oversight for the Army's Future Combat Systems (FCS) program and for the Joint Unmanned Combat Air System (J–UCAS).

The future of FCS is heavily predicated on the success of unmanned systems in the next decade. With this in mind, I have tasked additional members of my staff to focus their oversight role specifically on the unmanned systems portion of FCS. This oversight will be accomplished by the same staff that has coordinated the Joint Robotics Program (JRP), a congressionally-directed program since 1990, that was consolidated at OSD level and takes much of the credit for our advancement in the unmanned ground systems area. The Joint Robotics Program was not devolved to one of the Services in fiscal year 2004, as were other programs, because of what I believe is the critical nature of its mission to foster the joint development and fielding of this important operational and technology area across the Services.

In my oversight role, I have also directed DARPA to lead the J–UCAS program. DARPA has a rich history of leading and producing state-of-the-art technology efforts that have resulted in revolutionary advances. Just two examples are the F–117 Stealth Fighter and the internet. DARPA has also developed the two most successful UAV programs in the history of the DOD: Predator and Global Hawk. I firmly believe that J–UCAS will be no different. To date, three different airframes have flown over 12 hours in 17 flights. To keep this program on track, I have chaired one executive committee meeting and have another scheduled for December 2003. Multiple lower level meetings have occurred in preparation for these executive committee meetings. The fiscal year 2005 budget is still being built, but the current demonstration program is building to meet the stated Air Force and Navy requirements.

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, 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 Under Secretary of Defense for Acquisition, Technology, and Logistics?

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

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

LEAD SYSTEMS INTEGRATOR

1. Senator MCCAIN. Mr. Wynne, DOD has shifted significant control of acquisition programs to defense industry through the utilization of a Lead Systems Integrator (LSI) for major programs. This construct provides the LSI unprecedented control in hiring subcontractors in support of a program. In this setup a parent company receives proprietary information from all competitors bidding on a subcontract for a program, and then may well have its own subsidiary bidding for the contract. I believe this system is ripe for abuse. Currently Boeing Corporation is the LSI for the Future Combat System (FCS). FCS is arguably the largest and most complicated acquisition program ever attempted by DOD, yet this program is being managed by a company that has been repeatedly cited for an array of misconduct and alleged misconduct. The Project On Government Oversight says that since 1990, Boeing has been accused of some 50 instances of misconduct or alleged misconduct and has been assessed fines, settlements, and penalties totaling more than $348 million. This does not even include Boeing's suspension from space launch contracts over the use of a competitors' proprietary information to garner the majority of launches awarded through the Evolved Expendable Launch Vehicle program that resulted in the programming of over a billion dollars. How can you assure Congress and the taxpayer that an LSI is not exploiting proprietary information for its own benefit, and that the requirements are being driven by what the warfighter needs, rather than what industry is willing to provide?

Mr. WYNNE. Much has been made of the increasing use of the term Lead Systems Integrator, but it is important to remember that an LSI is a prime contractor. The LSI designation emphasizes the increasingly complex integration of prime and subcontractor efforts, but the LSI must also perform all the other responsibilities of a prime contractor—technical, financial, etc. Of note is the fact that prime contractors have always had broad authority in the selection and management of subcontractors. The LSI designation does not change this situation. Indeed, programs employing LSIs are generally executed with traditional contractual instruments, either Federal Acquisition Regulation (FAR) contracts or other transactions.

These contract instruments, as well as the subcontract terms and civil and criminal law, provide protections against the LSI from exploiting their position in favor of their own company. Moreover, the Government, through the use of Integrated Product Teams (IPTs) maintains a high level of insight into the LSI's selection of subcontractors. Another alternative is to require Government approval or consent to certain subcontracts to ensure that a subcontractor proposed by a prime contractor does represent the best value.

The LSI, or prime contractor, has responsibility for the execution of the contract, including the determination of technical requirements. The Government, however, always retains responsibility for the execution of the program as a whole. This includes control over the performance requirements of the contract, which are established to meet the needs of the warfighter. The LSI is charged with finding the best technical solutions to meet those requirements.

JOINT WEAPONS PROGRAMS

2. Senator MCCAIN. Mr. Wynne, joint programs like AIM–9X and Advanced Medium-Range Air-to-Air Missile (AMRAAM) are obvious success stories. What are

your thoughts on the overall usefulness of joint versus single service weapons programs?

Mr. WYNNE. As we consider the requirements and acquisition strategy for all of our programs, we carefully review the required capabilities and evaluate the joint development potential. Where feasible, we pursue the joint approach because of the likely operational benefits, and the overall economic advantage for the military departments, the Department of Defense, and the taxpayer. In fact, recently, we have been encouraging the military departments to consider either joint program development or leveraging off of ongoing development.

3. Senator MCCAIN. Mr. Wynne, given the sizeable investment—often hundreds of millions of dollars—in the development of joint weapons programs such as Joint Standoff Weapon (JSOW) and Joint Air-to-Surface Standoff Missile (JASSM), how does DOD plan to leap ahead to transformational programs without losing the investment in current weapon systems?

Mr. WYNNE. We plan to continue to produce current weapons systems as warfighter needs would dictate while moving forward with transformational programs. Our performance to date in joint weapons programs, such as Joint Direct Attack Munition (JDAM) and JSOW, has been extremely fruitful given their performance in Iraq and Afghanistan. While these programs are still in production, we must look ahead to the future recognizing technological advancements and the changing needs of the warfighter. JASSM represents a technology advancement that we began several years ago and the Department is just starting to field JASSM.

With respect to leap ahead capabilities, the Small Diameter Bomb (SDB) is a truly transformational weapon. SDB's small size and greater accuracy will allow the warfighter to carry more munitions making multiple kills per sortie a reality. When coupled with greater accuracy, it will result in significant reductions in collateral damage. Finally, the SDB will provide a growth path that will allow for future variants to take on additional roles, such as precision against moving targets. These kinds of capabilities would not have been possible without the groundwork and lessons learned from previous investments.

It is important to note that transformation in the DOD is not only about developing new weapons systems but also how we employ current weapon systems. The development of new tactics, doctrine, training, organization, and concepts of operations is an integral and ongoing part of our transformation plan.

4. Senator MCCAIN. Mr. Wynne, the U.S. Air Force and U.S. Navy apparently are about to pursue different weapons—Wind Corrected Munitions Dispenser (WCMD–ER) and JSOW—to fill the same requirement. Why would DOD consider departing from this joint capability, and isn't this new tack going to increase the cost to the taxpayer for the same capability?

Mr. WYNNE. The JSOW B is an anti-armor variant, but production has been deferred by both Servces in the fiscal year 2004 budget because of weapon cost and the Department's decision to accept risk in anti-armor capability. The Air Force began WCMD–ER in fiscal year 2003 as a wing-kit upgrade to their inventory of area attack dispensers (CBU–103, 105) to provide standoff capability. The weans or modification are only available in the Air Force inventory. Since this is a modification program, the projected unit cost is expected to be lower than a full weapon.

5. Senator MCCAIN. Mr. Wynne, the U.S. Air Force investment in stealth and low observable standoff weapons is very substantial. What are DOD's plans to make maximum use of the hundreds of millions invested to date in JSOW?

Mr. WYNNE. Although we deferred JSOW B production in fiscal year 2004, the Department is reviewing JSOW, along with other weapons, while preparing the fiscal year 2005 budget. We are committed to discuss the requirement and avoid introducing any critical mission capability gaps for standoff weapons. JSOW provides a unique combination of cost-effectiveness, proven combat effectiveness, standoff, lethality, and survivability, and we will review these very carefully.

6. Senator MCCAIN. Mr. Wynne, I understand the USAF may be reconsidering its participation in such successful joint programs as JSOW, AIM–9X, and AMRAAM, and have not joined in the Joint Common Missile. These have been supported by the United States Congress. In the case of JSOW, it was recently used successfully in Operation Iraqi Freedom and was funded in the supplemental. What will you do to protect the taxpayers' investment in these key programs?

Mr. WYNNE. Wherever possible, the Department supports joint weapons since they provide savings to the payer, ensure interoperability, and allow for asset sharing among the Services. Capability-based reviews of programs serving in a particular

functional area will be used to balance the joint warfighting capability across the Department.

TANKER LEASE PROGRAM

7. Senator MCCAIN. Mr. Wynne, the price of the initial 20 tankers will likely absorb some modest start-up (NRE, R&D) costs. However, any such costs in the first 20 tankers would be reflected as a savings for the next 80. What are those savings?

Mr. WYNNE. The Air Force is currently working out the contractual mechanics necessary to comply with the National Defense Authorization Act for 2004. Although negotiations are not complete, the Department will share copies of the draft contract for the lease of tanker aircraft, and will brief the armed services committees of the House and Senate, before executing the contract. The Department will do the same with regard to the contract to purchase aircraft.

8. Senator MCCAIN. Mr. Wynne, if the USAF ultimately orders more than 100 tankers, there should be a further savings reflected in the overall price for all the planes. What are those savings?

Mr. WYNNE. The Air Force could expect savings for orders beyond the first 100 tankers. It is premature to speculate on what the savings would be in subsequent orders for these planes. On the one hand, we would expect a reduction in the unit price because nonrecurring coasts are fully amortized in the first 100 planes. On the other hand, price is a function of such things as labor rates, price of raw materials and components, user requirements, production quantity, production rate, technical specifications and market demand amongst other factors. Until a follow-on procurement is more fully articulated and negotiated, it would be only a guess as to the potential savings.

9. Senator MCCAIN. Mr. Wynne, will financing of the acquisition and construction of the tankers be structured around a "special purpose entity" (SPE)? If so, please describe.

Mr. WYNNE. For the leased tankers, the financing of the acquisition and construction is expected to be accomplished by way of an SPE. The SPE will be involved in both the construction financing of the planes (i.e., to provide money to Boeing to construct the planes) and the permanent financing of the planes (i.e., to purchase the planes from Boeing and to lease them to the Air Force). The SPE will function as a lessor for the KC–767A Tanker Lease and will be established as a Delaware Business Trust entitled "KC–767A USAF Tanker Statutory Trust No. 2003–1." The SPE will be managed by the Wilmington Trust Company, which is a leading trust company in the equipment leasing business. The SPE will have one independent director (not from Boeing or the Air Force) to oversee its activities. The SPE will purchase the aircraft from Boeing and lease them to the Air Force. The SPE will borrow funds to make periodic payments during construction towards the manufacture of the aircraft as well as permanent financing for the lease of the aircraft. The SPE will terminate upon the final sale of all aircraft and the repayment of all of the debt.

10. Senator MCCAIN. Mr. Wynne, will there be a full and open competition to raise the financings for the acquisition or construction of the tankers to ensure that the fundraising is done at the lowest possible cost to taxpayers? If so, please describe how this competition will be conducted.

Mr. WYNNE. We currently do not envision another competition to select a company that will assist in raising the financing for the acquisition of the tankers. As part of their proposal to provide KC–767 Tankers, Boeing competitively selected Citigroup to act as its agent to arrange bond financing. Citigroup is a world leader in bond financing and will be responsible for working with the special purpose entity (SPE), a non-profit statutory trust. The Wilmington Trust Company, a leading trust company in the equipment leasing business, will manage this SPE. To purchase the aircraft from Boeing, the SPE raises capital from institutional market investors to pay Boeing and then in turn lease the planes to the Air Force. In order to raise this capital, the SPE will competitively offer tranches of debt to institutional investors. The structure of the tranches (e.g., debt issues secured at varying levels of risk) is a proprietary structure developed by Boeing and Citigroup to ensure that the overall interest rates on the bond issue will be optimal—given a specific point in time and anticipated lease payments, lease duration, contractual terms and conditions, and the aircraft fair market value at the end of the lease. Air Force commercial financing experts have reviewed the proposed structure of the financing and

agree that it is entirely consistent with practices for commercial financing and provides the necessary framework for the Air Force to receive optimal rates.

11. Senator McCAIN. Mr. Wynne, will the USAF allow the SPE to have any dealings with Boeing or its affiliates or subcontractors suppliers other than the contract for the 767 itself?

Mr. WYNNE. No, the Special Purchase Entity (SPE) will not have dealings with Boeing or its vendors outside of the requirements for this contract. The SPE will only perform the limited functions specifically authorized in the KC–767A Tanker Contract and it will terminate upon the final sale of all aircraft and the repayment of all of the debt.

12. Senator McCAIN. Mr. Wynne, to what extent are the costs of the SPE included in the price of the tankers?

Mr. WYNNE. As part of the negotiated agreement between Boeing and the Air Force, all administrative costs with respect to the SPE are borne by Boeing, as stated in contract clause C–221. These costs are not separately itemized and, as such, we have no insight into those costs. Boeing has the economic incentive to minimize these costs. This is a common way of handling these type of costs in a commercial lease transaction.

13. Senator McCAIN. Mr. Wynne, Boeing will be launching a new 7E7 as a commercial upgrade and replacement for the 767. One of the hallmarks of the 7E7 will be a much more modern and efficient aircraft than the 767. The 7E7 might be available in the 2008 time frame, just 2 years later than the scheduled first acceptance of the 767 under the tanker lease program. Why would the U.S. Government and the USAF not want to buy the most modern aircraft in its size instead of buying the last of an older and almost obsolete commercial aircraft?

Mr. WYNNE. The Air Force did not want to wait for this "concept airplane" to become a reality and then delay recapitalization of the tanker fleet for the additional period necessary to develop and produce a tanker variant. Boeing has launched the 767 Global Tanker Transport Aircraft (GTTA) and has two firm customers: Japan and Italy.

14. Senator McCAIN. Mr. Wynne, where the 7E7 will be so much cheaper to manufacture, own, and operate than the 767, why would it not make sense for the U.S. Government to buy this aircraft and get the benefits of being a launch customer? Then, the USAF would have a truly modern tanker fleet instead of buying an aircraft with 1970s technology. Why must the USAF always be buying the oldest aircraft model out there? First 707s, then KC–10s, and now 767s which are now obsolete as commercial aircraft? Why can't the USAF plan to buy modern planes for the KC/RC/EC/E series aircraft?

Mr. WYNNE. The Air Force did not want to wait for this "concept airplane" to become a reality and then delay recapitalization of the tanker fleet for the additional period necessary to develop and produce a tanker variant. The Government would assume much more risk from becoming a launch customer as compared to a customer on a mature product—including performance, schedule, and cost risks.

QUESTION SUBMITTED BY SENATOR JEFF SESSIONS

JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM

15. Senator SESSIONS. Mr. Wynne, Congress has expressed deep interest in the Joint Surveillance and Target Attack Radar System (JSTARS) re-engine program and did so as early as the Fiscal Year 2000 DOD Authorization bill. In this year's DOD Authorization Conference Report the Department is required to report to Congress by early spring.

I will be very interested in the report, the options provided by DOD, and the plan offered to keep these planes flying with the most efficient and best engines available. The JSTARS is a proven combat multiplier and we cannot afford for it to be grounded due to shortsighted funding in the Future Years Defense Program.

Mr. WYNNE. In accordance with the conference report regarding the National Defense Authorization Act for Fiscal Year 2004, the Department will provide a report to the congressional defense committees of an economic analysis comparing the maintenance of the current engines in JSTARS aircraft, the purchase of new engines, and the lease of new engines. The report will identify the Department's preferred option as reflected in the fiscal year 2005 President's budget, and the Depart-

ment's plans to implement that option. The Department will submit the report early next year.

QUESTION SUBMITTED BY SENATOR SUSAN M. COLLINS

SHIPBUILDING PROGRAMS

16. Senator COLLINS. Mr. Wynne, this committee raised in the Fiscal Year 2004 Authorization Report continued concerns over the adequacy of the Department's plan for the transition between DDG–51 and DD(X) shipbuilding programs. We directed the Navy to review the projected workloads of our two surface combatant shipbuilders, report on their viability, and describe actions the Navy was taking to ensure preservation of critical technical and production skills at both surface combatant shipbuilding yards. My colleagues and I look forward to receiving that Navy report early next year as we prepare to act on the administration's fiscal year 2005 defense budget request.

It has been almost 20 years since the Navy and this industrial base faced the last significant transition between major surface combatant shipbuilding programs—at that time with the planned completion of the CG–47 AEGIS Cruiser Class and the initial procurement of the *Arleigh Burke* Class AEGIS Destroyer Class. One fundamental contrast between then and now is that the Navy procured 11CG–47 Cruisers after gaining funding in fiscal year 1985 for the first DDG–51 Destroyer. The fact that the Navy overlapped procurement of CGs and DDGs helped ensure that major surface combatant force levels were sustained, and the surface combatant shipbuilding industrial base remained healthy and actively employed despite the inherent unknowns of moving to a new ship class involving new technologies and production methods.

In contrast, under the fiscal year 2004 budget plan and the future years defense program, no DDG–51s would be procured after fiscal year 2005, yet DD(X) procurement would start up at a low rate of no more than one or two ships per year until fiscal year 2009. For these and other reasons, the Congressional Research Service in a recent report on surface combatant acquisition programs, raised a concern as to whether planned surface combatant procurements from fiscal years 2004–2009 would put our two surface combatant shipbuilders—Bath Iron Works and Ingalls—and their workers, through a roller coaster effect of decreasing production and employment for several years only to be followed by the requirement to then sharply increase employment and production. What steps will you take to ensure that the transition from the production of DDG destroyers to DD(X) destroyers does not lead to the decline of our major surface combatant structure, or the loss of our Nation's specialized defense industrial base sector?

Mr. WYNNE. Ship construction schedules, quantities, and procurement profiles greatly influence a shipyard's projected workload, and therefore, the impact to shipyard workload is an important consideration in each decision made by the Department. The Department continually reviews and monitors the workload for all key shipyards, both public and private, and considers this information in deliberations regarding surface combatant procurement. This included extensive evaluation of the impact of DDG wind-down and DD(X) startup on both Bath Iron Works and Ingalls, and the conclusion that, in spite of the reduced quantity of ships being procured, the additional design and production man-hours associated with startup of the new DD(X) ship program at both yards will result in relatively minor workload fluctuations that will not jeopardize their viability, cause significant employment declines, nor add significant additional overhead costs to Navy programs. We will closely monitor the progress of the DD(X) program as it proceeds toward production to determine if additional action is needed to provide a smooth transition from DDG–51 to DD(X) destroyer production. We will also ensure that industrial base implications are factored in to the DD(X) acquisition strategy that is being finalized by the Navy at this time. The concerns you raised will also be considered at the DD(X) program review planned for early 2004.

As requested in the Fiscal Year 2004 Authorization Report, the Secretary of the Navy is completing a report on the surface combatant shipbuilding industrial base and will submit it to the committees. This report will include a workload projection for the surface combatant shipyards, an assessment of the financial viability of those shipyards, and a plan for sustaining the unique technical and production skills within that industrial base. The workload projections associated with the fiscal year 2004 President's budget as well as those associated with the shipbuilding profile under consideration as part of the ongoing development of the fiscal year 2005 President's budget will be assessed as part of this report.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

PUBLIC-PRIVATE PARTNERSHIPS

17. Senator CHAMBLISS. Mr. Wynne, I believe that public-private partnerships between depots and private industry can, and do, provide viable alternatives to ensuring two strong industrial bases, using the best of the private and public sectors while preserving the title 10 capability of our depots, and also providing unique solutions to the challenging sustainment issues faced by the services today. While there are documented successes in this area, a recent GAO report indicated that the use of public-private partnerships were only a small part of the overall depot program. We currently have pubic-private partnerships at the Warner-Robins Air Logistics Center at Robins Air Force Base for the C–130J and C–17 programs. While these partnering relationships have room to grow, I believe they set the example for how depot operations should be conducted in the future. Can you give me your opinion regarding how public-private partnerships should work and how you intend to foster public-private partnerships in our DOD depots?

Mr. WYNNE. Depot maintenance public-private partnering is directed towards improving the output and performance of organic depots. Our partnering program includes full exploitation of existing legislative authority for Centers of Industrial and Technical Excellence, development of necessary guidance to enhance successful partnering, evolution of contracts and partnering agreements that encourage industrial investment, exploitation of commercial industrial capabilities to enhance product performance and reliability or to improve processes and support, and development of potential industry/government training and certification programs. We are fostering depot maintenance public-private partnerships through aggressive advocacy in our policies and by making partnerships a key component of our transformational initiative to improve support for weapon systems through performance based logistics support.

CIRCULAR A–76

18. Senator CHAMBLISS. Mr. Wynne, during my tenure in the House of Representatives and the Senate I have watched closely how DOD implements its competitive sourcing studies through Circular A–76. While no one believes in or understands the value of competition more than I do, I continue to be concerned about the competitive sourcing process and how these studies are conducted. In this year's Defense Appropriations bill, I supported an amendment which required DOD to show 10 percent or $10 million savings before outsourcing work, and allow DOD civilians to always be allowed to establish a Most Efficient Organization bid to compete against a contractor's bid on their work effort. I believe, and I believe the administration ultimately agreed, that these were constructive changes to the new Circular A–76. Nevertheless, I continue to be concerned that in the revised Circular DOD workers are required to compete for their jobs every 3–5 years, even after they have won a competition the first time. While Government employees should absolutely be held to the same performance standards as contractors and be subject to repeat competitions if their performance is not up to standard, I think the requirement to re-compete every 3–5 years until the work is outsourced is a waste of taxpayers' money and has an extremely negative impact on our civilian workforce. Can you share your thoughts on how DOD will implement the revised Circular A–76, and whether you support eliminating the requirement that work previously competed and won by the Government bid be re-competed?

Mr. WYNNE. The Department is still shaping its procedures to implement the revised circular. A smooth transition is essential because DOD believes the credibility of the new process depends on successful execution of the initial competitions. As DOD starts competitions using the new procedures, the Department will ensure responsible officials are properly trained for new, expanded duties. For the American people to receive maximum value for their tax dollars, commercial activities should be subject to the forces of competition.

Our contracted commercial activities are subject to the forces of the competitive market on a continuous basis (as required by the Federal Acquisition Regulations). It is essential DOD also ensure a most efficient organization (MEO) in-place as a result of public-private competition continues to be efficient and cost effective. In this manner contractors and Government MEOs are held to the same standard. Additionally, the Departments' requirements are not static; re-competition should be a consideration for all commercial activities whether they are performed by the MEO or private sector.

AERIAL COMMON SENSOR PROGRAM

19. Senator CHAMBLISS. Mr. Wynne, it is encouraging to note a promising Joint Service Initiative currently ongoing between the Army and Navy on the Aerial Common Sensor (ACS) and EP–3 replacement program. Given that the ACS will likely be the C^4ISR platform for the Navy and Army for the next 30 years, what role do you visualize you and your office playing in the acquisition process for this future legacy system?

Mr. WYNNE. My office will retain acquisition oversight and milestone decision authority for this major defense acquisition program. With increasing reliance on "smart" weapons and weapon systems, DOD no longer has the luxury to design, develop, and acquire "ultimate technology" over a 15–20 year acquisition cycle, in which a majority of the technology is outdated by the time the system is fielded. Evolutionary acquisition is the preferred DOD strategy for rapid acquisition as it delivers capability in increments, recognizing, up front, the need for future capability improvements.

20. Senator CHAMBLISS. Mr. Wynne, what are your views on threshold versus objective requirements in planning and executing a new program like ACS?

Mr. WYNNE. I agree with the Joint Staff definition that a threshold requirement is the minimum acceptable operational value below which the utility of the system becomes questionable. An objective is the desired operational goal associated with a performance attribute, beyond which any gain in utility does not warrant additional expenditure. The objective value is an operationally significant increment above the threshold. This distinction between threshold and objective enables DOD program managers to have the flexibility to work with both industry, the DOD requirements process and the test community to meet a program's performance, budget and schedule requirements. The evolutionary acquisition process enables us to define objective values for key capabilities from one spiral or increment as threshold values for the next.

21. Senator CHAMBLISS. Mr. Wynne, what are your views on whether objective requirements are a goal or a requirement to be met?

Mr. WYNNE. In using the term objective without context, it is a goal that by definition is not a requirement to be met. However, in many instances, acquisition programs such as ACS that involve evolutionary acquisition approaches, objective requirements evolve to threshold requirements for future increments. For example the ACS reliability requirement for increment 1 is 36 hours Mean Time Between System Abort (MTBSA). The objective requirement for increment 1 is 76 hours MTBSA. This objective for increment 1 becomes the threshold for increment 2 and the objective increases to 263 MTBSA. In general we also look for acquisition programs that require competing industry teams to show how they will meet ORD stated Key Performance Parameters, threshold requirements, and also migrate to objective requirements. During source selection the competing industry teams will be evaluated on the ability or potential to meet objective requirements or incrementally modernize to satisfy objective requirements from a total system perspective including both the platform and the sensor.

22. Senator CHAMBLISS. Mr. Wynne, how important is it to DOD that ACS truly represent a Joint Service effort? Given my role as a Member of this committee and the Senate Select Committee on Intelligence, I would appreciate your keeping me advised of any significant actions affecting this program as we move forward.

Mr. WYNNE. In any fiscally constrained environment, it is imperative that the Department look at all programs from a joint perspective and seek out synergy in our acquisition efforts. The partnership of the Army and the Navy on the Aerial Common Sensor program is an excellent example of combining efforts to satisfy service unique requirements while also satisfying those of the joint warfighter.

QUESTION SUBMITTED BY SENATOR JOHN CORNYN

BUDGETING FOR THE 20–80 TANKER PLAN

23. Senator CORNYN. Mr. Wynne, the Department of Defense proposal to lease 100 KC–767A tanker aircraft was a major issue in this year's DOD authorization bill. The plan was revised in conference to authorize the lease of only 20 aircraft with language allowing DOD to propose buying an additional 80 tanker aircraft in the out-years. Deputy Secretary Wolfowitz sent a letter to Chairman Warner on November 5 which has been widely interpreted as committing the administration to adding

sufficient sums to the top-line DOD out-year budget in years 2008–2012 to pay for the unbudgeted costs of these aircraft. There have been some comments by DOD officials hinting that other fully programmed Air Force and Navy aircraft programs like the F/A–22, JSF, C–130J, F/A–18 E/F, and V–22 might be cut back in order to pay for these tankers. Can you explain how you intend to fund the tanker program, and do you plan to reduce funding for other vital military aircraft programs?

Mr. WYNNE. Without additional funding from Congress, the Department will have to fund the KC–767 program from currently funded programs or where savings can be identified within existing activities. The Department will have to make careful decision to balance costs, risks, and requirements. It would premature to identify sources until the lease 20/buy 80 profile is finalized and the delivery schedule identified, and we have contacts ready for signature.

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

HYBRID ELECTRIC VEHICLES

24. Senator LEVIN. Mr. Wynne, your office recently (August 2003) completed a report on hybrid electric vehicles. The report discussed the potential advantages of fielding hybrid vehicles—including the capability for silent vehicle operation and the ability to generate much-needed electrical power on the battlefield. The report also listed milestones that need to be achieved, including formulating DOD's goals for hybrid vehicles, designing optimal hybrid electric propulsion systems for military vehicles, and demonstrating hybrid vehicles that satisfy DOD's goals. What are your plans for achieving these milestones?

Mr. WYNNE. The Future Tactical Truck System (FTTS) Advanced-Concept Technology Demonstration (ACTD) is the flagship Department of Defense (DOD) program to demonstrate the benefits of hybrid electric technologies for tactical vehicles. This program will conduct a military utility assessment of hybrid propulsion technologies in fiscal year 2006. DOD, the Army, and industry are working together to produce a hybrid system that minimizes vehicle weight and delivers maximum fuel efficiency at affordable costs. This program will allow DOD to establish hybrid electric vehicle goals and establish optimal design specifications for future acquisition programs.

25. Senator LEVIN. Mr. Wynne, what role will the Tank-automotive and Armaments Command (TACOM) play in the establishment of goals and future hybrid vehicle programs?

Mr. WYNNE. The Army's Tank-Automotive and Armaments Command (TACOM) has a critical role in the hybrid electric vehicle programs of the Department of Defense. The Army Materiel Command, through TACOM and Army Research, Development, and Engineering Command (RDECOM) efforts, is responsible for the effective development, integration, procurement, and support of DOD hybrid electric vehicles.

26. Senator LEVIN. Mr. Wynne, how will you leverage advances made in the commercial sector to get DOD the best hybrid technology most efficiently?

Mr. WYNNE. Leveraging advances made in the commercial sector in the area of hybrid electric propulsion is critical to DOD's success in hybrid electric technology for our military vehicles. The Future Tactical Truck System Advanced Concept Technology Demonstration is the flagship effort in DOD to promote commercial sector interest in hybrid electric propulsion and is managed by the National Automotive Center. The National Automotive Center, located in Warren, Michigan, serves as a catalyst linking industry, academia, and Government agencies in the development and exchange of automotive technologies. These efforts range from supporting Small Business Innovation Research programs to fully integrated hybrid technology demonstration programs which design, build, test and evaluate combat and tactical vehicles having hybrid electric propulsion systems.

27. Senator LEVIN. Mr. Wynne, will the Commercially Based Tactical Truck (COMBATT) program provide DOD with hybrid electric vehicles that can be used in non-military applications? Is there a plan underway for DOD to procure COMBATT?

Mr. WYNNE. The COMBATT program is an effort by the National Automotive Center to demonstrate hybrid electric capabilities in light vehicles. The COMBATT demonstration effort will feed Department of Defense requirements and specification development for future light tactical vehicles. Commercial hybrid electric vehicles

similar to those developed under this program will be available starting in 2005. However, there is no military procurement currently planned.

SPACE ACQUISITION PROGRAMS

28. Senator LEVIN. Mr. Wynne, your predecessor, Under Secretary Aldridge, delegated substantial responsibility for acquisition of space systems to the Under Secretary of the Air Force. Do you plan to keep the delegation in place as written, or do you intend to make any changes to it? If changes are made what would you change?

Mr. WYNNE. The delegation of space acquisition authorities currently is in place consistent with the recommendations from the Space Commission. The Under Secretary of the Air Force has substantial responsibilities as the Executive Agent for Space, while OSD retains their oversight responsibilities. I believe we should defer from making any significant changes until we've gained sufficient experience operating under Air Force's recently approved (October 2003) National Security Space Acquisition Policy 03–01 to give us an adequate baseline for making potential changes.

29. Senator LEVIN. Mr. Wynne, most of the space acquisition programs have major problems. Many of these problems can be traced to a lack of oversight on the part of either National Reconnaissance Office or the Air Force. Will you have a direct oversight role? For instance, will you play any oversight role in or review any programmatic milestones or cost estimates?

Mr. WYNNE. I retain all of my oversight responsibilities for space acquisition programs. Section 911 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) requested that the Secretary of Defense provide a detailed plan on how the Office of the Secretary of Defense (OSD) will provide oversight of acquisition for defense space programs. As outlined in our response, OSD will maintain a strong oversight role since space represents a significant military capability and is critical in both maintaining and improving surveillance, communications and situation awareness in support of our military forces. In my role as USD(AT&L), if confirmed, I will ensure a robust acquisition program oversight process remains in place to pro actively identify and resolve execution problems. This activity will be accomplished by proactive oversight and analysis of funding, cost, schedule, performance, and other program status information to assess the program's progress toward achieving objectives set forth in their milestone reviews. This results-oriented management approach establishes effective controls by initially establishing program objectives at the milestone review and then monitoring progress toward achieving these objectives through review and analysis of oversight reporting information. It should also be noted that OSD and Joint Staff oversight responsibilities prescribed by law and further defined in DOD guidance have not been changed by the Department's alignment space responsibilities following the implementation of the Space Commission Report recommendations highlighted earlier. Space programs are reviewed quarterly by the USD(AT&L) and the OSD staff via the Defense Acquisition Executive Summary (DAES) process. In addition, under the provisions of the new National Security Space Acquisition Policy 03–01 signed out by the Under Secretary of the Air Force this October, my staff and I will continue to support and advise the DOD Space Milestone Decision Authority throughout the acquisition process by participating in both the Independent Program Assessment for space programs approaching Key Decision Points and attending the Defense Space Acquisition Board.

30. Senator LEVIN. Mr. Wynne, in your view what is the Government's role and what is the contractor's role in the development of requirements, concept of operations, and system specifications for a new space program?

Mr. WYNNE. The Government and contractor's roles for new space programs are the same roles they have for any new DOD program. The Government is responsible for the development of requirements and for the concept of operations. The process that is in place for this is the new Chairman of the Joint Chiefs of Staff Instruction 3170.01c. The Government does work closely with our industry partners during this process. Contractors interact with the Government in assessing new technologies and new applications of technology. The Government and contractor's roles in developing the system specifications varies widely depending upon the program. While the requirements development and CONOPs are clearly the purview of the Government, system specifications may be developed unilaterally by the Government, the contractor or in a collaborative manner. The Government retains responsibility for ensuring that the system specification does in fact meet the requirements.

NSA ACQUISITION MANAGEMENT

31. Senator LEVIN. Mr. Wynne, section 924 of the National Defense Authorization Act for Fiscal Year 2004 mandates a transfer of management of acquisition programs at the National Security Agency (NSA), including milestone decision authority, from NSA to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)). This action reflected long-standing concern that acquisition processes at NSA were not in conformance with acquisition reform processes required by the Goldwater-Nichols Act within the rest of the Department. If you are confirmed, what steps would you take to ensure that NSA acquisition procedures are reformed and the NSA modernization takes full advantage of acquisition procedures implemented throughout the military departments?

Mr. WYNNE. NSA has made progress in several areas with regard to improving acquisition practices. However, both NSA and I recognize that they still have work ahead to fully implement effective acquisition practices comparable to those used throughout the Department. We are developing an oversight framework that emphasizes improvements to NSA practices and outlines our oversight of their acquisition programs. Within that framework, I will be the milestone decision authority for NSA modernization programs until we are able to certify their acquisition process as effective and return Milestone Decision Authority (MDA) to them. In keeping with our management philosophy embodied in DODI 5000.2, we will tailor our program review process to ensure effective systems are developed to meet intelligence needs. We intend to implement a collaborative acquisition decision process that requires NSA to exercise its role in acquisition, while ensuring the appropriate level of OSD involvement.

I will work closely with the Director of the National Security Agency (DIRNSA) and his Senior Acquisition Executive to mature NSA acquisition processes. Additionally, we are working closely with the Under Secretary of Defense for Intelligence and the Community Management Staff in this effort.

QUESTIONS SUBMITTED BY SENATOR EDWARD M. KENNEDY

PUBLIC-PRIVATE COMPETITION

32. Senator KENNEDY. Mr. Wynne, at a hearing in March, the Office of Management and Budget (OMB) senior procurement official reported to the Senate Armed Services Committee Subcommittee on Readiness and Management Support that she had removed obstacles to allowing Federal employees to compete for work currently done by contractors and new work. Will the Department of Defense implement such competitions and, if so, would you please outline the Department plans for subjecting work performed by contractors and new work (performed by neither workforce at present) to public-private competition?

Mr. WYNNE. Consistent with the previous circular and the more recent revised circular, the Department's policy has not precluded competition of contracted commercial activities. Four competitions have been performed on our contracted commercial activities. However, subjecting new work to public-private competition on a regular basis would significantly increase the number of public-private competitions with little benefit to the taxpayer. Private sector competition under the Federal Acquisition Regulations (FAR) adequately provides best value for the taxpayer and contracts awarded under the FAR are re-competed on a regular basis. Private sector bidders would incur additional bid and proposal costs for the longer periods of time necessary to pursue public-private competitions, providing a disincentive for private sector participation. This, in turn, would limit DOD access to the innovation and new technology available in the commercial marketplace.

CIRCULAR A–76

33. Senator KENNEDY. Mr. Wynne, at that same hearing, Mr. Aldridge indicated that the Department would be using the OMB Circular A–76 and "Alternatives to A–76" to fulfill competitive sourcing targets. What are these alternatives? To what extent, if any, would these "Alternatives to A–76" involve contracting out work currently performed by Federal employees without using A–76 or any other form of public-private competition (that does not include the most efficient organization plan and minimum cost differential, as required by Section 8014 of the Fiscal Year 2004 Defense Appropriations bill for all functions performed by in-house staff that involve more than 10 employees)?

Mr. WYNNE. The Department continues to conduct A–76 competitions; however, DOD believes the Department and taxpayers are best served by employing a wide range of business tools designed to make our operations more efficient. Rather than pursuing narrowly defined A–76 targets, DOD will not confine its approach to only A–76. The Department will look for the best instrument available whether through competitive souring, reengineering, divestiture, privatization, public-private partnering, etc.—to determine the most efficient and effective way to do Government business better. Any alternatives that move work from the private to the public sector must adhere to appropriate legislative requirements.

34. Senator KENNEDY. Mr. Wynne, also at that subcommittee hearing, Mr. Aldridge reported that, "OMB identified for DOD a long-term competition goal for 226,000 positions (50 percent of the fiscal year 2000 FAIR inventory of 452,000)." Since then, OMB has ostensibly repudiated its policy of establishing competition quotas for all agencies. Please identify, numerically, the Department new "long-term competition goal" and explain how, if at all, the Department competitive sourcing agenda has been changed as a result of OMB's declaration that agencies would no longer be held to competition quotas.

Mr. WYNNE. The Department's Business Initiative Council decided to take a two phase approach to address the President's Management Agenda on competitive sourcing. First, the Senior Executive Council tasked the military departments and defense agencies to conduct a core competency review to identify functions falling outside of the Department's core competencies that should be considered for divestiture or performance by the private sector. Second, the Department refined its inventory guidance, which it uses to improve consistency in the identification of inherently governmental and commercial activities across the Department. Taking into consideration this phased approach, the military departments and other DOD components will identify their competitive sourcing plans in the fiscal year 2005 budget submission. Those plans will comprise the Department's competitive sourcing plan. Further, DOD will track the plans and maintain oversight of these commitments in the budget to ensure that the Department's competitive sourcing plan is realized.

35. Senator KENNEDY. Mr. Wynne, the Inspector General (in D–2003–056) raised serious doubts about the controversial 12 percent overhead rate imposed on all in-house bids in the A–76 process. The IG recommended to the Department of Defense that it either come up with a more supportable rate or develop a methodology that would allow overhead to be calculated for each in-house bid. What steps is DOD taking to respond to the IG's recommendation?

Mr. WYNNE. The 12-percent overhead factor represents a compromise to level the playing field in A–76 cost comparisons precisely because of the inability of Government accounting systems to measure all activity based costs. This 12-percent factor is prescribed by OMB Circular A–76 which allows individual Federal agencies to request deviations if supported by factual data. No such supporting data currently exists, but the Department has contracted with the Center for Naval Analyses (CNA) to study this issue and provide a report in April 2004. This report should provide the factual basis for determining whether pursuit of deviating from the 12-percent overhead rate is warranted.

BASE REALIGNMENT AND CLOSURE

36. Senator KENNEDY. Mr. Wynne, we had an opportunity to talk about the past Base Realignment and Closure (BRAC) criteria for scientific and technical facilities. DOD has done a poor job in the past of evaluating the specialized needs of these facilities. Are you developing new criteria for the upcoming BRAC round to adequately account for their specialized equipment, personnel, and missions?

Mr. WYNNE. Yes, the Department is developing selection criteria for BRAC round 2005. The Defense Base Closure and Realignment Act of 1990 (P.L. 101–510), as amended, requires the closure and realignment recommendations to be based on published selection criteria that make military value the primary consideration. In accordance with this statue, the Department will publish these draft selection criteria in the Federal Register by December 31, 2003, for a 30-day public comment period. I can assure you that the Department will consider the special needs of technical facilities in the development and implementation of the selection criteria.

NATIONAL SECURITY PERSONNEL SYSTEM

37. Senator KENNEDY. Mr. Wynne, certain labs, including Natick, have been excluded from the National Security Personnel System (NSPS). What are you plans for continuing and expanding the personnel demo programs at these facilities to help us retain and recruit the finest possible technical workforce?

Mr. WYNNE. All defense laboratories that are not moving to the NSPS will move to the Best Practices Initiative. Best Practices represents an improvement over the current demonstration projects in terms of cost-effectiveness and flexibility since none of the laboratories enjoys all of the following features:

- Pay Banding
- Simplified Classification Process
- Pay for Performance, including contribution-based pay
- Simplified Hiring Process
- Modified Reduction-in-Force Procedures
- Extended Probationary Periods
- Distinguished Scholastic Achievement Appointments
- Modified Term Appointments
- Voluntary Emeritus Corps
- Enhanced Training and Development
- Sabbaticals

Over the past 18 months, the Department has been working hard on its Best Practices Initiative. Best Practices represents a collaborative human resources solution for the Department to take advantage of all the good work that has been done in testing civilian human resources policies in a variety of laboratory environments. As a respected best of breed in civilian human resources design, this change will reduce infrastructure costs, allow for intelligent dialogue on the similarities and differences between labs and their respective civilian human resources issues, and allow for all labs to benefit from all the lessons learned at all demos. We applaud the work that has gone into existing lab demos and look at this next step in moving to Best Practices as a generational improvement.

QUESTIONS SUBMITTED BY SENATOR JOSEPH I. LIEBERMAN

SEMICONDUCTOR MANUFACTURING

38. Senator LIEBERMAN. Mr. Wynne, many experts in the defense and intelligence communities are seriously concerned about the loss to the U.S. economy of the high-end semiconductor chip-manufacturing sector to East Asian countries, the likely subsequent loss of the semiconductor research and design sectors, and the grave national security implications that this would entail. The composition of the global semiconductor industry has changed dramatically in recent years. National trade and industrial policies of East Asian countries which have capitalized on these changes are driving a migration of semiconductor manufacturing to that region, in particular to China, through a large array of direct and indirect subsidies to their domestic semiconductor industry. This migration is occurring at a time when these components are becoming a crucial defense technology advantage to the U.S., due to the present and future needs of advanced processors in the defense and intelligence communities. Informed elements of the military and intelligence sectors have made clear that relying on semiconductor integrated circuits fabricated outside the U.S. (e.g. in China, Taiwan, and Singapore) is not an acceptable national security option. When will a report outlining the potential long-term solutions of this problem be available?

Mr. WYNNE. We plan to provide a report to the committee by September 30, 2004, as requested in Senate Report 108–46, the Fiscal Year 2004 Authorization Act report. This report will detail the Department's plans regarding semiconductor chip manufacturing capabilities as well as research and design capabilities. This report will naturally follow from the effort we had already initiated under the Defense Trusted Integrated Circuit Strategy (See details in question #39).

We have also initiated a Defense Science Board Task Force on High Performance Microchip Supply that will be publishing their results around that same time. This Task Force will be looking into some of the issues you have described and the Department's ability to obtain high performance microchips given that environment. The Task Force has been asked to make policy and investment recommendations as well as addressing some specific technical questions.

39. Senator LIEBERMAN. Mr. Wynne, we understand that a foundry to ensure DOD access to a short- and mid-term supply of cutting edge integrated circuits may address immediate national security concerns. What kinds of long-term strategies are being considered to ensure DOD first and assured access to critical advanced components from trusted domestic sources? What programs currently exist that are addressing this issue?

Mr. WYNNE. On October 10, 2003, the Deputy Secretary of Defense signed the Defense Trusted Integrated Circuit Strategy. This strategy has five components with the goal to ensure that our defense industrial base includes leading edge, trusted commercial suppliers for critical integrated circuits used in sensitive defense weapons, intelligence, and communication systems. The five components of the strategy are:

(1) Identification of the facilities that could qualify as trusted sources based on a certification or clearance process.

(2) Identification of the products required by the Department and which of the above facilities can produce those products.

(3) Identification of acquisition strategies or adjustments to them to maximize competitive opportunities while preserving domestic capabilities.

(4) Identification of research initiatives to assure security concerns are met and support the next generation of integrated circuits for specialized defense applications.

(5) Support policies that provide a level playing field internationally for the procurement of commercial products since the Department's integrated circuit supplier community depends on the health of the commercial integrated circuit industrial base.

The results of the Defense Science Board Task Force on High Performance Microchip Supply will inform the implementation of this strategy.

40. Senator LIEBERMAN. Mr. Wynne, does the Department have plans to maintain the critical semiconductor equipment industry (i.e. lithography, photomasks) in the U.S., either through a Government-industry consortium or through more direct intervention?

Mr. WYNNE. In the past, the Department has invested heavily in research and development directly supporting new technology in the semiconductor equipment industry. We continue to invest in new alternative technology for semiconductor manufacturing. We do not and cannot, however, compete with nor influence the enormous sums of commercial investment in existing semiconductor equipment technology.

In the past, the Department has directly intervened under the authority granted the President in section 721 of the Defense Production Act (also known as the Exon-Florio amendment) to ensure national security threats are resolved. In particular, the Government acted to ensure that domestic lithography manufacturing and research and development capabilities were retained at Silicon Valley Group facilities when it was acquired by the Dutch firm, ASM Lithography. The Department would not hesitate to use these tools again if national security threats could not be resolved through other provisions of law.

41. Senator LIEBERMAN. Mr. Wynne, will Congress have the opportunity to discuss the proposed solutions as they evolve?

Mr. WYNNE. As we implement the Defense Trusted Integrated Circuit Strategy, we will share our decisions with you.

NATIONAL SECURITY PERSONNEL SYSTEM AND BEST PRACTICES PERSONNEL INITIATIVE

42. Senator LIEBERMAN. Mr. Wynne, Members of Congress have previously written to the Department asking that it not take any administrative action on the implementation of the Best Practices Personnel Initiative with respect to the Defense Demonstration Laboratories, which DOD has published for public comment in the Federal Register. Section 1101 of the recently passed National Defense Authorization Act for Fiscal Year 2004, chapter 99, section 9902(c) requires the exclusion of specific defense laboratories from the NSPS. Are there currently administrative actions being taken that would place the defense laboratories within a Best Practices Personnel Initiative, essentially circumventing the provisions and undercutting the intent of the statute?

Mr. WYNNE. The Secretary of Defense has authority to establish personnel demonstrations in the science and technology laboratories under authority previously granted by Congress. We have tested various personnel flexibilities in these labs for

a number of years and are ready to move to the next step after 18 months of evaluation and review. Over the past 18 months, the Department has been working hard on its Best Practices Initiative. Best Practices represents a collaborative human resources solution for the Department to take advantage of all the good work that has been done in testing civilian human resources policies in a variety of laboratory environments. As a respected best of breed in civilian human resources design, this change will, reduce infrastructure costs, allow for intelligent dialogue on the similarities and differences between labs and their respective civilian human resources issues, and allow for all labs to benefit from all the lessons learned at all demos.

The Department's intent to improve existing demonstration projects was clearly announced in the Federal Register of April 2, 2003, which stated the Department's intent to move the laboratories into Best Practices. Also, on May 12, 2003, the Dr. David S.C. Chu, Under Secretary of Defense for Personnel and Readiness testified before the Senate Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia that "(w)e can apply this blueprint (Best Practices) to about 150,000 of Defense civilians who are covered by demonstration project and alternative personnel system authority." We applaud the work that has gone into existing lab demos and look at this next step in moving to Best Practices as a generational improvement.

QUESTIONS SUBMITTED BY SENATOR JACK REED

TECHNOLOGY AND PRIVACY ADVISORY COMMITTEE

43. Senator REED. Mr. Wynne, your predecessor, Mr. Aldridge, established the Technology and Privacy Advisory Committee (TAPAC), and charged it with advising the Secretary of Defense concerning the legal and policy considerations implicated by the application of data mining technology to counter-terrorism and counter-intelligence missions. Is the TAPAC looking at programs from all of DOD and the intelligence community, or just the Defense Advanced Research Projects Agency (DARPA)?

Mr. WYNNE. The TAPAC is concentrating on DARPA, but is also inquiring about other DOD programs, as well as those in other Federal agencies. The TAPAC has heard presentations about technology and privacy from the Department of Homeland Security, the Federal Bureau of Investigation, the Terrorist Threat Integration Center, and the Central Intelligence Agency, in addition to programs in the DOD.

44. Senator REED. Mr. Wynne, what is the status of the TAPAC's efforts?

Mr. WYNNE. The TAPAC has held five full committee meetings and numerous subcommittee meetings and teleconferences; heard from over 80 witnesses from Government, private industry, academia, and advocacy groups; and, consulted hundreds of documents. The committee has had access to a wide range of information, both classified and unclassified. The committee welcomed participation by the public and all interested parties, and sought to inform and motivate that participation through a Web site (www.sainc.com/tapac) containing information from its meetings and related background materials. The committee's report is due in March 2004.

45. Senator REED. Mr. Wynne, do you plan for this to be a standing committee that can monitor these technologies as they develop and are deployed?

Mr. WYNNE. Since the TAPAC's final report has not yet been released, I do not know what the committee will recommend in the report. However, in the end, it will be up to Secretary Rumsfeld whether or not a standing committee will continue its work.

DARPA PROGRAM REVIEW

46. Senator REED. Mr. Wynne, the recently passed Authorization Conference Report included some language that directed the Secretary of Defense to establish some means of reviewing DARPA's plans and programs more closely. I understand that you recently commissioned a review of DARPA's programs by the Defense Science Board, in order to "confirm that DARPA has advanced research projects based on sound, proven scientific and technological foundations, practices and methods, and are of high value to DOD's operational missions." What were the results of that review?

Mr. WYNNE. At the request of the acting Under Secretary of Defense (Acquisition, Technology, and Logistics) and the Director of DARPA, the Defense Science Board (DSB) conducted an independent, one-time evaluation of DARPA's current tech-

nology portfolio to confirm that DARPA had advanced research projects based on sound, proven scientific and technological foundations, practices and methods, that were of high value to DOD's operational missions. The DSB Task Force did not look at DAPRA's strategic plan in its review of their technology programs.

The DSB review results are documented in a November 14, 2003, Letter Report by the DSB Task Force Chairman. The letter report stated: "After a summary review of the current DARPA technology portfolio, the task force found no programs that appeared to have obvious ethical issues, that had insurmountable technical impediments, or that could not be of high value to DOD." Minor issues identified included: technical objectives that seemed overly ambitious, program titles that did not accurately reflect the research performed, or program documentation that needed to be better cast for a general audience. The Letter Report suggested two areas that require continued attention from DARPA management: (1) establish a process to ensure that human and animal testing protocols are followed by DARPA agents; and (2) remain sensitive to the potential impact of DARPA research efforts on the environment.

DARPA has taken action on both recommendations:

(1) DARPA does not own any research facilities and uses the Services' technical agents to oversee the implementation of DARPA research projects, to include projects that involve human and animal testing. These technical agents ensure program performers working in support of DARPA-funded programs follow established testing protocols. DARPA also uses a DOD veterinarian to review and monitor DARPA projects that involve animal testing. To strengthen oversight, the DARPA director will hire outside experts to conduct scheduled and random inspection visits of selected Service agents, beginning in January 2004, for the purpose of verifying compliance with testing responsibilities and procedures. DARPA will immediately end projects if there is any doubt as to compliance with established protocols.

(2) DARPA is closely examining research projects for environmental issues, and will end any project where the technology appears to have an adverse impact on the environment without adequate mitigation. DARPA will ensure compliance with all environmental law requirements.

47. Senator REED. Mr. Wynne, will you make the findings of the Board's review available to Congress?

Mr. WYNNE. The completed Letter Report is forwarded for your review.

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

DEC 3 2003

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Defense Science Board (DSB) Final Report on Technology Investment for the Defense Advanced Research Projects Agency (DARPA)

The Under Secretary of Defense (Acquisition, Technology and Logistics) and the Director, DARPA co-sponsored this study on Technology Investment for the Defense Advanced Research Projects Agency (DARPA). The attached report documents the conclusions of the Task Force.

I hereby approve this report for public release.

Michael W. Wynne
Acting

Attachment:
As stated

Defense Science Board

Task Force on Technology Investment for the Defense Advanced Research Projects Agency (DARPA)

Letter Report

November 2003

OFFICE OF THE SECRETARY OF DEFENSE
3140 DEFENSE PENTAGON
WASHINGTON, DC 20301-3140

DEFENSE SCIENCE
BOARD

NOV 17 2003

MEMORANDUM FOR ACTING UNDER SECRETARY OF DEFENSE
(ACQUISITION, TECHNOLOGY & LOGISTICS)

SUBJECT: Final Report of the Defense Science Board (DSB) Task Force on Technology Investment for the Defense Advanced Research Projects Agency (DARPA)

I am pleased to forward the final summary review of the DSB Task Force on Technology Investment for the Defense Advanced Research Projects Agency (DARPA). The task force was asked to perform a one time evaluation of DARPA's current technology portfolio to confirm that their advanced research projects are based on sound, proven scientific and technological foundations, practices and methods, and are of high value to DoD's operational missions.

The following summary is forwarded for your review.

William Schneider, Jr.
DSB Chairman

OFFICE OF THE SECRETARY OF DEFENSE
3140 DEFENSE PENTAGON
WASHINGTON, DC 20301-3140

DEFENSE SCIENCE
BOARD

NOV 14 2003

MEMORANDUM FOR CHAIRMAN, DEFENSE SCIENCE BOARD

SUBJECT: Final Report of the Defense Science Board Task Force on the Technology Investment for the Defense Advanced Research Projects Agency (DARPA)

As requested by the Under Secretary of Defense (Acquisition, Technology, and Logistics) and the Director DARPA, the task force performed a one-time independent evaluation of the technology investment for the Defense Advanced Research Projects Agency (DARPA). Task force members reviewed all of the projects in DARPA's current technology portfolio (both unclassified and classified) and assessed each research effort based upon the following criteria:

It appears to have scientific merit, and
It would be of high value to DoD's operational missions.

After a summary review of the current DARPA technology portfolio, the task force found no programs that appeared to have obvious ethical issues, that had insurmountable technical impediments, or that could not be of high value to DoD. Though no significant items were uncovered, task force members did identify a number of minor issues with specific programs that should be addressed by DARPA. The nature of these issues include technical objectives that seemed overly ambitious, program titles that did not accurately reflect the research performed, or program documentation that needed to be better cast for a general audience. These specific items were addressed with DARPA staff and appropriate actions are being taken.

Additionally, areas of particular sensitivity that require continued attention from DARPA management include:

Human and animal testing protocols: DARPA uses protocols established by DoD for human and animal testing. DARPA is encouraged to establish a process that will ensure that these safeguards are indeed being followed by DARPA Agents.

Sensitivity to environmental issues: DARPA must continue to be very sensitive to the potential impact of their research efforts on the environment.

We thank the task force members for their efforts and contributions. We also thank Dr. Tony Tether for the time he spent with us and our Executive Secretary, Mr. Ron Kurjanowicz, for his help and insight.

Mr. Phil Odeen

48. Senator REED. Mr. Wynne, do you plan for more of these types of reviews for DARPA or other organizations in DOD?

Mr. WYNNE. At this time, I do not have any planned reviews scheduled. However, the Director of Defense Research and Engineering (DDR&E) is conducting a detailed review of DARPA's portfolio for both technical content and consistency of program. The DDR&E has already reviewed one office and will be conducting the rest of the reviews through February 2004.

QUESTIONS SUBMITTED BY SENATOR DANIEL K. AKAKA

PUBLIC-PRIVATE COMPETITION

49. Senator AKAKA. Mr. Wynne, the administration has been criticized for imposing arbitrary quotas for the number of public sector jobs that each agency is supposed to subject to public-private competition. Recently, OMB announced that it will no longer impose arbitrary goals, but will allow each agency to develop its own outsourcing plan, based on research and analysis of the work in the agency that is appropriate for public-private competition. Will you ensure that the outsourcing plans of the military services and defense agencies are based on considered research and sound analysis, rather than arbitrary quotas or goals?

Mr. WYNNE. The Department's Business Initiative Council decided to take a two-phased approach to address the President's Management Agenda on competitive sourcing. First, the Senior Executive Council tasked the military departments and defense agencies to conduct a core competency review to identify functions falling outside of the Department's core competencies that should be considered for divestiture or performance by the private sector. Second, the Department refined its inventory guidance, which it uses to improve consistency in the identification of inherently governmental and commercial activities across the Department. Taking into consideration this phased approach, the military departments and other DOD components will identify their competitive sourcing plans in the fiscal year 2005 budget submission. Those plans will comprise the Department's competitive sourcing plan. Further, DOD will track the plans and maintain oversight of these commitments in the budget to ensure that the Department's competitive sourcing plan is realized.

DEFENSE LOGISTICS EXECUTIVE AND AGENCY

50. Senator AKAKA. Mr. Wynne, in September, Secretary Rumsfeld determined that the Under Secretary of Defense (AT&L) would become DOD's Defense Logistics Executive, with the authority to make any changes required to integrate the global supply chain. What changes do you envision as being the most necessary, in both the short and the longer term?

Mr. WYNNE. Thank you for this question. As further background, Secretary Rumsfeld officially designated the Under Secretary (AT&L) as the Defense Logistics Executive (DLE) in a memorandum issued in September. In the same memorandum, the Secretary called for the establishment of a Defense Logistics Board (DLB), an advisory board to the DLE. In addition, the Secretary designated the Commander, U.S. Transportation Command (TRANSCOM) as the DOD Distribution Process Owner (DPO). I believe the framework we are establishing in response to the Secretary's

memorandum provides the DLE with the tools to fully exercise the authority granted him. In this regard, I held the first DLB meeting on December 5. While this meeting was primarily an informational meeting, we did agree on several issues that directly address your question. In the near term, we need to develop meaningful and actionable metrics and targets for our logistics processes. In this regard, I have tasked the Joint Logistics Board to develop proposed targets for DLB review within 60 days. I believe these targets will provide us with the tools to better assess where our processes are working well and where we need to concentrate our future efforts and resources. Recognizing that successful integration of the supply chain will depend upon a DOD team effort, the Board underscored the requirement for continued and close coordination of effort amongst the newly designated DPO, the Joint Deployment Process Owner, the military departments and defense agencies, and the combatant commanders. The Department is continuing its efforts to institutionalize what I will call supply chain enablers, such as Radio Frequency Identification (RFID) and Unique Item Identification (UID). In the long-term, UID coupled with emerging technologies in RFID will allow the Department to efficiently track and account for our materiel assets literally from factory to foxhole. The Department will need to position its logistics processes and systems to take best advantage of these technologies and others as they emerge.

51. Senator AKAKA. Mr. Wynne, what are your views on the appropriate relationship between TRANSCOM and the Defense Logistics Agency (DLA)? Do you think TRANSCOM will be able to effectively execute its new responsibilities as the distribution process owner without direct authority over DLA?

Mr. WYNNE. I have given TRANSCOM the authority they need as the Distribution Process Owner to transform and improve the overall efficiency and interoperability of the distribution process. TRANSCOM does not need to have command authority over DLA to accomplish this mission. In fact, simply combining DLA into TRANSCOM does not create a unified DOD supply chain or materiel distribution system since the military departments and geographic combatant commands also have significant responsibilities with respect to the distribution process. TRANSCOM will coordinate with DLA, the military services, the combatant commands, the Joint Staff, and the Office of the Secretary of Defense in order to effect the transformation and integration of the distribution process that our warfighters require.

EQUIPMENT MAINTENANCE

52. Senator AKAKA. Mr. Wynne, one of the most significant challenges our forces will face as they begin rotating out of Iraq is returning their equipment to ready status after facing intense use under difficult conditions. Do you believe that any changes are necessary either to the law, regulation, or DOD policies, to ensure that maintenance is performed in a timely, efficient manner?

Mr. WYNNE. We have not identified the need for any changes to the law. We are still assessing how we can reset the systems used in the Afghan and Iraq wars. There are significant challenges involved in meeting warfighter timeframe requirements. We will revise our policies as necessary or ask for changes in the law, if needed, to provide any necessary flexibility.

ARSENALS AND AMMUNITIONS PLANTS

53. Senator AKAKA. Mr. Wynne, earlier this year, RAND issued a report recommending significant changes in how DOD manages its arsenals and ammunition plants. Specifically, the report suggests that DOD divest itself of the responsibility of manufacturing ammunition, and instead pursue either privatization or the establishment of a Federal Government corporation. What are your views on what actions DOD should take to change its management of the arsenals and ammunition plants?

Mr. WYNNE. The Department has embarked on a comprehensive review of our defense and security needs toward transforming the force. Part of this transformation includes a review of our arsenals and ammunition plants. The review includes an Infrastructure Steering Group, which USD(AT&L) chairs, composed of the Vice Chairman of the Joint Chiefs of Staff, the Military Department Assistant Secretaries for installations and environment, the Service Vice Chiefs, and the Deputy Under Secretary of Defense (Installations & Environment) to oversee joint cross-service analyses of common business oriented functions. With Congress' authorization of a base realignment and closure (BRAC) in 2005, we have an opportunity to

explore alternatives that provide an innovative, responsive, and reliable ammunition production industrial base.

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

SHIP REPAIR

54. Senator BILL NELSON. Mr. Wynne, the Navy uses the "cost plus" Multi-Ship, Multi-Option (MSMO) approach to repair its ships on the west coast. The Navy is proposing the same approach for the east coast, which is currently using "fixed price" bids and competing the work on an individual ship basis to achieve the lowest cost. As a result, the data suggest that ship repair costs incurred by the Navy on the west coast on DDG 51 (the first class of ships on the east coast that the Navy proposes to use the MSMO approach) are two to three times greater for similar repairs than the costs experienced by the Navy on the east coast. What oversight of this contracting and workloading approach have you exercised from OSD—Acquisition, Technology, and Logistics?

Mr. WYNNE. I have not been directly involved with the Navy's acquisition approach for satisfying ship repair requirements on the east coast because it is below the threshold of acquisition programs that are normally brought to our attention. Nevertheless, the Navy's Service Acquisition Executive, has held numerous meetings on the Navy's internal review process to ensure the proper oversight of the DDG 51 MSMO contract strategy. This oversight helped ensure that the contract strategy, works hare identification, small business utilization, and award fee structure are fair from a small business perspective and in alignment with the Navy's desire to be most efficient and effective in executing DDG 51 maintenance and modernization strategy. Also, with regard to the assertion that the west coast MSMO contracting approach costs two to three times greater than similar east coast ship repair contracts, the Navy has conducted a thorough analysis of maintenance expenditure data from both coasts. The Navy's analysis, when considering a similar scope and underlying assumptions, indicates that the spend rate on the west coast is similar to what is currently seen on the east coast.

55. SENATOR BILL NELSON. Mr. Wynne, what is your assessment of the impact of this contracting method on the ship repair industrial base, especially for the mid-sized to smaller yards or contractors in ship homeports?

Mr. WYNNE. Our assessment, based on prior ship repair contracts on the west coast, is that this contracting method, which include the requirement to utilize small business in 40 percent of the production work and have a minimum of two small businesses participate, will help ensure that an efficient and effective small business industrial base is available to the Navy for the foreseeable future. The solicitation is structured to prevent one repair shipyard from winning the entire award, allowing the mid-size to smaller shipyards to remain competitive with large repair shipyards.

56. SENATOR BILL NELSON. Mr. Wynne, what are the risks to the industrial base and how are you helping the Navy to anticipate and mitigate these risks?

Mr. WYNNE. The Navy does not anticipate that this methodology will have an adverse impact on the industrial base. However, the Navy is very sensitive to any potential impact on the small business industrial base that might occur by utilizing the DDG 51 MSMO strategy. In order to both identify and mitigate any risks, the semi-annual award fee evaluation board will evaluate the contractors' performance and evaluate the prime contractor's use of small business in executing the contract. Each of the ship repair projects in the contract will be negotiated separately as options and the entire contract will be awarded as a base year contract with option years which can be evaluated on an annual basis. This approach will allow the Government to better evaluate the effect of the DDG 51 MSMO in relation to the entire east coast small business repair industry and allow adjustments if deemed necessary.

57. SENATOR BILL NELSON. Mr. Wynne, is DOD committed to fully fund this potentially more expensive ship depot maintenance plan?

Mr. WYNNE. As I indicated in my response to question #54, the Navy does not envision that this contracting strategy will result in a more expensive ship depot maintenance plan. The Department is fully supportive of the Navy's effort to both streamline and make more efficient surface ship maintenance and modernization. The DDG 51 MSMO is one of several strategies to help ensure the surface fleet can

respond quickly and effectively in support of the Fleet's Readiness Plan. If executed as envisioned, the DDG 51 MSMO will provide a more efficient and effective maintenance methodology in supporting a surge capability for the U.S. Navy.

[The nomination reference of Michael W. Wynne follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 3, 2003.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Michael W. Wynne, of Florida, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, vice Edward C. Aldridge, resigned.

[The biographical sketch of Michael W. Wynne, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MICHAEL W. WYNNE

Michael W. Wynne is the Principal Deputy Under Secretary Of Defense for Acquisition, Technology and Logistics. The Senate confirmed him to this position on July 12, 2001.

Prior to joining defense, he was involved in venture capital nurturing small technology companies through their start-up phase as a member of the NextGenFund Executive Committee and serving in executive positions within two companies.

In 1999, Mr. Wynne retired as Senior Vice President from General Dynamics (GD), where his role was in International Development and Strategy. He spent 23 years with General Dynamics in various senior positions with the Aircraft (F–16s), Main Battle Tanks (M1A2), and Space Launch Vehicles (Atlas and Centaur).

In between working with GD, he spent 3 years with Lockheed Martin (LMT), having sold the Space Systems division to then Martin Marietta. He successfully integrated the division into the Astronautics Company and became the General Manager of the Space Launch Systems segment, combining the Titan with the Atlas launch vehicles.

Prior to joining industry, Mr. Wynne served in the Air Force for 7 years, ending as a Captain and Assistant Professor of Astronautics at the U.S. Air Force Academy teaching Control Theory and Fire Control Techniques. Mr. Wynne graduated from the United States Military Academy and also holds a Masters in Electrical Engineering from the Air Force Institute of Technology and a Masters in Business from the University of Colorado. He has attended short courses at Northwestern University (Business) and Harvard Business School (PMD–42). He is a Fellow in the National Contracts Management Association, and has been a past President of the Association of the United States Army, Detroit Chapter and the Michigan Chapter of the American Defense Preparedness Association. He has published numerous professional journal articles relating to engineering, cost estimating, and contracting.

[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 Michael W. Wynne in connection with his nomination follows:]

PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE,
3015 DEFENSE PENTAGON,
Washington, DC, September 15, 2003.

Hon. JOHN WARNER, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Under Secretary of Defense for Acquisition, Technology, and Logistics. It supplements Standard Form 278, "Executive Personnel Financial Disclosure Report," which has already been provided to the committee and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my Standard Form 278 will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, I have no other interests or liabilities in any amount with any firm or organization that is a Department of Defense contractor.

During my term of office, neither I nor any member of my immediate family will invest in any organization identified as a DOD contractor or any other entity that would create a conflict of interest with my Government duties.

I do not have any present employment arrangements with any entity other than the Department of Defense and have no formal or informal understandings concerning any further employment with any entity. If confirmed, I am committed to serve in this position at the pleasure of the President throughout his term of office.

I have never been arrested or charged with any criminal offenses other than minor traffic violations. I have never been party to any civil litigation. To the best of my knowledge, there have never been any lawsuits filed against any agency of the Federal Government or corporate entity with which I have been associated reflecting adversely on the work I have done at such agency or corporation. I am aware of no incidents reflecting adversely upon my suitability to serve in the position for which I have been nominated.

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I am a member of certain organizations and professional societies, which are either listed below or have been previously provided to the committee. None of these should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the committee.

Sincerely,

MICHAEL W. WYNNE.

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 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.)
Michael Walter Wynne.

2. **Position to which nominated:**
Under Secretary of Defense (Acquisition, Technology, and Logistics).

3. **Date of nomination:**
September 3, 2003.

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 4, 1944; Clearwater, Florida.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Barbara H. Wynne (Maiden Name - Hill).

7. **Names and ages of children:**
Lisa W. Henkhaus, 36.
Collene W. Finn, 35.
Karen W. Murphy, 32.
Laura W. Killette, 27.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
7/1962–6/1966, United States Military Academy, West Point, NY, BSGE.
7/1968–6/1970, Air Force Institute of Technology, WPAFB, OH, MSEE.
9/1973–6/1975, University of Colorado, C. Springs, CO, MBA.

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.
6/2001–Present, Deputy Under Secretary of Defense (AT&L), 3015 Defense Pentagon, Rm 3E1006, Washington, DC.
12/2000–6/2001, Chairman/CEO, IXATA Group, 8989 Rio San Diego Drive, San Diego, CA.
7/1997–10/1999, Senior Vice President, General Dynamics, 3190 Fairview Park Drive, Falls Church, VA.
5/1994–3/1997, GM, Space Launch System, Lockheed Martin Astronautics, Deer Creek Canyon Drive, Denver, CO.
3/1991–5/1994, President, Space Systems, 5001 Kearney Villa Road, San Diego, CA.

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.
6/1966–6/1973, Officer in the USAF—Captain.
6/1973–9/1975, Reserve Officer—Captain.

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.
Republican National Committee, approximately $4,000.
Republican Senatorial Inner Circle, less than $1,000.
Democratic National Committee, less than $500.
Senator Feinstein, approximately $750.
Senator Allen, less than $500.
Congressman Hunter, less than $500.
Bush Campaign, less than $500.
Texas Republican Party, less than $200.

Virginia Republican Party, less than $500.
Congressman Cunningham, less than $500.
Senator Snowe, approximately $750.
Lazio Campaign, less than $300.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

National Contract Management Association Fellow.
Military Medals: Unit Excellence (AC130 Gunship Development).

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

1970, Multiple reentry vehicles, AIAA/IEE proceedings.
1972, Optimal Control; Sightline Autopilot, AIAA proceedings.
1978, Impact of Labor Strike on Learning Curves for Manufacturing Society for Parametric Estimating.
1985, RD&A Magazine, Benefits of the M1A1 Multi-year for the Army.

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.

(See attached).

18. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in 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.

MICHAEL W. WYNNE.

This 15th day of September, 2003.

[The nomination of Michael W. Wynne was returned to the President on December 8, 2004.]

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_____.

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